



Abuse, Threats and Violence Towards School Staff Policy

The Children's Endeavour Trust comprises:

Abbot's Hall Community Primary School
Bosmere Community Primary School
Broke Hall Community Primary School
Chilton Community Primary School
Combs Ford Primary School
Freeman Community Primary School
Springfield Junior School
Whitehouse Community Primary School

Document Control

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Introduction

The Children's Endeavour Trust has a duty to protect the health and safety of its staff in its schools and shares a duty of care in relation to their physical and emotional well-being with the Trust Board, governing bodies and headteachers. Children's Endeavour Trust believes that violence, threatening behaviour and abuse against school staff are unacceptable and should not be tolerated. All school staff have a right to expect that their school is a safe place in which to work and that prompt and appropriate action will be taken on their behalf if they are subjected to abuse, threats or violence by parents and other adults on the school premises (this policy does not cover such behaviour on the part of pupils). Children's Endeavour Trust and Suffolk Constabulary will take all reasonable and appropriate action in support of schools and their staff.

Definition of Abusive, Threatening and Violent Behaviour

The most common example of unreasonable behaviour is **abusive and aggressive language** for which the most widely used remedy, where informal action is not considered to be appropriate or has proved to be ineffective, is the withdrawal of permission to be on school premises.

Where a person recklessly or intentionally applies unlawful force on another or puts another in fear of an immediate attack, it is an offence in law which constitutes an assault. Children's Endeavour Trust would normally expect the Police to be contacted immediately in such cases.

There are three categories of assault, based on the severity of the injury to the victim:

a) Common Assault

- involving the threat of immediate violence or causing minor injury (such as a graze, reddening of the skin or minor bruise).

b) Actual Bodily Harm

- causing an injury which interferes with the health or comfort of the victim (such as multiple bruising, broken tooth or temporary sensory loss).

c) Grievous Bodily Harm

- causing serious injury (such as a broken bone or an injury requiring lengthy treatment).

There is also a racially aggravated form of assault, where there is a racial element to the offence, which carries higher maximum penalties.

It is important to note that **no physical attack or injury** needs to have occurred for a common assault to have taken place. It is sufficient for a person to have been threatened with immediate violence and put in fear of a physical attack for an offence to have been committed.

Individual circumstances will influence the decision as to whether a particular incident should be reported to the Police. The Police would expect to be involved where there is a clear injury (whether physical or emotional) and acknowledge that other factors may need to be taken into account such as the previous behaviour of the offender and the likelihood of a repetition if action is not taken to prevent it.

Measures to avoid, prevent and minimise incidents

In our schools, the Headteacher has the prime responsibility to ensure that all staff members are safe. Our Headteachers will ensure that all staff members are aware of the details of this policy and any amendments to it. Our Chairs of Governors are responsible for ensuring that the policy is upheld.

Training in personal safety and conflict management can play a key role in assisting school staff. Staff at Children's Endeavour Trust schools have completed behaviour management and de-escalation training as appropriate. Appendix 1 shows a useful Confrontation Checklist.

Action when an incident occurs

All staff will respond to an incident in accordance with the details of this policy.

Children's Endeavour Trust and Suffolk Constabulary would normally expect all cases of assault (and all but the most minor of other incidents) to be regarded as serious matters which should be reported to the Police and followed up with due care, attention and rigour.

The 999 call system should always be used when the immediate attendance of a Police Officer is required. The Police support the use of 999 in all cases where:

- There is danger to life
- There is a likelihood of violence
- An assault is, or is believed to be, in progress
- The offender is on the premises
- The offence has just occurred and an early arrest is likely

In **non-urgent cases**, where the incident is not thought to be an emergency but police involvement is nevertheless required, the **Force Operations Room should be contacted on 01473 613500** so that an incident log can be created for possible further reference.

All 999 calls receive an immediate response. Unless other arrangements are agreed at the time, other (non-emergency) calls will normally result in attendance within eight hours (and within 24 hours at the latest).

When they attend the school, the Police will take written statements from the victim and obtain evidence in order to investigate the offence in the most appropriate and effective manner. The Police will also take into account any views expressed by the Headteacher as to the action which the school would like to see taken. The Headteacher should, therefore, speak to the victim and be aware of his or her views before confirming with the Police how the school would wish them to proceed. Advice is available to the Headteacher at this and at all other stages via the Chief Executive Officer.

In certain cases the victim may be asked by the Police if he or she wishes to make a complaint or allegation against the alleged offender. In such situations it is important to ensure that the victim

has the opportunity to discuss the matter with the Headteacher, a colleague, friend or union representative before deciding on their response. It may be helpful for the victim to be assured at this stage that, if there is a need subsequently to give evidence in court, support can be provided by the Trust if it is not available from Victim Support.

The decision on whether or not to prosecute is made by the Police or Crown Prosecution Service (CPS) on the basis of the evidence and with due regard to the relevant gravity or public interest factors, including the VPS.

The Head of Legal services has advised that, in the absence of a prosecution supported by the CPS, a private prosecution is most unlikely to succeed. The Trust will, however, judge every incident on its merits and will consider, in consultation with the Headteacher and Governors and in conjunction with the employee and trade union involved, the need for further action in cases where an employee has been assaulted and the CPS has decided against a prosecution.

Police Contacts in an emergency

- 1) 999 for immediate attendance of a police officer (see previous section)
- 2) Force Operations Room 01473 613500 for all non urgent cases or 101

For guidance on reporting crimes, see appendix 2 School's Protocol for reporting crimes.

Source: [General Rules \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

Recording and reporting an incident

The recording and reporting of incidents involving abuse, threats or violence to members of staff are important because they can enable the Trust, schools and employees:

- To meet their statutory duties in compliance with the health and safety at work act and regulations, the reporting of injuries, diseases and dangerous occurrences regulations (RIDDOR) and social security regulations
- To collect evidence which may later be necessary if proceedings are brought against an alleged assailant
- To assist the trust's insurers should any claim for compensation be made
- To help in reviewing policies and informing future risk assessments

Headteachers should keep a written record of any incidents and also complete an incident form (available on Children Endeavour Trust's CET Admin Hub) whether an injury occurred or not.

Follow-up action

All parties involved should take into account the needs, views, feelings and wishes of the victim at every stage. The school needs to ensure that sympathetic and practical help, support and counselling are made available to the victim both at the time of the incident and subsequently. A range of support can be obtained:

- From the Headteacher and/or a staff colleague
- From the member of staff's trade union
- From the Trust's Employee Assistance Programme

- Through the Teachers Counselling Service
- From Victim Support or the Trust on giving evidence in court

Banning Adults from site

Section 206 of the Education Act 2002 makes it a criminal offence punishable with a fine of up to £500 for a person to trespass on school premises and cause a nuisance or disturbance. Parents/carers and some other visitors normally have implied permission to be on school premises at certain times and for certain purposes and they will not therefore be trespassers unless the implied permission is withdrawn.

- If a parent or other person behaves unreasonably on school premises a letter should be sent to them withdrawing the implied permission for them to be there. **The initial letter should be sent by the Headteacher unless he or she has been personally involved in an incident** and would prefer the letter to be sent by the Trust on behalf of the school.
- If a person who has been banned subsequently trespasses and causes a nuisance or disturbance the matter should be referred to the Chief Executive Officer who will liaise with the solicitors to write a warning letter.
- Further breaches may lead to prosecution of the person concerned by either the Police or the Trust. It is important throughout this process that full records are kept of each incident, including details of any person(s) who witnessed the behaviour of the trespasser(s) since evidence will need to be provided to the Court.
- Anyone who is dissatisfied with the ban and wishes to object to it should be referred to the Trust's Complaints Procedure.

Harassment

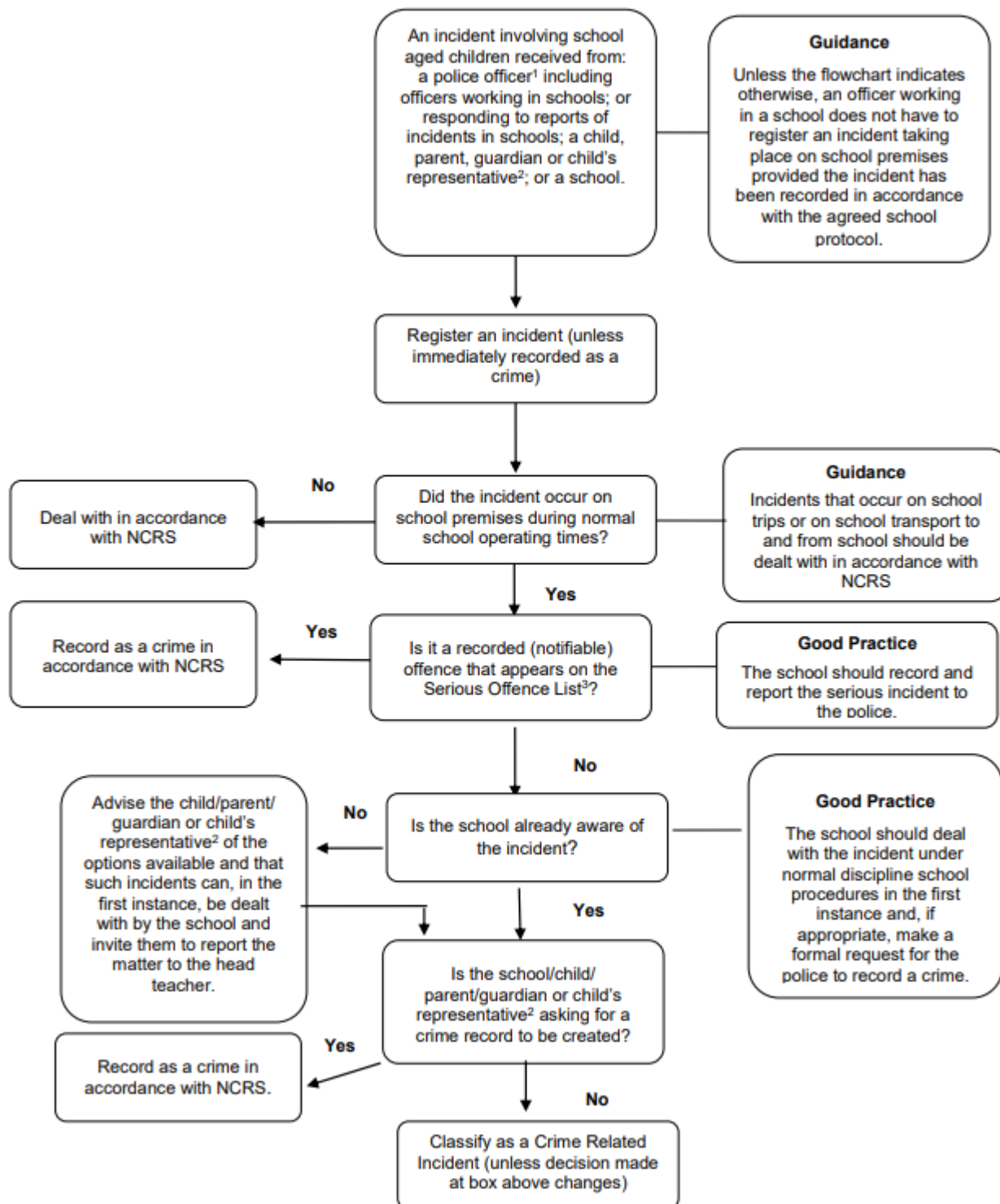
Situations can arise where staff find themselves subjected to a pattern of persistent and unreasonable behaviour from individual parents which is not abusive or overtly aggressive but which can be perceived as intimidating and oppressive. In these circumstances, staff may be faced with a barrage of constant demands or criticisms (on an almost daily basis) which, whilst not particularly taxing or serious when viewed in isolation, can have the cumulative effect over time of undermining their confidence, well-being and health. In extreme cases, the behaviour of the parent may constitute an offence under the protection from Harassment Act 1997. If so, the Police have powers to take action against the offender. If the actions of a parent appear to be heading in this direction, the head teacher has the options of writing and/or talking to the parent explaining the gravity of the situation, banning the parent from the school premises and/or advising the parent to make a formal complaint at stage 4 of the Complaints Policy which would provide for an investigation by the Trust.

Appendix 1: Guideline Confrontation Checklist

1. Try to remove an upset parent or member of the public from an audience — it is better not to touch someone when encouraging them to move.
2. Respect warnings and threats: acknowledge them and take them seriously.
3. If there are other vulnerable people around, especially children, they should be escorted away from the incident.
4. Try to remove yourself from immediate risk and if necessary seek assistance. Avoid involving persons other than staff in controlling an incident.
5. If this is not possible, try to place a barrier between yourself and your assailant.
6. If the situation escalates, make sure that the person can back down without losing face. Consider the positive aspects of the situation. Offer alternatives, if appropriate, or try agreeing to talk at a later date.
7. If the situation escalates further and you consider control is being lost, call on colleagues straightaway and consider withdrawal. Do not ignore the person concerned but let them know that you are going to leave.
8. If a person is actually damaging property, a judgement needs to be made as to the wisdom of physically intervening. Personal safety is always more important than property.

Crime Recording (Schools Protocol) (1 of 2)

Recording of incidents on school premises



¹ Police officer includes appropriate members of the extended police family e.g. Special Constables, PCSOs.

² Representative means "A person reasonably assumed to be acting on behalf of the victim".

³ A list of serious incidents (previously known as "serious arrestable offences") is defined on page 2 of 2. The list is extracted from the annex to the revised Crime Recording by Police Officers Working in Schools document jointly issued by the Department of Children, Schools and Families, the Home Office and the Association of Chief Police Officers in July 2007.

Crime Recording (Schools Protocol) (2 of 2)

Serious incidents referred to within the 'Crime Recording by Police Officers Working in Schools' guidance are defined as:

- (a) All Indictable Only offences.
- (b) All offences within HOCR classifications;
 - a. 5D (Assault with Intent to Cause Serious Harm),
 - b. 10B (Possession of Firearms),
 - c. 10C (Possession of other Weapons),
 - d. 10D (Possession of Article with Blade or Point),
 - e. 11A (Cruelty to Children),
 - f. 13 (Child Abduction),
 - g. 23 (Incest),
 - h. 36 (Kidnapping),
 - i. 70 (Sexual Activity with a Person with a Mental Disorder),
 - j. 71 (Abuse of Children through Sexual Exploitation),
 - k. 86 (Obscene Publications),
 - l. 88A (Sexual Grooming),
 - m. 92A (Trafficking in Controlled Drugs),
 - n. 92D (Possession of Controlled Drugs),
 - o. 92E (Possession of Cannabis),
 - p. 106 (Modern Slavery),
- (c) All sexual assaults.

Any other offence is serious only if its commission has led to any of the consequences set out below, or is intended to lead to any of those consequences:

- (a) serious harm to the security of the State or to public order;
- (b) serious interference with the administration of justice or with the investigation of offences or of a particular offence;
- (c) the death of any person;
- (d) serious injury to any person;
- (e) substantial financial gain to any person; and
- (f) serious financial loss to any person.

If any other offence consists of making a threat, it is 'serious' if the consequences of carrying out the threat would be likely to lead to one of the consequences set out above at (a) to (f).

The term 'injury' includes any disease and any impairment of a person's physical or mental condition. Financial loss is 'serious' for the purpose of the section if, having regard to all the circumstances, it is serious for the person who suffers it. Whether or not a loss, actual or intended, is serious will depend partly on the victim's circumstances.