



## Parc Eglos School Assaults Against Staff Policy

### Definitions and Context

Parc Eglos School follows the guide lines of the Cornwall County Council policy statement on violence at work which defines assaults as "Any incident in which an employee is abused, threatened or assaulted in circumstances arising out of the course of his or her employment." 'Assault' encompasses any intentional and violent physical conduct and includes verbal abuse as well as threats of and attempted assault. This would include instances of "cyber-bullying".

Parc Eglos School considers assaults upon any staff as unacceptable and is committed to working in a positive partnership with schools and educational establishments to reduce and eliminate these incidents. The Local Authority believes this objective is shared throughout its schools and other establishments and requires the active co-operation of all colleagues in tackling this issue.

Schools will need to be aware of the implications for children being assessed with learning disabilities and will need to demonstrate appropriate care and guidance has been provided to individual pupils. It is recommended that attention is given to the Disability Discrimination Act in managing such behaviours, and the control of behaviour which may have led to an assault. This wider context will also need to be considered for parents who have a learning disability.

### Legal Responsibilities

Parc Eglos School recognises that all employers have legal obligations in relation to their staff. These include:

- The responsibility to provide and maintain safe systems of work and a safe place to work.
- The responsibility to provide all necessary information, instruction, training and supervision to enable individuals to be safe.
- The responsibility to provide and maintain a safe environment for pupils and visitors to the school or the site.

It is recognised that staff also have obligations, as follows:

- To take reasonable care of their own health and safety and that of others, including their colleagues and the pupils in their care.
- To cooperate with the employer on health and safety matters.
- To carry out activities in accordance with training, instructions, policies and procedures.
- To inform their employer of any serious risks.

## **Prevention of violent assaults:**

We will, where needed:

- undertake regular, suitable and sufficient risk assessments;
- identify and assess the risks and consideration should be given to everybody at the workplace or using the site;
- include the whole of the site, including areas adjacent to the site; include staff who visit pupils at home as part of the risk assessment process;
- determine appropriate actions to manage those risks: existing precautions should be examined to establish whether they are adequate and whether more should be done;
- implement the actions: this may include measures such as: training programmes; alterations to school entrances; implementing procedures for visitors to the school site, including school signs; communications systems; emergency procedures; the provision of alarms or back-up for staff, and behaviour management plans for individual pupils;
- monitor the results; inform all staff who might be affected of the outcome of the risk assessment; keep a record of the findings, consider how they might be used to prevent harm; and consider risks to the personal safety of staff as part of the risk assessment process;
- review associated policies which support the prevention, or reduce the likelihood of violent assaults e.g. Discipline/Behaviour Management Policy;
- inform and consult with employees and their representatives on measures to reduce the risk of assault.

## **Assault on a member of staff**

**The Headteacher** is identified as single point of contact amongst senior staff to receive all reports of assaults and violence at work. He has sufficient authority to release affected staff from their duties and re-deploy other staff as required. If a member of staff is assaulted, the following action will be taken.

- The member of staff should be allowed access to a private area for as long as necessary where they can sit with a friend, representative or, where possible, colleague. If required, immediate medical assistance and emotional support should be offered.
- They should be allowed to leave the school / site or go home if they wish and the employer will make appropriate arrangements, which may include arranging transport.
- They may have to attend hospital or a GP's surgery and if so may wish to be accompanied by a friend, representative or colleague in order that a medical assessment may be completed. The employer will pay any reasonable charges (e.g. from a doctor, dentist or optician) which may be incurred in obtaining the assessment following the incident.
- Staff will also be offered the opportunity to attend counselling, and a referral to Occupational Health may be considered if appropriate. There will be no charge for this service.

The identified single point of contact should offer to undertake a follow-up call that evening to the assaulted member of staff to check on their welfare, should this be the staff member's wish.

### **Reporting of the incident**

It is crucial that any incidents involving assaults on staff are reported to the Headteacher. If the assault takes place on a Headteacher, the Chair of Governors must be informed. The Headteacher or Chair of Governors (or other member of the Governing Body) must pass on information about the assault to the Local Authority. A copy of such a report should be centrally held and a written copy sent back to the appropriate member of staff. The member of staff should be advised to contact their trade union representative if they wish to do so. In any discussions about the incident, the staff member may be accompanied by a representative of their trade union. The Headteacher, following a preliminary investigation and with the consent of the member of staff, will consider whether to inform the police of any serious assault on school premises. If the member of staff concerned does not wish the police to be informed, those views will be taken into consideration. In all cases, the member of staff has the right to report the incident personally to the police. All appropriate and relevant staff should be notified that an assault has been reported and alerted to the management, action taken and guidance issued in connection with the matter. The Headteacher will need to consider the seriousness and impact of the assault when informing other staff members.

### **Assaults by pupils**

In the event of a serious assault on a member of staff by a pupil, the Headteacher must take all reasonable steps to minimise contact between the member of staff concerned and to assist in ensuring an unhindered and fair investigation. If the assault is on the Headteacher, the investigation should be delegated to an identified member of the Senior Leadership Team. It is recommended that pupils should normally be removed from the situation/site where the assault takes place. In such cases where it is impractical to remove them from the premises (e.g. where attempts to contact parents have been unsuccessful), the pupil concerned should be isolated from other pupils while initial investigations are carried out. In such a context, the needs of pupils with disabilities will also need to be considered in the light of previous risk assessment and behaviour management plans for these pupils. This may need to be revised following any incident.

### **The risk assessment**

Behaviour Management Plans for pupils who present future risks from foreseeable challenging behaviour should be put into action. The Headteacher will consult the assaulted member of staff about appropriate arrangements.

### **Assaults by adults**

In the case of an assault by a visitor, parent or intruder, the Head Teacher will immediately:

- inform the police and, where appropriate, request their immediate attendance;
- ensure that all staff and pupils are safe / secure and subsequently, if it is safe to do so, take practical steps to isolate the individual;

- liaise with the police;
- liaise with the Local Authority;
- if the assailant is known, send them a letter stating that their behaviour is unacceptable and that they are not permitted to come onto the school premises in future without an appointment. If they do so and they cause a nuisance or disturbance, they will be regarded as a trespasser and will be liable to prosecution for causing a nuisance or disturbance as a trespasser on educational premises.

In such cases as described above, it is particularly important that the Headteacher is supported. The Head will make contact with the Local Authority who will provide direct advice and support. Where such episodes are a recurrent problem, the school would consider putting a formal notice on the school's entrances informing intruders that they may face prosecution. The Local Authority will support schools in this action. The Local Authority will make available the Council's statement regarding the unacceptability of violence towards any of its employees which schools may wish to display.

### **Documentation**

As soon as practicable after the assault, having allowed the member of staff concerned sufficient time to recover from the immediate effects of the event, they will be given time to prepare a written statement covering the circumstances leading up to the assault and the assault itself, and to consult with their trade unions if they wish to do so.

Written statements should be obtained as soon as practicable from all witnesses. Wherever possible, they will be prepared on the day of the incident or as soon as possible thereafter. The single point of contact identified above should ensure completion of an Accident / Incident Report and also use the above information to collate production of supplementary corroborative evidence as to the nature of the incident. The Headteacher or delegated member of the Senior Leadership Team will undertake an investigation and prepare a formal written report as soon as it is practicable to do so. This may need to be considered in light of whether the police are involved. This report will be agreed with the employee concerned. The report will be given to the police / Local Authority, if appropriate, and to those with overall responsibility for health and safety. Where incidents are perceived to be racially motivated, then relevant reporting systems will also be operated.

The single point of contact will provide feedback to the member of staff concerned and all other staff on the follow-up procedures taking place in the school, including expectations around the management of the perpetrator / incident and any conditions surrounding the perpetrator (if appropriate) in order to identify particular support needs and changes in working practices to reduce any further risks. This would take place prior to the return of the pupil or student.

Our school will consider whether the incident fulfils the RIDDOR requirements (Reporting of Injuries, Diseases & Dangerous Occurrences Regulations).

### **Further support for the victim of assault**

Follow-up advice and guidance will be offered to the member of staff. The school will permit the assaulted member of staff to take reasonable paid time off to consult with their trade union, the police or legal advisors and to attend court if a prosecution is initiated. Where the member of staff is injured and is obliged to take sick leave, they will be advised of where to seek information in relation to sick pay rights, including the additional entitlements to sick pay for those suffering injury at work. Legal cover for assaults is not automatically provided but may be provided by employee unions where appropriate.

The school, on request, will consider the provision of legal advice to assist and prepare the assaulted member of staff for any appearance in court if the matter leads to a criminal prosecution. If the assaulted member of staff decides to bring a private prosecution, the school or Local Authority will, on request and where appropriate, offer legal advice and assistance.

If the assailant is prosecuted, the employee or Local Authority and other employees who are witnesses may be required to give evidence in court. Paid leave of absence will be granted for this purpose and appropriate cover will be provided.

Where the injuries arising from the assault cause temporary or permanent disablement, the school will advise the member of staff of any insurance scheme.

The school would consider whether and in what circumstances to compensate the employee for any damage to their personal property or clothing as a result of the assault. Counselling services for post event related stress would also be made available.

### **Monitoring and review**

Reports of assaults on staff should be provided to the Governing Body, its staff and Trade Unions.

<b>Review &amp; Approval Date</b>	<b>March 2015</b>
<b>Signed by Chair of Governors</b>	<b>John White</b>
<b>Signed by Headteacher</b>	<b>Brett Dye</b>
<b>Next Review Date</b>	<b>March 2018</b>