



# VIOLENCE AT WORK POLICY

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Policy Renewal: July 2024

Reviewed by the SLT MAT Board

“The Trustees of the Southport Learning Trust are committed to safeguarding and promoting the welfare of children and young people at every opportunity and expect all staff and volunteers to share this commitment”

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### 1. Purpose of Policy

Southport Learning Trust recognises that there are no circumstances in which violence towards any member of staff is acceptable and no members of staff shall be expected to accept exposure to violent behaviour as part of their role.

### 2. Introduction

The Health and Safety Executive (HSE) defines work-related violence as: 'Any incident in which a person is abused, threatened or assaulted in circumstances relating to their work'.

This definition is taken to include verbal abuse or threat, threatening behaviour, any assault, any serious or persistent harassment, including racial or sexual harassment and extends from what may be seen to be minor incidents to serious assault including threats made against the employee's family.

### 3. Scope

This policy is applicable to all staff members of Southport Learning Trust who suffer physical or verbal abuse during the course of their duties from students, parents and members of the public.

### 4. Legal Requirements

Health and Safety law applies to risks of violence, just as it does to other risks from work. The main relevant legislation is:

The Health and Safety at Work Act 1974 (HSAW Act)

- Employers have a legal duty under this act to ensure, so far as is reasonably practicable, the health, safety and welfare of their members of staff while they are at work.

The Management of Health and Safety at Work Regulations 1999

- Employers must consider the risks to members of staff (including the risk of reasonably foreseeable violence); decide how significant these risks are; decide what to do to prevent or control the risks; and develop a clear management plan to achieve this.

The Reporting of Injuries, Diseases and Dangerous Occurrence Regulations 2013 (RIDDOR)

- Employers must notify their enforcing authority in the event of an accident/incident at work to any employee resulting in death, major injury or incapacity for normal work for more than three days. This includes any act of non-consensual physical violence against a person at work.

### 5. Policy

The Trustees of Southport Learning Trust believe that all violence to members of staff at our Trust Schools is unacceptable and is committed to providing full support to any member of staff who suffers violence in the course of, or arising out of, their official duties.

Information will be available to members of the public in the form of a statement that violence is unacceptable and the Trustees of Southport Learning Trust will take legal proceedings if necessary to maintain the safety and well-being of its members of staff.

All incidents of verbal abuse or physical violence will be treated seriously and responded to appropriately. On no account will such incidents be treated lightly or dismissed as part of everyday life, nor will a violent incident be viewed as a reflection on an individual employee's ability.

All incidents of verbal abuse or violence must be reported to the Headteacher and investigated; and appropriate action taken to minimise the risk of a recurrence. This may include the need to share information with colleagues and across schools to establish any pattern of violence from particular areas.

Where serious threats are made to an employee in the course of their employment, the Headteacher and/or Chair of Governors will take appropriate and supportive action to prevent any recurrence. This may include sending a formal letter to the person concerned warning that legal action will be taken if a breach of the law occurs.

A member of staff who has been occasioned harm in any way, including threats or psychological damage or who has suffered damage to their property, should be actively encouraged to report the matter to the Police. Every opportunity should be taken to prosecute offenders either by the Police, or in certain circumstances, individuals may wish to initiate legal proceedings themselves.

## **6. Risk Assessment**

By looking at the roles members of staff undertake, and the context in which they work, it is possible to identify the potential for violence. When undertaking a risk assessment it is essential to identify individual causes of risk, and equally important to recognise that these risk factors rarely occur in isolation and when combined will have the potential to increase the risk of violence. As such, members of staff may face a series of combined risk factors such as threatening behaviour from students which may be supported and/or influenced by the parent/carer.

Risk Assessments are carried out by Southport Learning Trust schools where violence poses a significant risk to members of staff. Any recommendations arising out of the assessment will seek to eliminate or reduce the risk to the lowest reasonable practicable level.

It is recognised that the behaviour of some students may present particular challenges to members of staff. Specific advice can be gained via the school's SENDCO.

## **7. Legal Position**

Physical restraint used in self-defence is acceptable in law, but only with the minimum force necessary. This means that it is reasonable for members of staff to use sufficient force to stop or control violent situations, or prevent themselves or other people from being injured. Whilst the risk of an employee being in a situation where the only way to protect themselves is to cause harm to the violent person is unlikely, it is accepted in law. In deciding whether the force used was reasonable, the courts will consider all of the circumstances surrounding the violent situation.

There is no legal definition of when it is reasonable to use force as this will always depend on the precise circumstances of individual cases. To be judged lawful, the force used would need to be in proportion to the consequences it is intended to prevent. The degree of force used should be the minimum needed to achieve the desired outcome. Use of force could not be justified to prevent trivial misbehaviour. However, deciding whether misbehaviour is trivial will also depend on circumstances.

## **8. Additional Support**

Southport Learning Trust is committed to providing full support, including aftercare, to members of staff who have suffered violence in the course of their duties. Support will include:

- Line management support/debrief to ensure the incident is discussed, recorded appropriately and consideration is given to further action.
- Access to a Counsellor for those members of staff who feel they may benefit from this service included in our Employee Assistance Wellbeing Programme. The Counsellor may wish to discuss with the employee the need and mechanism for specialist post incident support.

Immediately after reporting a violent incident, the individual who has been attacked should be offered local support to ensure their needs are met. This should include consideration as to whether it is appropriate for the employee to remain at work following the incident and whether the incident requires Police investigation.. Debriefing should take place with an appropriate person as soon as possible after the event to minimise the risk of longer-term trauma and harm. The purpose of the debriefing session is to enable the individual to talk about their feelings of distress.

It is normal for people to feel vulnerable, helpless or powerless to react, and there may be feelings of guilt, anger and fear of another attack. These feelings may not manifest themselves immediately and may take time to come to terms with. Individuals should be encouraged to talk openly about their experiences; what happened, how they responded and how they felt.

Even the most sophisticated policies and procedures relating to violence and personal safety cannot guarantee that a violent incident will never occur. It is important therefore, that post incident support is available to anyone subjected to violence in the course of their work. Such services ensure that support, practical help and access to sources of specialist help are provided subject to availability.

The following policies, which are available from the school's website also provide advice and guidance when dealing with incidents of violence at work:

- Behaviour policy
- SEND policy

## **9. Review**

This policy will be reviewed biannually by the Trust Board.