

# Managing Disruptive, Violent and Abusive Visitors Policy

Mar 2021

Version 1

## 1. Scope

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This policy applies to all staff at Expanse Learning Wigan School (Hereafter the School)

## 2. Introduction

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Expanse Learning encourages close links with parents and the community. Our school must be a place where children and parents feel safe and free from harm or abuse. Relationships between staff and visitors, especially parents/carers, demonstrate mutual respect and recognition of shared responsibility for students' welfare and educational progress.

The vast majority of parents, carers and others visiting our school are supportive and exhibit good conduct to young people. However, on very rare occasions, visitors may show aggression, verbal and or physical abuse towards members of school staff or the wider community, including parents. We expect parents and other visitors to behave in a reasonable manner towards members of school staff and members of the wider community.

This policy is intended to provide a frame of reference for the Head Teacher and staff on how to reduce the risk of violence in schools.

The guidelines will cover how to:

- protect staff from all forms of violence whenever possible
- identify potential risks of violence
- formulate an action plan and statement of intent
- record incidents
- develop preventative strategies
- support staff who are victims of violence

## 3. Defining Violence

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The definition of violence is:

***“any incident in which an employee is abused, threatened or assaulted by a student, parent or member of the public in circumstances arising out of the course of his or her employment.”***

Violence, aggressive or threatening behaviour and abuse against school staff or other members of the school community will not be tolerated.

This policy outlines the steps that will be taken where behaviour is unacceptable.

The value and beliefs of the school which form the basis of this policy are:

- All violence is unacceptable, whatever form it takes and whatever reasons are cited for it.
- We recognise the risks to staff from violence at work and the obligations of the organisation to minimise the risks.
- Dealing with, or being subject to, violent behaviour is not considered to be a failure on the part of the employee.
- Violence is not considered to be an acceptable part of any job, nor is it part of the duties of an employee to accept violent behaviour.
- We recognise the potentially damaging effects of violence on individuals, work performance and the organisation as a whole, and are committed to combating it.

Serious or unacceptable types of behaviour directed towards school staff or members of the wider community include:

- shouting, either in person or over the telephone
- physical intimidation e.g., standing very close to her/him
- the use of aggressive hand gestures
- threatening behaviour
- shaking or holding a fist towards another person
- shouting or using abusive or foul language
- pushing or hitting, e.g., slapping, punching and kicking
- spitting
- breaching the school's security procedures

*This is not an exhaustive list but seeks to provide illustrations of such behaviour*

#### **4. Unacceptable behaviour may result in the police and the relevant Local Authority being informed of the incident.**

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##### ***Procedure to be followed***

If a parent/carer behaves in an unacceptable way towards a member of the school community, the head teacher or appropriate senior staff will seek to resolve the situation through discussion and mediation. If necessary, the school's complaints procedures should be followed.

Where all procedures have been exhausted, and aggression or intimidation continue, or where there is an extreme act of violence, a parent or carer may be banned by the head teacher from the school premises for a period of time, subject to review.

In imposing a ban, the following steps will be taken:

- The parent/carer will be informed, in writing, that she/he is banned from the premises, subject to review, and what will happen if the ban is breached, e.g., that police involvement or an injunction application may follow
- Where an assault has led to a ban, a statement indicating that the matter has been reported to the local authority and the police will be included
- The Director of Schools and the chair of the Governing body will be informed of the ban
- Where appropriate, arrangements for students being delivered to, and collected from the school gate will be clarified.

In implementing this policy, the school will, as appropriate, seek advice from Corporate Services to ensure fairness and consistency. It is helpful to try and categorise types of assault as follows:

- Assaults by students
- Assaults from a distance i.e., hit by missile
- Assaults by students' families
- Assaults from intruders on site.

It is useful to categorise the incidents into:

- verbal threats
- physical attack
- verbal abuse
- threatening behaviour
- rude gestures
- Sexual or racial harassment.

Analysis of this information can help focus attention on areas where potential for violence is greatest.

#### **5. Risk Assessments**

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Carrying out a risk assessment will allow the school to review the level of risk in all activities. This will help provide a clear understanding of where the weaknesses lie in the current arrangements for dealing with violence.

Risk assessments:

- may only be carried out by persons who have an appropriate level of competence through training and
- Must be conducted by a person who is familiar with the work situation and where there is a risk of violence.
- Are better carried out by two to three people rather than one individual. More guidance on risk assessment is given in Appendix 2. Having evaluated the risk, it will then be necessary to decide whether precautions are already adequate or whether further action is required.

#### **6. Reporting and Recording Incidents**

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Good in-house reporting and recording systems are essential for identifying places and work activities where violence can occur. The School will:

- ensure that appropriate systems are in place and that staff are positively encouraged to use them to report all incidents.
- will log all incidents of violence onto DatabridgeMIS. Any incident which occurs should be recorded accurately and as soon after the event as possible. This information can be vital if legal proceedings are instigated at a later date.

There is a clear legal requirement to report all violent incidents that result in injury to employees to the Health and Safety Executive (HSE). The use of Form SR3/5 "Accident and Violent Incident Report", Appendix 4, will ensure that the Education Department is made aware of such incidents and is able to meet the requirement of the "Reporting of Injuries, Diseases and Dangerous Occurrences Regulations" (R.I.D.D.O.R.) 1995 to report acts of physical violence connected with work, which results in a member of staff suffering an over three-day injury, directly to the HSE. All incidents meeting with the

definition of violence (Section 3) should be recorded in a log kept by the school and those that result in injury reported on Form SR3/5.

Members of staff will be assured that it is not a sign of personal or professional failure to be attacked or threatened and reminded that under-reporting can expose them and other staff to serious risks.

## **7. Control Measures**

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### ***Physical Aspects***

Measures for dealing with violence at school can only be effective when based upon a proper analysis of problems. The general design and physical environment of buildings can sometimes be improved to reduce the likelihood of violence.

The school will include physical control measures within the Risk Assessment such as:

- easily identifiable and accessible reception areas
- use of ID cards
- limited number of entrances
- adequate lighting.

### ***Work Practices***

Work practices and patterns will be considered in relation to risk assessment. Sometimes, specific activities can be altered so that they are carried out in ways which lessen the risks. Examples of this would be home visiting or visiting students on work experience placement. Staff involved in visits in the community may need to travel to known trouble areas, sometimes as an evening visit. The Head Teacher should consider whether a home visit is essential and explore other alternatives. If the visit is essential, then suggested precautions may include:

- leaving an itinerary of the employee's movements with a responsible person
- periodic reporting to school or to a responsible person
- avoiding evening visits wherever possible
- checking student records beforehand to see if the student or carers are known to be violent
- carrying a personal alarm
- not visiting alone.

The Head Teacher need to be aware that staff fears of violence can create a situation where their own uncertainty may make violence more likely and can result in unacceptable levels of stress.

### ***Dealing with Aggression***

Clear procedures are required when dealing with aggressive visitors. It is important to ensure that all staff are competent and have received appropriate guidance and training to enable them to deal with the violence that they are likely to encounter. This may be as simple as ensuring that all staff know what to do on encountering an intruder in school. It may also include clear procedures for dealing with a student or parents who is known to be violent or is being aggressive.

Developing skills and techniques in how to defuse and de-escalate confrontation may be beneficial. Examples are:

- avoiding confrontation in front of an audience. The fewer people that are involved in an incident, the easier for the aggressor to back down without losing face
- asking another, preferably senior member of staff to help talk things through with the aggressor
- staying calm, speaking slowly so as not to be drawn into a heated argument
- avoid aggressive body language such as hands on hips, wagging fingers, looking down on the aggressor
- if in any doubt as to one's physical well-being, consideration should be given to summoning assistance appropriate to the circumstance. This may include contacting the Police.

Section 547 of the Education Act 1996 makes it a criminal offence for a person who is on school premises without legal permission to cause or permit a nuisance or disturbance. Trespassing itself does not constitute a criminal offence.

To have committed a criminal offence, an abusive individual must have been barred from the premises or have exceeded their 'implied licence', then also have caused a nuisance or disturbance.

If a school has reasonable grounds to suspect that someone has committed an offence, then they can be removed from the school by a police officer, the Senior Leadership Team or an authorised person. The authorised person within the school is the Head Teacher, or in his/her absence the Head Teacher's agreed representative. This is with proviso that in any case of trespass and nuisance which involves violence or threats of violence Police assistance should be sought.

Authorised staff are not advised to use physical force to remove a trespasser, other than in extreme circumstance. When faced with such a possibility the law does not allow individuals to use more force than is reasonably necessary in the circumstances.

### ***Persistent Trespass: The Case for Injunction***

In cases of persistent trespass, the school will consider the possibility of seeking an injunction against the person or people involved. The school will take a rounded view of any situation to ensure the interests and safety of staff and students are taken into account. In the right circumstances the School will be prepared to seek an injunction, provided the evidence is there to satisfy the court.

### ***Implementing the Policy***

Developing and agreeing a policy is a vital step towards a coherent organisational response to violence at work, but it is only one step. The policy needs to be implemented and procedures introduced to ensure that the policy is complied with.

The School will consider introducing standard procedures for some activities, areas and types of incidents. These procedures will help to ensure that staff faced with a potentially violent situation will react in an informed and consistent way. Examples of the types of incidents which may benefit from a procedure are:

- working away from the main place of work
- security procedures when working late
- reception duties
- interviewing parents
- securing the premises and dealing with burglar alarm call out
- travelling in the line of duty
- reception of people into the organisation and systems for identifying them while they are working
- dealing with intruders on site
- dealing with a parent/carer who is known to be violent or aggressive.

### ***Staff Briefing***

The School will:

- communicate the relevant policies and procedures to staff.
- Ensure staff not only are aware of the policies, but that they have read and understood them.
- Policies will be readily available to parents/guardians and visitors to the school.

### ***Staff Training***

The Schools will

- Organise general and specific training in dealing with violence in order to ensure that staff are aware of the policy and internal procedures.
- The Head Teacher and Senior Leadership Team who have a responsibility for ensuring that violence is managed in the School will be supported by CST and the Executive Leadership Team.
- Provide specific training in risk assessment (Corporate Services).

The Head Teacher will assess the training needs of all their staff, including support staff.

### ***Staff Co-ordinator***

The Head Teacher will

- ensure that the management of violence is co-ordinated at the School.
- have responsibility for monitoring the incidence of violence, co-ordinating risk assessment and keeping policies and procedures up to date
- ensure that any policies or procedures are incorporated and considered in relation to other management issues.

### ***Review***

Once the systems are in place, it is important to continue to monitor the effectiveness of control measures. Strategies that are not working or which have unforeseen consequences can then be identified and modified or replaced.

Periodical safety audits will also ensure that the procedures are in place and that staff are aware and have ownership of the procedures that should be followed.

## **8. Follow-up Actions**

### ***Investigation***

It is important to ensure that violent incidents are investigated immediately, and appropriate action taken to reduce the risk of recurrence and to support the member of staff involved.

### ***De-brief***

It is important to ensure that the member(s) of staff and, if relevant, students involved are offered the opportunity to a de-briefing by the Head Teacher as soon as possible after the event. Where appropriate, follow-up counselling may need to be considered.

### ***Medical Check-up***

Where appropriate a medical examination, advice and support should be offered/sought.

### ***Notification of the Police***

Both the Head Teacher and the victim will need to consider whether the Police need to be involved. This should be standard practice in the event of violent attack or serious threatening behaviour, unless the employee objects.

### ***Standard Warning Letter***

The Head Teacher will consider whether it would be appropriate to write to the person in order to warn of further action should their behaviour continue. A model letter as Appendix 1. If the behaviour continues after a letter being sent from school, advice and support should be sought from the Director of Schools/Corporate Services Team. The School will then consider whether it is appropriate to send a more formal letter advising that the matter may be referred to a Solicitor.

### ***Recording the Incident***

All incidents of violence will be recorded within DatebridgeMIS. Where an injury has occurred, an SR3/5 form should be filled out and returned to the Health and Safety Section, Education Department, sample attached as Appendix 4.

### ***Follow up Support for Staff***

The extent and type of support available for victims should be dependent on the situation and the individual's needs.

Support might include:

- time away from work
- counselling
- compensation (e.g., criminal compensation)
- legal advice and help in taking proceedings
- ex-gratia payment for loss/damage to property

The type of support needed should be investigated by the Head Teacher at the earliest opportunity. This should occur automatically and should not be dependent on the victim having to request it. Advice and support throughout this process is available from Human Resources.

## **9. Monitoring arrangements**

This policy will be reviewed every 12 months but can be revised as needed.

**Impact of non-compliance**

<b>Staff:</b> Disciplinary action
<b>Student:</b> Suspension, Temporary Exclusion, Permanent Exclusion
<b>Legislation/organisational:</b> Reputational damage, statutory and non-regulated compliance.
<b>Compliance lead:</b> Headteacher/Director of Schools
<b>Policy Reference:</b> ELWS-ORG-012
<b>Version:</b> 1
<b>Agreed policy location:</b> DatabridgeMIS and Company Webpage
<b>Does the policy require Governor approval?</b> No

**Approval**

<b>Prepared by</b> Scott Roberts (Assoc. CIPD) 01/03/2021  Head of Corporate Services	<b>Approved by</b> Tony Brown 01/03/2021  CEO	<b>Counter Signatory</b> Richard King 01/03/2021  Director of Schools, Pre 16 Education
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**Version Control**

Version	Date	Revision	Review Date
1	01/03/2021	First Issue	01/03/2022
2			
3			
4			
5			

Private and Confidential

Name  
Address  
Post Code

Date

Dear .....

Violence to Staff: Warning

It has been brought to my attention that you have ..... against a member of my staff. It is my duty to warn you that this is entirely unacceptable behaviour within a school.

The Governing Body and I, as Head Teacher, will not tolerate violent or abusive behaviour to any members of staff in this school. I must remind you that the school site is private property, and that you have no legal right to enter the school without prior invitation/appointment.

If this behaviour continues, then I shall have no option but to take this matter further. Yours sincerely

Yours Sincerely

Head Teacher



### Introduction

- The School will take a realistic view of security and violence and consider sensible measures which are proportionate to the problems identified.
- The School has a clear legal duty to assess the risks to staff and reduce the risk so far as is reasonably practicable. Security measures can help to reduce the risk of violence.
- The School will carry out regular security audits.

These measures alone cannot guarantee personal safety of school staff, students and visitors. The aim of risk assessment is to ensure that physical control measures are effective, clear procedures are in place and staff are competent to carry out their activities safely. Risk assessment will therefore need to consider all hazardous activities, assess the level of risk in relation to all factors and ensure the introduction of control measures to reduce the risk to an acceptable level. This document is intended to outline the framework of risk assessment in relation to the management and control of violence in educational establishments.

### Principles

- Anyone carrying out a risk assessment must be competent to do so.
- Training will be provided for training staff where necessary.
- Staff will be given adequate time and appropriate support to enable them to carry out risk assessments.
- The process will be co-ordinated and monitored by the Head Teacher.
- Staff will be involved in the risk assessment process. Good consultation at all stages of the process will help to ensure that all risks are identified and that control measures are appropriate and realistic.
- The significant findings of the risk assessments will be recorded as well as the proposed action or procedure to reduce or remove the risk.
- The School will retain copies of the completed risk assessment forms and ensure that all staff are made aware of the actions taken or the procedures to be introduced. The assessments will need to be reviewed if new information comes to light or if a serious incident occurs. In any case the assessments need to be reviewed annually to ensure that they are still relevant.

### Practice

Risk assessments should be carried out in such a way that examines all aspects of the school activities, environment and location. Whilst generic risk assessments are only used as a guide more detailed assessments are often required if there are specific problems. The School will therefore need to consider the risk of violence and ensure that specific control measures are in place to remove or reduce the risk to an acceptable level. Activities to consider in more detail include:

- home visits
- parent/student interviews
- dealing with serious disruptive behaviour by students
- working outside normal working hours
- working in isolation, lone working
- call-out following activation of fire or intruder alarms, outside of normal working hours
- working at a remote site e.g. remote sports area;
- dealing with intruders

The School has a policy for how and when to physically intervene with a student (Physical Intervention Policy & Behaviour policy). Where a student requires repeated physical management an appropriate 'Support Plan' will be agreed. Where a plan is agreed with reference to Physical Intervention, a risk assessment should also be carried out.

All of the activities listed above will need a detailed risk assessment before the activity takes place. The process for conducting such risk assessments is contained in the Health and Safety Executive guidance 'The Five Steps to Risk Assessment'.

**Appendix 3 – Databridge Event**

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DATE: \_\_\_\_\_

TIME: \_\_\_\_\_

Employee (Personal details of person assaulted)

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Gender:

\_\_\_\_\_

Post Title: \_\_\_\_\_

Details of Perpetrator

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Gender: \_\_\_\_\_

Relationship to victim: \_\_\_\_\_

Details of the Incident

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Location: \_\_\_\_\_

Activity at the time: \_\_\_\_\_

Outcome (include details of any follow-up support offered)

## Appendix 4 – Five Steps to Risk Assessment

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### Introduction

The following five steps provide a structured approach to Risk Assessment:

#### Step 1: Look at the Hazards

List all activities carried out in school or in your department and identify the hazardous activities. Group similarly hazardous activities together as much as possible to allow generic assessment. You must record your assessments along with details of any changes made or planned.

At this stage you must be clear about the differences between hazard and risk:

- Hazard is defined as anything that has the potential to cause harm, i.e. fall from a height, a violent person etc.
- Risk is defined as the chances, great or small, that the hazard will actually cause someone harm.

Risk Assessment should not be carried out in isolation. You will need to talk to the people involved in the activity being assessed. It is also useful to walk around the area concerned and look afresh at what could reasonably be expected to cause harm. Ignore the trivial and concentrate on significant hazards which could result in serious harm or affect several people.

#### Step 2: Decide who might be harmed

The identification of all people who you could reasonably foresee may be harmed is a fundamental requirement of risk assessment. Caretakers, cleaners, visitors and contractors should not be forgotten. Expectant mothers may need special consideration as they may be at greater risk as a result of their condition.

#### Step 3: Evaluate the Risks

Once all the hazards have been identified it will be necessary to make a judgement on the likelihood of harm occurring. In order to do this, you must consider the worst possible outcome and the probability of occurrence. For example, the use of unsafe electrical equipment has the potential to cause a very serious or even fatal injury. Having identified all hazards and decided which are significant we now need to identify and consider the efficiency of existing controls. You should now be able to decide whether any significant risk remains. Further control measures would then be needed to control the risk.

The outcome of your assessments should be an action plan in the form of a prioritised programme of improving control methods. This allows a sensible planned approach. It is not always possible to do everything 'over- night'. We are often held back for reasons of finance or time. We therefore need to consider all hazards in terms of the level of risk. The greater the level of risk then the greater the need to do something about it.

#### Step 4: Record your Findings

The Risk Assessment Template should be used to record all assessments. The action plan should be used to produce the school action plan. This should list all significant risks identified from the exercise and target dates for introduction or improvement of control measures.

#### Step 5: Review your Assessment

The regulations require assessments not only to be suitable and sufficient, but also to be maintained to ensure that they remain valid. This means that they must be kept under review and updated periodically i.e. annually or when changes are made to the activity.

How to use the risk assessment forms

1. Look at the hazards and activities in your school, particularly where violence could apply.
2. Consider who is at risk. Deal with the most serious first.
3. Consider how they are at risk.
4. Do you have suitable control measures in place?
5. If your control measures are not as suggested in the example, do they adequately control the risk?
6. If control measures are suitable and in place the resulting risk should be low.
7. Tick the box to show that the control measures are in place.
8. If control measures are not in place put an 'X' in the box, and decide if the resulting risk is high, medium or low. Make a note of the control measures that are needed in the comments – actions box.
9. Put control measures into practice. Ensure staff are aware of and use the control measures.
10. Sign and date the assessment and enter the review date

**Appendix 5 – Risk Assessment Hazard Examples**

**Hazard/Activity Risk Hazard Persons at Risk Control Measures Comments – Actions Residual Risk 3x Rating**

Parents arriving at reception	Assault on reception staff	Reception staff	<ul style="list-style-type: none"> <li>○ Layout of reception places physical barrier between receptionist and visitor</li> <li>○ Receptionist has a means of calling for help or support quickly</li> <li>○ Layout enables receptionist to leave area safely if situation requires it</li> <li>○ Reception staff have had training in how to deal with aggressive visitors</li> </ul>		Low
Parents being interviewed by teacher	Assault on teacher	Teacher	<ul style="list-style-type: none"> <li>○ Good layout of interview room</li> <li>○ Interior of room should be visible from outside</li> <li>○ Furniture allows distance between interviewer and possible aggressor</li> <li>○ Interviewer has means of escape if necessary</li> <li>○ Interviewer trained in de-escalation techniques</li> </ul>		Low
Assault on teacher in classroom	Assault on teacher	Teacher	<ul style="list-style-type: none"> <li>○ Good communication in school ensures teachers are aware of potentially violent students</li> <li>○ Teacher to be aware of school policy on violence</li> <li>○ Consideration given as to whether training on breakaway techniques or restraint is necessary</li> <li>○ Behaviour management policy in place at school</li> <li>○ Teacher to be aware of Code of Practice on Physical Intervention</li> </ul>	Low	