

Violence at Work Policy & Procedures



Kingsland School



This policy is located in the Health & Safety Policy/Manual provided by OMBC named as Appendix 1 in section 2.29 Violence & Aggression at Work.

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KINGSLAND SCHOOL

VIOLENCE AT WORK POLICY AND PROCEDURE

1. INTRODUCTION

Employees of Kingsland School, like all those who deal directly with the public or pupils, may face aggressive or violent behaviour, sexist, racist or other forms of verbal abuse.

The school takes a serious view of violent acts committed against its employees and recognises that due to the very nature of their duties, they are often placed in a vulnerable position.

Violence towards staff, in whatever form, will not be tolerated, and whatever the reason, will not be seen as an employee's failure or an inevitable part of their job.

Kingsland School recognises its obligations under the Health and Safety at Work Act 1974, the Management of Health and Safety at Work Regulations 1999 and the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995, to provide a safe and secure environment for all employees who are in close contact with members of the public.

The School has a legal duty to provide safe workplaces, safe working environments, information, instruction and training to its employees and to provide a framework for devising preventative measures. The Service also recognises its responsibilities under various pieces of legislation to protect its staff and adequately respond to violent incidents within the workplace.

This Policy complies with all relevant legislation and includes good practice to prevent violence at work and to investigate any incidents that may arise. It must be read in conjunction with the School Health and Safety Policy and Procedures; and the appropriate Council policies and procedures on Health and Safety, Stress, Hate incidents, bullying, the codes of conduct for employees and the schools guidance on personal safety and security.

Kingsland School acknowledges its responsibilities under the Commission for Racial Equality "Standard for Local Government" in relation to the way in which it approaches violence towards staff which may have racial overtones. This policy takes those responsibilities into account when dealing with such incidents.

2. SCOPE OF THE POLICY

2.1 This Policy applies to all school staff

- 2.2 Where a member of the public makes a complaint against an employee, the Council's complaints procedure will apply. The outcome of the complaint may result in disciplinary action.
- 2.3 It is also important to note that sometimes violence that occurs outside the workplace and outside normal working hours can be connected to work and therefore falls within the scope of this policy.
- 2.4 If an incident occurs which results in an employee being absent from work or unable to carry out their normal duties for more than 3 days this will be recorded and reported to the LA so that a report can be sent to the HSE in line with the Requirements under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995).
- 2.5 Where an employee has been seconded to another organisation, he/she will fall within the remit of the host employers Violence at Work Policy. The host employer will be required to inform the Service of any serious incidents for the purposes of sickness absence and the use of the councils support mechanisms such as the employee assistance programme.

3. AIMS AND OBJECTIVES

The primary aim of this policy is to prevent and reduce violence at work and to provide effective monitoring. Where a violent incident does occur the policy aims to ensure that appropriate and effective action is taken to prevent any recurrence.

The specific objectives of this policy are to:

- Identify areas of work where employees may be at risk and ensure that they are aware of the types of behaviour that might constitute Violence at Work.
- Ensure that effective processes are put into place to identify areas of risk and what measures can be taken to prevent violent incidents.
- Promote a climate in which employees feel confident in bringing forward a complaint of violence at work.
- Train employees to enable them to spot the early signs of aggression and how to handle it.
- Promote an environment in which employees feel confident in dealing with violent incidents/behaviour.
- Provide a process whereby incidents can be investigated quickly and effectively in a manner which recognises the sensitivity of the incident and respects the rights of confidentiality of those involved.

4. RESPONSIBILITIES UNDER THE POLICY

The Headteacher will ensure that:

- All staff are made aware of the terms of this policy and their rights and responsibilities arising under it.
- Resources are made available to provide specialist training for all employees.
- Risk assessments are undertaken on a regular basis.
- Incidents are reported and monitored.

Managers and Supervisors:

- Must comply with the terms of this policy.
- Ensure that within their area of responsibility, all staff are aware of the terms of the policy and that it is put into practice.
- Take rapid effective action when an incident of violence at work is reported to them. Failure to deal with a complaint could amount to disciplinary action being taken against the manager.
- In the event of uncertainty, seek advice from the Business Manager with responsibility for Health and Safety or the Head teacher.
- Identify hazards and those at risk.
- Conduct risk assessments for identifying and implementing control measures on a regular basis; this may involve working with employees.
- In the event of a violent incident, identify employees who need to be referred to the Occupational Health service and notify the Business Manager accordingly.
- Ensure that appropriate training needs are identified and met for staff working within their team.

The School Business Manager will:

- Provide advice for managers on health and safety issues and the risk assessment process.
- Ensure that the appropriate support and reporting mechanisms are in place.

- Ensure that the TeamTeach rolling programme of training is up to date and that new staff access training as soon as possible.
- Educate managers and supervisors on the importance of preventing violence at work
- Ensure that there is a consistent approach across the School.
- Provide statistics to the council for workforce monitoring.
- Ensure that the appropriate notifications are made to the LA and ultimately the HSE as may be necessary.

All staff

- Are responsible for complying with the terms of this policy and where required attend appropriate training.
- Must take reasonable care in respect of their own safety and security.
- Must co-operate with managers in complying with associated guidelines.
- Must **not** knowingly put themselves at risk.
- Must take a **positive** view of risk assessments and provide assistance to Managers when they are undertaken.
- Who witness an act of violence should encourage the recipient to seek support and assistance and make it clear that they will offer assistance to the recipient by providing truthful evidence.
- Should, where possible, draw it to the attention of the appropriate Manager if they feel that a workplace culture is developing which could lead to violence at work.
- Should comply with all reasonable procedures implemented by the Service.
- Must notify the Business Manager with responsibility for health and safety of any potential hazards they become aware of.
- Must take steps to ensure their own safety and that of colleagues at their place of work.

Occupational Health/Employee Assistance Programme

- Will provide support services to employees on a formal or an informal basis as necessary.

Trade Unions

- Will support both employees and management in the implementation of this policy

5. USEFUL DEFINITIONS AND FURTHER INFORMATION

The Health and Safety Executive (HSE) defines violence as:

‘Any incident in which an employee is abused, threatened or assaulted by a member of the public in circumstances arising out of the course of his/her employment’.

For the purposes of this policy, a violent attack could also be defined as any incident between one or more employees.

Work related violence can be physical or non-physical, examples of which may include:

Physical	Non-Physical
Physical assault	Threats and threatening gestures
Pushing and shoving	Abusive phone calls, letters, emails
Damage to personal property	Verbal abuse (including racial abuse)
Kicking, biting, punching, spitting etc	Bullying/harassment
Unwanted physical contact	Insults, innuendo, ridicule, sarcasm

The above list is not exhaustive or comprehensive, but it is meant to provide some examples

6. EMPLOYEES AT WORK

All staff may at some point be at risk of a violent attack; however, due to the very nature of their work, some are more vulnerable than others.

It is not only the jobs people are asked to do that have potential to cause work related violence. Other factors include how those jobs are carried out. The risk of violence may be increased for example where jobs including working in isolated areas or during hours when few people are around. Managers should take account of task and person specific factors when carrying out risk assessments for their staff.

Specific risk factors include:

- off-site visits.
- working closely with adults or children who may have behavioural problems;
- working alone, or in one to one meetings with parents/students /children
- travelling between locations.

- handling cash/banking duties where this may make them vulnerable to violence connected with the attempted theft of the cash;
- Security of the premises.
- dealing with issues which impact on a student or child's family or home and which prompt strong reactions including home visits.

7. LONE WORKERS

Although there is no legal definition of lone working, it can be described as 'work that is specifically intended to be carried out by an unaccompanied person, without direct supervision or immediate access to another person for assistance.

Whilst the term 'lone worker; clearly implies single employees, it should be remembered that two, or even more employees working together without supervision may be at risk.

Staff working at Kingsland School refer to the specific guidance on Security; Home Visits and Lone Working set in the Health and Safety Manual.

8. RISK ASSESSMENTS

- 8.1 There are no easy solutions to preventing or reducing violence at work as the precautions needed must be identified by a risk assessment.
- 8.2 The purpose of the risk assessment is to identify the extent and nature of the risk. Factors which contribute to the risks and the changes necessary to eliminate or control the risk.
- 8.3 Line managers must assess the risk of violence against the individuals for which they have a management responsibility, and take any necessary steps to reduce that risk. Assessing the risk of violence will involve talking with members of staff about their experiences. Risk may be increased if the employee works alone or visits people in their homes, but is not confined to these situations; any face to face contact with the public or pupils may carry a potential risk.
- 8.4 It is essential that the assessment is undertaken by someone who is familiar with the post; i.e. the appropriate manager **together with** the post holder.
- 8.5 Risk assessments should be undertaken in accordance with the HSE's guidelines 'Five Steps to Risk Assessment'.

9. REPORTING, RECORDING AND MONITORING OF INCIDENTS

- 9.1 All staff can help to improve the risk assessment system by reporting anything they feel is unsafe to Managers or Supervisors and co-operating with the Manager to carry out further assessment. This will help with the introduction of

control measures that are suitable and sufficient to eliminate or reduce the identified risks.

- 9.2 In the event of a violent incident occurring, the line manager should carry out an initial investigation. Support for this process is available from the Business Manager.
- 9.3 Upon completion of the investigation, an official report of the incident should be submitted using the relevant form.
- 9.4 The completed form should be passed to the Business Manager who has responsibility for carrying out further investigations in the event of violent incidents and re-occurring violent attacks.
- 9.5 If the incident is believed to have been motivated by hate (that is on the grounds of race, sexuality, disability, religion, age etc.) and as such has been classified as a hate incident, a NOHIB form should be completed (Notification of Hate Incidents & Bullying). Further information can be obtained from the Business Manager and the Council's Hate Incident Reporting Procedures will be followed.
- 9.6 Throughout the process, the head teacher will ensure that staff are updated on any action that is to be taken.
- 9.7 In order to measure the effectiveness of the policy, the Council will publicise in its annual Workforce Monitoring Report the number of violent incidents that have been reported and dealt with and the resolution reached. The identity of the parties involved will not be publicised to maintain confidentiality.

10. GUIDING PRINCIPLES

Every effort shall be made to protect the rights of all parties involved; the following principles shall be adhered to:

The rules of natural justice shall apply to all investigations in that those involved in the process will have the right to explain or defend their actions.

The principle of confidentiality shall apply.

All complaints will be dealt with expeditiously and at least within the timescales prescribed

Incidents will be considered against the principles of reasonable belief and the balance of probabilities i.e. it is more likely than not

11. MALICIOUS COMPLAINTS

The Manager may conclude that the complaint was malicious, that is; that the complaint was entirely false and made with the deliberate intentions of having action taken against a client or

another employee. In these circumstances, the complaint will be dealt with under the appropriate disciplinary procedures. Further action may be taken against a client should the investigation find that the complaint was malicious.

12. VIOLENT ATTACKS MADE BY ONE EMPLOYEE TO ANOTHER

Attacks of this nature will be jointly investigated in accordance with the Council Disciplinary procedures and the Violence at Work Policy. The outcome of the investigation may lead to disciplinary action.

13. CONFIDENTIALITY

Claims of violence at work will always be treated seriously and dealt with in the utmost confidence. Confidentiality is vitally important in order to provide all parties concerned with a degree of security, and to ensure that all procedural aspects are dealt with sympathetically, impartially and objectively. Any breaches of confidentiality will be treated seriously and may result in disciplinary action.

Anonymity cannot be guaranteed, especially where there may be a breach of the law or where criminal proceedings may be initiated.

14. THE LEGAL AND INSURANCE POSITION

All staff who are injured may be entitled to claim compensation and/or assistance from the following:

- The Councils' Personal Accident Insurance
- The Councils' Liability Insurance
- Seeking compensation from the assailant(s) in the civil court following successful prosecution

15. TRAINING

- 15.1 It is the aim of the school to reinforce the minimising of risks that employees face, and to provide opportunities for them to undergo training in the early recognition of the signs and symptoms of potentially aggressive or violent behaviour; and in techniques to handle it.
- 15.2 All staff who work in a class based role that is pupil facing at Kingsland School will undertake Team Teach training to support them in managing behaviour, de-escalation strategies and safe handling of pupils. Although this training has a focus on managing challenging pupil behaviour, it proposes strategies which are transferable to any challenging situation in which an employee might find themselves.

- 15.3 It may not be possible to give training to all employees immediately, but efforts will be made to give relevant training at the earliest opportunity. This is the responsibility of the Business Manager.

16. POLICY REVIEW

This policy will be reviewed every 2 years, taking account of the experience gained from its operation or advice obtained from emerging good practice.

17. LINKS WITH OTHER POLICIES & DOCUMENTS

This policy links with the following:

- Violence at Work Forms
- Staff Code of Conduct Policy
- CCTV Policy
- Complaints Policy
- OMBC Grievance Policy

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