



**IRONSTONE ACADEMY TRUST**

## IRONSTONE ACADEMY TRUST VIOLENCE AT WORK GUIDANCE

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## **1. INTRODUCTION**

The IAT recognises that some employees are potentially at risk from violent behaviour of members of the public or pupils. Violence, whether actual or threatened, can sometimes be averted, or the risk minimised by precautionary measures arranged by the authority and a sensible response from employees who have been adequately trained.

This Guidance sets out to explain the issues in some detail and offers practical examples for some of the more commonly encountered risks which Trust employees may experience. In the Guidance, some risks have been identified with particular types of employment but this does not mean that they will not occur in other jobs. Employees should therefore read the whole Code and understand all the basic principles in the event that they might be faced with a particular difficulty in their own job.

The original document was the subject of consultation with the trade unions who fully supported all measures taken to minimise the risk to employees. This document has had minor changes made to it since that point in time, for example to replace 'Council' with 'Trust'.

## **2. TRUST POLICY**

IAT takes a serious view of any incident of assault against its employees\* and in pursuance of its duty under the Health and Safety at Work Act will, in providing a safe place of work, ensure so far as is reasonably practicable that employees are protected from risk of violence at work.

As an employer, the Trust will fully support any employee who is assaulted or threatened in the course of their duties, unless it is found that the employee acted inappropriately. This support involves assistance in obtaining legal advice, financial assistance in appropriate cases and time off with pay for interviews and court appearances, as necessary.

The Trust acknowledges that no person should have to work in fear of assault and that an incident of assault should not necessarily be seen as a reflection of an employee's ability.

\*The Trust recognises that the families of some employees may, in exceptional circumstances, also become the subject of assaults, and in appropriate cases would extend the offer of legal assistance to such persons.

## **3. DEFINITION OF VIOLENCE**

Violence at work can include any incident in which an employee is abused, threatened or assaulted by a member of the public in circumstances arising out of his or her employment. As such it can include:

- Physical Attack – whether visible injury occurs or not
- Animal Attack – where an animal is used as a threat
- Verbal Abuse – when an employee feels threatened.(This would include sexual or racial abuse by a member of the public)
- Attack against property

#### **4. THE LAW**

There are five main pieces of health and safety law which are relevant to violence at work. These are:

- The Health and Safety at Work etc Act 1974 (HSW Act)  
Employers have a legal duty under this Act to ensure, so far as is reasonably practicable, the health, safety and welfare at work of their employees.
- The Management of Health and Safety at Work Regulations 1999 Employers must assess the risks to employees and make arrangements for their health and safety by effective:
  - planning;
  - organization
  - control;
  - monitoring and review

The risks covered should, where appropriate, include the need to protect employees from exposure to reasonably foreseeable violence.

- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) Employers must notify their enforcing authority in the event of an accident at work to any employee resulting in death, major injury or incapacity for normal work for Seven or more consecutive days. This includes any act of non-consensual physical violence done to a person whilst at work.
- Safety Representatives and Safety Committees Regulations 1977 (a) and The Health and Safety (Consultation with Employees) Regulations 1996 (b) Employers must inform, and consult with, employees in good time on matters relating to their health and safety. Employee representatives, either appointed by recognized trade unions under (a) or elected under (b) may make representations to their employer on matters affecting the health and safety of those they represent.

#### **5. PLANNING TO AVOID VIOLENCE**

Health and Safety Legislation places a clear responsibility on managers to take certain preliminary measures to reduce the risk of violence at work.

- i) "Management must make a suitable and sufficient assessment of the risks to the safety of their employees who are exposed to violence whilst at work" (Management of Health and Safety Regulations 1999)
- ii) Risk assessments should firstly identify the hazards, i.e. those aspects of work which have the potential to cause harm, e.g. people with known aggressive behaviour and areas where contact with these people is possible, home/premises visits by staff, interviews with members of the public, close supervision of domestic properties, security and vandal patrols, transporting money, controlling crowds.
- iii) Each identified hazard must be assessed for its risk, i.e. the likelihood that harm will occur and the potential severity of harm from the hazard if realised.
- iv) All assessments must be recorded and include an effective statement on relevant action needed to protect the health and safety of the staff. These statements must be reviewed annually or if circumstances change the assessment.
- v) Preventative and protective measures must be taken to avoid any identified risk of violence to staff.

Employees must also take care not to endanger themselves or their colleagues. In particular, they are warned against using provocative language or gestures towards members of the public or ignoring basic personal safety rules when meeting members of the public.

Employees must have due regard for the Staff handbooks, Behaviour, Child Protection and Safeguarding Policies in place in each academy.

## **6. MONITORING**

It is important that all incidents in which employees feel threatened or have actually been assaulted are fully recorded. This will enable investigations to take place and preventative measures to be developed in future.

**For further guidance please contact the Health & Safety Team on 01642 444064**

- All instances of violence of staff whilst at work must be recorded on the "Notification of Assault form".
- Member of staff reports to line manager who enters the details of the assault onto the notification of assault form held within documentation as soon as possible after the incident occurs. Should the incident result in the member of staff accessing medical treatment the line manager should commence the notification without delay.
- The manager should conduct an incident investigation.
- Once the details have been entered onto the system, the workflow within the system sends the assault form for authorisation by a senior manager. The document is then shared with others and sent electronically to the inbox of the senior manager who will take on the role of the authorising officer.
- Once the document is authorized all confidential data regarding the incident will be removed from view and the details of the incident will be

made available for relevant persons within the Trust in order to alert other members of staff and provide them with control measures to prevent further incident.

- Any trends identified through this monitoring will be investigated and action taken to correct the situation, and reported in the Safeguarding Review, or to the CEO if judged urgent.

## **7. TRAINING FOR EMPLOYEES**

With effective training, employees can learn to defuse potentially violent situations or minimise the risk of actual harm occurring. Training will be given to all employees who could be exposed to violence during their normal duties. The training programme will deal with all aspects of violence before, during and after an incident and will include:

- Skills and techniques for dealing with fear and anxiety.
- Information about the causes of violent and aggressive behaviour
- Recognition of possible risks.
- Detailed knowledge of relevant procedures
- Security measures and use of personal alarms
- Communication skills including cross-cultural communications.
- Avoidance of behaviour that might 'trigger' aggression or violence.
- Defusing and calming techniques
- Break away techniques and escape tactics
- Support and counselling
- Compensation, legal and other remedies
- Behaviour management training, which may include positive handling techniques.

Refresher training will take place at regular intervals as determined necessary by the Head Teacher.

## **8. SECURITY**

It is important that security arrangements are kept to a high standard. Arrangements should be constantly reviewed and their effectiveness tested from time to time.

The way in which members of the public are received may well have bearing on how they act. Reception areas and waiting rooms should have easy access, good lighting and a customer-friendly atmosphere. Waiting times should be kept to a minimum. Where there is a delay, the reason must be explained to the person waiting and apologies made, especially if an appointment time has not been kept. If any employee thinks a situation is developing where violence may occur, then they should call for a senior member of staff to resolve the cause of aggravation.

Doors must be kept secure where there is no need for the public to enter work places. There must be arrangements for securing the building when the office closes, and separate arrangements when staff are working late. Whatever devices are fitted to external doors, safe egress must be maintained at all times.

Lighting outside buildings should be adequate to allow staff to exit safely at night. Car parks, particularly if out of view of the main thoroughfare, must be well lit

Employees should not work alone in an isolated office or building which is open to the public. If staff work shifts or late into the evening, arrangements must be made for them to leave in safety. Any employees choosing to work late on their own must be advised of the possible risks.

### **Interviews within the Trust buildings**

- Interview rooms must not be totally isolated from other staffed offices.
- When potentially volatile clients are being interviewed, arrangements must be made to ensure regular observations are made from outside the room.
- A pre-arranged plan to interrupt interviews when trouble is anticipated must be in place.
- Staff must always ensure when interviewing clients that they are seated between the client and door to maintain a clear escape path if needed.
- Access to the interview room should be by controlled access.

### **Interviews outside Trust buildings**

The circumstances of interviews away from Trust buildings are more difficult to control and may pose greater threats. Employees must therefore avoid complacency in such situations and be alert to possible dangers.

The following precautions should be observed:

- Staff must inform their supervisors of exactly where they are going and the expected time of return. Whenever practical this should be recorded.
- Staff working alone or regularly visiting potentially dangerous outside locations must pre-arrange call-in times.
- If members of staff are detained for any reason they must let their supervisor know.
- If a member of staff is late in calling or arriving back at the office and cannot be traced the Police must be called.
- If a member of staff has to visit a client where there is a known history of violence or where they have to visit an isolated situation or have to deal with unpleasant aspects which could cause distress to the clients, they must not go alone.

### **Individual School responsibilities**

It is beyond the scope of this Guidance to specify detailed plans for every School to deal with violence at work. Schools must, having consulted with their staff, produce and issue detailed safety arrangements when needed, having carried out Risk Assessment studies.



## **9. THE ROLE OF THE POLICE**

In the case of a severe disturbance, assault or threatened violence the Police should be called. If immediate help is needed, dial 999.

If you have been assaulted you have the right to make a complaint to the Police if you choose. In this event, the Police must be informed immediately following the assault.

The Police, through the Crown Prosecution Service, may prosecute an assailant but may be reluctant to do so in cases where there is a conflict of evidence, lack of supporting evidence, or where there is no actual bodily harm, Each case is, however, treated on its merits.

If the Police decide not to prosecute in a particular case, the employee concerned may pursue the matter by taking private civil legal action against the assailant.

## **10. SUPPORT FOR EMPLOYEES**

Support for employees will be provided in the form of psychological or moral support and financial support, which would cover normal earnings or compensation in the event of permanent injuries in accordance with National Conditions of Service and insurance policies maintained by the Trust.

Where an incident has taken place the circumstances will be thoroughly investigated in order to examine ways of preventing or minimising the risk of recurrence. Unless an employee's actions had been established as wholly inappropriate, their involvement in an incident should not be as seen as a reflection of their ability. Initial discussions by the line manager should therefore always be constructive, emphasising the positive aspects of what has happened and attempting to rebuild the confidence of the employee to continue in their job.

Colleagues are also expected to display a sympathetic and supportive attitude towards a victim of violence.

In cases of a more serious nature where specialist counselling may be needed, the circumstances should be referred to the Human Resource Advisor of the Trust.

National conditions of service provide for compensation in the event of death or permanent disablement arising from a violent or criminal assault suffered by employees in the course of, or as a consequence of, their employment. The amount of the compensation awarded varies according to the degree of disability. In addition, the Trust maintains insurance policies against which employees may be able to claim. Management should ensure that employees who are victims of assault are made aware of the above and, if necessary, are given assistance in pursuing their claim.

Sickness allowances payable under national conditions of service to employees absent as a result of physical attack at work are treated as a separate entitlement from normal sickness and it is therefore in employees' interests to identify the reason for their absence.

In exceptional cases, where employees or their families may be at risk because of their position, the Council will take all reasonable security measures to protect the people concerned.

## **11. REVIEWING THE POLICY**

Whilst this Guidance gives valuable information which may minimise the risk of violence, it cannot cover every situation which might arise. The Guidance will be widely circulated to employees who will be expected to familiarise themselves with its contents.

The information which is gathered as a result of reported incidents will be analysed and acted upon in order to minimise the risk of recurrence. Employees experiences and 'near misses' should be reported in order that our review procedures can be as thorough as possible.