



# St. Michael's CE Primary School



Diocese of Salisbury  
Academy Trust  
*'Beyond expectations for all of God's children'*

## Our five core Christian values

*Trust, Honesty, Compassion, Respect and Kindness*

are centred on **'Do to others as you would like them to do to you.'(Luke 6:13)**

Through these values we inspire children to be the best they can be. Encouraging high aspirations and expectations that will allow them to achieve, explore, succeed and prepare for their own path through life.

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## Violence at Work Policy

Policy Date: September 2024

Review Date: September 2025

## Policy Statement

**St Michael's CE Primary School recognise that there are no circumstances in which violence towards any employee is acceptable and no employee shall be expected to accept exposure to any type of violent behaviour as part of their role.**

### 1: Introduction

- 1-1: The Health and Safety Executive (HSE) defines work-related violence as: 'Any incident in which a person is abused, threatened or assaulted in circumstances relating to their work'.
- 1-2: This definition is taken to include verbal abuse or threat, threatening behaviour, any assault, any serious or persistent harassment, including racial or sexual harassment and extends from what may be seen to be minor incidents to serious assault and threats against the employee's family.
- 1.3: This policy is recommended to all schools for adoption. **Please be aware that the Local Authority is not able to accept liability for any actions, claims, costs or expenses arising out of a decision not to follow this recommended policy or procedure, where it is found that the Governing Body has been negligent or acted in an unfair or discriminatory manner in exercising its employment powers.**
- 1.4: This procedure has been agreed following consultation with the recognised Trades Unions.

### 2: Scope

- 2-1: This policy is applicable to all employees of St Michael's CE Primary School who suffer physical or verbal abuse during the course of their duties from pupils, parents and members of the public.

### 3: Legal Requirements

- 3-1: Health and Safety law applies to risks of violence, just as it does to other risks from work. The main relevant legislation is:

#### **The Health and Safety at Work Act 1974 (HSAW Act)**

Employers have a legal duty under this act to ensure, so far as is reasonably practicable, the health, safety and welfare of their employees while they are at work.

#### **The Management of Health and Safety at Work Regulations 1999**

Employers must consider the risks to employees (including the risk of reasonably foreseeable violence); decide how significant these risks are; decide what to do to prevent or control the risks; and develop a clear management plan to achieve this.

#### **The Reporting of Injuries, Diseases and Dangerous Occurrence Regulations 1995 (RIDDOR)**

Employers must notify their enforcing authority in the event of an accident/incident at work to any employee resulting in death, major injury or incapacity for normal work for more than three days. This includes any act of non-consensual physical violence against a person at work.

#### **4: Policy**

- 4-1: The governors of St Michael's CE Primary School believe that all violence of any sort, verbal or physical, to employees at the above schools is unacceptable and is committed to providing full support to any employee who suffers violence in the course of, or arising out of, their official duties.
- 4-2: Information will be available to members of the public in the form of a statement that violence is unacceptable and the governors of St Michael's CE Primary School will take legal proceedings if necessary to maintain the safety and well-being of its employees.
- 4-3: All incidents of verbal abuse or physical violence will be treated seriously and responded to appropriately. On no account will such incidents be treated lightly or dismissed as part of everyday life, nor will a violent incident be viewed as a reflection on an individual employee's ability.
- 4-4: All incidents of verbal abuse or violence must be reported to the Headteacher and investigated; and appropriate action taken to minimise the risk of a recurrence. This may include the need to share information with colleagues and across schools to establish any pattern of violence from particular areas. The report to the Headteacher must be in written form (preferably by the person abused) describing clearly what has occurred. This report must be signed and dated by the writer and, if possible, signed and dated by a witness to the event.
- 4-5: The Headteacher must report each incident to the Chair of Governors who will decide, with the Headteacher, whether or not to take this incident to the full Governing Body for possible further action.
- 4-6: Where serious threats are made to an employee in the course of his/her employment, the Headteacher and/or Chair of Governors will take appropriate and supportive action to prevent any recurrence. This may include sending a formal letter to the person concerned warning that legal action will be taken if a breach of the law occurs (Appendix 1 and 2 refers)
- 4-7: An employee who has been occasioned harm in any way, including threats or psychological damage or who has suffered damage to their property, should be actively encouraged to report the matter to the Police. Every opportunity should be taken to prosecute offenders either by the Police, or in certain circumstances, individuals may wish to initiate legal proceedings themselves. St Michael's CE (VA) Primary School, and the wider Council where appropriate, will ensure that employees are supported through the prosecution process.

#### **5: Risk Assessment**

- 5-1: By looking at the roles employees undertake, and the context in which they work, it is possible to identify the potential for violence. When undertaking a risk assessment it is essential to identify individual causes of risk, and equally important to recognise that these risk factors rarely occur in isolation and when combined will have the potential to increase the risk of violence. As such, employees may face a series of combined risk factors such as threatening behaviour from pupils which may be supported and/or influenced by the parent/carer.
- 5-2: Risk Assessments should be carried out in St Michael's CE Primary School where violence poses a significant risk to employees. Any recommendations arising out of the assessment should seek to eliminate or reduce the risk to the lowest reasonable practicable level. Where the risk assessment identifies that the risk(s) may not be contained within the setting of St Michael's CE Primary School, it may be appropriate to share information with colleagues as outlined in Paragraph 4.4 above. Further information and guidance on the risk assessment process is available from the school office. Further information on the risks of lone working, together with guidance for lone workers is available from the school office.
- 5-3: It is recognised that the behaviour of some pupils may present particular challenges to employees. Specific information and guidance relating to pupils with complex needs can be accessed by the Head Teacher.

## **6: Legal position**

- 6-1: Physical restraint used in self-defence is acceptable in law, but only with the minimum force necessary. This means that it is reasonable for employees to use sufficient force to stop or control violent situations, or prevent themselves or other people from being injured. Risk Assessments should be carried out in St Michael's CE Primary School where violence poses a significant risk to employees (see Paragraph 5). Whilst the risk of an employee being in a situation where the only way to protect themselves is to cause harm to the violent person is unlikely, it is accepted in law. In deciding whether the force used was reasonable, the courts will consider all of the circumstances surrounding the violent situation.
- 6-2: There is no legal definition of when it is reasonable to use force as this will always depend on the precise circumstances of individual cases. To be judged lawful, the force used would need to be in proportion to the consequences it is intended to prevent. The degree of force used should be the minimum needed to achieve the desired outcome. Use of force could not be justified to prevent trivial misbehaviour. However, deciding whether misbehaviour is trivial will also depend on circumstances.

## **7: Aftercare and support**

- 7-1; St Michael's CE Primary School is committed to providing full support, including aftercare, to employees who have suffered violence in the course of their duties. Support will include:

Line management support/debrief to ensure the incident is discussed, recorded appropriately and consideration is given to further action.

Access to the Trust's well-being offer for those employees who feel they may benefit from this service. The Staff Counsellor may wish to discuss with the employee the need and mechanism for specialist post incident support.

Where appropriate, access to Trades Union Welfare Officers.

- 7-2: Immediately after reporting a violent incident, the individual who has been attacked should be offered local support to ensure their needs are met. This should include consideration as to whether it is appropriate for the employee to remain at work following the incident. Debriefing should take place as soon as possible after the event to minimise the risk of longer-term trauma and harm. The purpose of the debriefing session is to enable the individual to talk about his/her feelings of distress. It is normal for people to feel vulnerable, helpless or powerless to react, and there may be feelings of guilt, anger and fear of another attack. These feelings may not manifest themselves immediately and may take time to come to terms with. Individuals should be encouraged to talk openly about their experiences; what happened, how they responded and how they felt.
- 7-3: Even the most sophisticated policies and procedures relating to violence and personal safety cannot guarantee that a violent incident will never occur. It is important therefore, that post incident support is available to anyone subjected to violence in the course of their work. Such services ensure that support, practical help and access to sources of specialist help are provided subject to availability.
- 7-4: The following policies, which are available from the school office, also provide advice and guidance when dealing with incidents of violence at work:

Pupil Behaviour policy  
Exclusion policy (if separate from above)  
SEN policy

**Appendix 1 (First letter following an incident)**

St Michael's CE (VA) Primary School

King's Way  
Lyme Regis  
Dorset  
DT7 3DY

Day/Month/Year

Mr/Mrs A.Buse

1<sup>st</sup> Line of Address

2<sup>nd</sup> Line of Address

3<sup>rd</sup> Line of Address

Post Code.

Dear Mr/Mrs A.Buse

I write to inform you that it has been brought to my attention that you have recently seen fit to verbally (physically) abuse a member of the staff of St.Michael's CE School on (day) and (date).

I have to advise you that this sort of behaviour is totally unacceptable to the Governors of this school and that it will not be tolerated in any form.

Should you decide to persist with the behaviour mentioned above then I have to advise you that the Governing Body will decide to take further action against you and that this may lead to legal proceedings.

Yours faithfully

Chair of Governors.

**Appendix 2 (Second letter following an incident)**

St Michael's CE (VA) Primary School

King's Way

Lyme Regis

Dorset

DT7 3DY

Day/Month/Year

Mr/Mrs A.Buse

1<sup>st</sup> Line of Address

2<sup>nd</sup> Line of Address

3<sup>rd</sup> Line of Address

Post Code.

Dear Mr/Mrs A.Buse

You have clearly chosen to ignore my first letter to you on (day), (date) regarding an incident on (day), (date) when you verbally (physically) abused a member of staff at St. Michael's CE School.

As you have verbally (physically) abused a member of staff again on (day), (date), I have to inform you that the Governing Body's policy is that you are no longer permitted to enter the school buildings without making an appointment by phone or by letter. When you attend for this appointment, a senior member of staff will be present with either the Headteacher or the Chair of Governors.

While this ban is in place you may deliver your child(ren) to the main entrance door and also collect your child(ren) from the same place but you are not permitted to enter the school building.

Should you decide to ignore this ban, the police will be called to deal with the situation.

In conclusion, I sincerely hope that this problem can be solved sooner rather than later so that the Governing Body may return the situation to normal for you.

Yours faithfully

Chair of Governors.