

Keeping schools safe from threats and violence



Date completed: September 2020
Completed by: Lorna Rourke

Review: September 2023

1. Introduction

- 1.1 The Academy Trust is responsible for protecting the health and safety of its staff in school and shares a duty of care in relation to their physical and emotional well-being with the governing bodies and headteachers of these schools.
- 1.2 We believe that violence, threatening behaviour and abuse against school staff is unacceptable and should not be tolerated. Where such behaviour occurs, the Academy Trust and Suffolk/Norfolk Constabulary will take all reasonable and appropriate action in support of schools and their staff.
- 1.3 The guidance contained in this policy reflects the advice issued to local education authorities by the Department for Education and Skills in its document entitled "A Legal Toolkit for Schools: Tackling abuse, threats and violence towards members of the school community" (DfES Publications 2002, modified 2012).
- 1.4 The views of headteachers, teachers and other school employees in Suffolk have been sought through their union representatives and the LEA is grateful for their co-operation and assistance in the preparation of this guidance.

2. Scope of the policy

- 2.1 This policy provides advice and guidance to schools on their response to abuse, threats and violence towards school staff from parents, guardians and other visitors. It does not deal with such behaviour on the part of pupils since a separate behaviour policy is in place.

3. Abusive, Threatening and Violent Behaviour

- 3.1 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 school premises.
- 3.2 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 (See Section 9 below).
- 3.3 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. The Police will be contacted immediately in such cases (See Sections 4 and 10 below).

3.4 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).

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

3.6 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.

4. Police Powers and Assistance

4.1 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.

4.2 The Police would normally expect incidents of abuse, threatening behaviour and common assault carried out on a member of staff by a pupil to be dealt with by the headteacher in accordance with the school's behaviour policy and the **physical intervention** policy.

4.3 The Police have discretion to deal with incidents and offences in the light of individual circumstances. This includes, in most instances of assault, the power of arrest. It does not mean, however, that the involvement of the Police will automatically lead to a criminal charge and court proceedings (See 10.10 below)

4.4 Possible actions which can be taken by the Police following investigation include:

- arrest
- informal verbal warning or advice
- reprimand or final warning (for a youth aged 10-17 years) or caution (for an adult)
- formal charge
- summons to appear in court

4.5 The Magistrates' Court also has the power to impose an 'Anti-Social Behaviour Order' against an individual who consistently causes problems on school premises. This order imposes restrictions on behaviour and a possible location ban.

4.6 In assessing their response, the Police will have particular regard to:

- (i) the 'gravity factor' arising from the fact that, in the case of a school employee, the victim was acting in the capacity of a public servant at the time of the assault;
- (ii) the 'Victim Personal Statement' (VPS) and what it reveals about the adverse effects of the assault as suffered and perceived by the victim.

4.7 All Sector Commanders in Suffolk have been instructed by the Chief Constable to remind their officers about the relevance of the 'gravity factor' in relation to assaults on school staff and to ensure that due weight is attached to it in determining the nature and level of the police response.

4.8 In certain circumstances a Sector Commander may be willing to introduce, for a limited period of time, a locally agreed programme of positive action in response to intense or prolonged pressures or threats from a particular parent or family member which results in a specific offence being committed (see 3.4 above). This could be particularly helpful where an individual member of staff feels that he or she is being specifically targeted or victimised and is in need of more pro-active support and protection. The Sector Commander will also work closely with the Crown Prosecution Service in such circumstances.

Headteachers who wish to pursue such a strategy should consult the Area Education Manager before contacting their Sector Commander (See Appendix E for contact details).

5. Training for School Staff

5.1 Training in personal safety and conflict management can play a key part in assisting school staff:

- to improve their confidence and skills in dealing with aggression and with the resulting stress
 - to defuse potentially difficult and dangerous situations
 - to avoid, reduce and prevent violent attacks
 - to minimise the risk of personal injury
- 5.2 The County Council has established a personal safety training programme – ‘SchoolSAFE’. It is part of the County Council’s overall UNISAFE training programme which is designed to train staff in a wide range of different settings and which has received national recognition.
- 5.3 The SchoolSAFE Programme aims to provide quality training, by accredited schoolsafe trainers, which emphasises personal safety and enables each school to develop its own strategy for action.
- 5.4 The programme comprises:
- a core programme, available to all staff
 - an advanced module (‘Dealing with Conflict’) aimed at those who want to improve their skills in dealing constructively with conflict
 - an advanced module (Risk Management) which offers training in risk assessment, reporting and recording, action planning, review and maintenance
 - an advanced module (‘Physical De-escalation Skills’) which shows staff how to deal safely with difficult and dangerous behaviour
 - a Facilitators’ Course which provides nominated staff from each school with further training, accreditation and support

6. School Risk Assessments

- 6.1 The DfES also recommends that all schools should prepare an assessment of risk to staff and others arising from the behaviour of abusive, threatening or violent parents and other visitors. In some instances, the school may need to carry out a risk assessment in relation to a specific individual whose behaviour has been, or may be, a cause for concern.
- 6.2 A risk assessment should:
- identify and assess the risks
 - determine appropriate actions
 - monitor the results

- provide feedback

6.3 The process of carrying out a risk assessment need not be complicated; it involves asking relatively simple questions and providing straightforward answers which will ensure that the risks of violence are identified, avoided or reduced and managed for the benefit of all staff.

7.4 Advice to guide schools through the process and to assist them in drawing up an action plan is set out in Appendix A.

7. Recording and Reporting Incidents

7.1 The recording and reporting of incidents involving abuse, threats or violence to members of staff are important because they can enable the County Council, 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 County Council's insurers should any claim for compensation be made
- to help in reviewing policies and informing future risk assessments

7.2 The County Council's policy and guidance on this issue are set out in the document entitled 'Recording and Reporting Incidents in Schools and Other Education Premises', copies of which have been distributed to all schools. This should be read in conjunction with the booklet 'What To Do If There Is An Injury In School – A Checklist for Headteachers'. These documents are revised and updated from time to time. The latest versions are available on the Schools' Portal.

7.3 The policy and guidance document includes a copy of the County Council's Incident Report Form (IRF), together with advice on how to complete it. This should be used for recording all incidents, including those involving abuse, threats and violence to school staff from parents and other visitors.

8. Banning Parents and Other Visitors From School Premises

8.1 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.

- 8.2 Parents 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.
- 8.3 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. Model letters are set out in Appendix B. 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 Chair of governors/Area Education Manager on behalf of the school.
- 8.4 If a person who has been banned subsequently trespasses and causes a nuisance or disturbance the matter should be referred to the police.
- 8.5 Further breaches may lead to prosecution of the person concerned by either the Police or the Head of Legal Services.
- 8.6 It is important throughout this process that full records are kept of each incident **on CPOMs**, including details of any person(s) who witnessed the behaviour of the trespasser(s) since evidence will need to be provided to the Court (See also Section 8).
- 8.7 Anyone who is dissatisfied with the ban and wishes to object against it should be referred to the school's complaints policy. This allows for an independent investigation to be carried out by the Chair of Governors. If the complainant remains dissatisfied after the investigation, there is recourse to the Governors' Hearings Committee.
9. Dealing with an Incident
Speak calmly and without raising the voice. Be assertive but not aggressive. Be polite but firm. Seek assistance. Think about an escape route, should the need arise. Walk away etc.

There is a prominent display in both reception areas stating: (based on advice from the DfES)

We will act to ensure that it remains a safe place for pupils, staff and all other members of our community

If you have concerns we will always listen to them and seek to address them.

Please be aware, however, that abusive, threatening or violent behaviour will not be tolerated in school.

Visitors behaving in this way are likely to be removed from the premises and may be prosecuted.

Thank you for your cooperation.

- 9.1 Suffolk/Norfolk 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.
- 9.2 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.
- 9.3 A range of support can be obtained:
 - from the headteacher and/or a staff colleague
 - from the member of staff's trade union
 - through the national 'Teacher Line' (on 0800 562 561)
 - from Victim Support or the County Council on giving evidence in court
 - Schools HR (Schools Choice)
 - Wellbeing hub
- 9.4 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
- 9.5 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.
- 9.6 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).

- 9.7 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.
- 9.8 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 from the Area Education Manager and area staff.
- 9.9 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 Head of Legal Services if it is not available from Victim Support.
- 9.10 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.
- 9.11 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 LEA 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.

11. Harassment

- 11.1 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.
- 11.2 Such situations are comparatively rare but, when they do arise, they can have a damaging effect on school staff and be very difficult to resolve. If the actions of a parent appear to be heading in this direction, the

headteacher should contact the Area Education Manager/**HR** for advice and support. An option at this stage, for example, would be the banning of the parent from the school premises.

- 11.3 Where the parent's behaviour merits it, the headteacher, with another member of staff present, should inform the parent clearly but sensitively that staff feel unduly harassed and are considering making a complaint to the Police if the behaviour does not desist or improve. The parent should be left in no doubt about the gravity of the situation.
- 11.4 Headteachers might wish to consider in such circumstances advising the parent to make a formal complaint against the school through the complaints policy. This provides for an independent investigation where parents are dissatisfied with the school's response to their concerns. If the governors investigate and comes to the conclusion that the parent's expectations and demands are unreasonable, and that they are having a detrimental effect on staff, the findings can strengthen the headteacher's position in further discussions with the parent and subsequently, if necessary, with the Police.

CARRYING OUT A SCHOOL RISK ASSESSMENT

There are steps which schools can take, by way of precautionary and preventative action, which help to avoid, prevent, minimise or mitigate incidents where staff might be subjected to abuse, threats and violence.

The following is a suggested aid to the process of risk assessment and planning which is based on an audit tool proposed by the National Task Force on Violence against Social Care Staff. It comprises Six Steps

Step One: Look for Hazards

- What actually happens to your staff when they are at work?
Look at your record of incidents. How do you know they reflect the true situation? How do you know your instructions and procedures are being followed? What do your staff and their representatives tell you? You may think violence is not a problem at your workplace: their views may be very different.
- What else do you need to know?
- What are the activities which attract a high risk of violence? e.g: refusing an appointment; delivering unwelcome information; meeting a parent following an incident involving their child (particularly if the parent is known to be aggressive and could therefore constitute a hazard).

Step One: Findings

Step Two: Identify who might be harmed and how

- Which of your staff might be affected, including temporary staff or supply teachers?
- What about administrative staff, such as receptionists? What about the caretaking, cleaning and catering staff who may work alone, very early or late, as well as in isolated locations within the school premises?

- Consider the level of training and skills required in the context of staff's relative vulnerability to assaults. When, how and where could their work bring them into contact with trespassers and potentially violent people? Consider not just physical assault; continued exposure to verbal and racial abuse or threats can create high levels of stress and anxiety, reduce morale and lead to sickness absence.

Step Two: Findings

Step Three: Evaluate the risks – Check out your precautions

- Consider both the likelihood and the severity of harm which could be caused. The likelihood is, in absolute terms, probably going to be quite small. However, there may be certain potential dangers that you can predict with a degree of certainty and the likelihood of a serious incident in these circumstances is therefore relatively high.
- Your personal experience or knowledge of particular families or individuals may help you to prepare in advance for potentially difficult circumstances. It is important that such knowledge is shared, as appropriate, with colleagues so that the whole school may be prepared and take suitable precautions.
- You need to check your existing precautions are adequate. When did you last do this? What are they? What else do you need to do?
- Prioritise the risks by reference to their potential seriousness and by the numbers of staff likely to be affected by them.

Step Three: Findings

Step Four: Minimise the risks

- The most effective precaution is to avoid risks altogether. This is not always possible so consider the steps which can be taken to minimise the risk.
- Consider your findings so far and consider if there are any changes which could usefully be made to:
 - the jobs people do
 - the way they have to work. What protection do you provide for staff in isolated and / or vulnerable settings?
 - the way jobs are done and the way visitors to the school are received and treated
 - the workplace, including layout and means of calling assistance
 - the information given to staff and the way it is communicated. Are all staff included (e.g. uniformly or on a need-to-know basis)?
 - your response to incidents and procedures for dealing with them
 - your incident recording system. Are all staff aware of the importance of reporting and recording incidents and how to do it?
 - consider training. Is it directed at the risks and at relevant staff? Has the school made use of the Schoolsafe training? Were the caretaking staff included? (they may be a high risk group).

Step Four: Findings

Step Five: Review and revise

- It is important to check that your risk assessment remains valid at regular intervals and in the light of incidents that occur
- Ensure that arrangements are in place:
 - to carry out annual reviews
 - to re-assess your policy and procedures after a significant incident

- to involve others in the review process
- to monitor that written procedures are being followed, modified and extended as and when appropriate

Step Six: Draw up an action plan

- Review all the findings from Steps One to Five and identify the points for action
- Prepare an action plan which will address these points for action in terms of:
 - priorities
 - persons responsible
 - timescales
 - resources
 - monitoring
 - evaluation
 - review
- Consider whether the school would benefit from the training in risk management provided by the County Council's SchoolSAFE Team. This module is designed to assist schools that are in the process of introducing, implementing or revising risk assessment procedures.

MODEL LETTERS WITHDRAWING OR REINSTATING PERMISSION TO BE ON SCHOOL PREMISES

Letter 1: Initial letter to a parent.
To be sent by the Headteacher

Dear

Your conduct on school premises on (Date) falls short of the standard of conduct expected of those visiting the school as either staff or parent. We have a duty of care for the children of our school and we have spoken to the police about the seriousness of the situation and they support our decision to ban you from the premises, playground and staff carpark to allow some cooling down time.

Clearly we do not want this to impact on the education of your child(ren) so you will need to arrange family or friends to bring and collect them.

As you will remember, we have previously spoken to you about your behaviour towards staff and parents (delete as applicable). We have considered this matter very carefully and have decided that you should not be allowed onto the school premises from now until.... (date).

We do not accept this type of behaviour and take such incidences very seriously.

If you need to speak to us or a member of staff about any matter, please telephone and we will make the necessary arrangements and confirm them to you in writing.

You are not allowed to come onto the school site unless you have a letter from us giving you authorisation. If you do not comply with this ban, you will be guilty of causing a nuisance or disturbance on educational premises. This is a criminal offence under section 547 of the Education Act 1996. If you were to commit this offence, you would be liable to prosecution in the magistrates' court. If you were to be convicted, you would be liable to a fine and a criminal conviction.

We regret that we have had to take this action and hope that we can rely on your cooperation.

Yours

sincerely,

Headteacher.

Letter 1(b): Initial letter to non-parent/member of the public.
To be sent by the Headteacher or Area Education Manager
(and amended accordingly)

RECORDED DELIVERY

Dear

I am writing / I have received a report from the headteacher at (insert name) School
about your conduct on (enter date and time).

[Add summary of the incident and of its effect on staff, pupils, other parents].

I must inform you that the *school / Local Education Authority* will not tolerate conduct of this nature on its premises and will act to defend its staff and pupils. *On behalf of the Governing Body / On the advice of the headteacher* I am therefore instructing that you are not to reappear on the premises of the school. If you do not comply with this instruction I shall arrange for you to be removed from the premises and prosecuted under Section 206 of the Education Act 2002. If convicted, you are liable to a fine of up to £500.

Yours sincerely,

Headteacher / Area Education Manager

Letter 2 : Lifting a Temporary Ban
 To be sent by the Headteacher

RECORDED DELIVERY

Dear

On (insert date) I wrote to you informing you that I had temporarily withdrawn permission for you to come onto the premises of (insert name) School.

I am writing to you to restore permission to come onto the school premises, with immediate effect.

Nevertheless I remain very concerned at the incident which occurred on (insert date) I trust that you can now be relied upon to act in full co-operation with the school and that there will be no further difficulties of the kind which made it necessary for me to prevent you entering the premises. I should point out that if there is any repetition of your behaviour, I shall not hesitate to withdraw permission for you to come onto the premises again.

Yours sincerely,

Headteacher

LEA CONTACT DETAILSNorthern Area

Area Education Manager	01502 405210
Senior Education Officer (School Support)	01502 405212
Area Personnel Officer	01502 405213
Senior Administrative Officer	01502 405221

Southern Area

Area Education Manager	01473 584795
Senior Education Officer (School Support)	01473 584922
Area Personnel Officer	01473 584925
Senior Administrative Officer	01473 584927

Western Area

Area Education Manager	01284 352102
Senior Education Officer (School Support)	01284 352101
Area Personnel Officer	01284 352104
Senior Administrative Officer	01284 352110

County Hall

Senior Education Officer (Personnel)	01473 584663
Health and Safety Manager	01473 584074
Head of Legal Services	01473 584113