VIOLENCE AND AGGRESSION POLICY

This policy is applicable to all students, staff and parents of The Wellington College Academy Trust.

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<td>Vice Principal – Students</td>
<td>Executive Principal</td>
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RELATED POLICIES AND DOCUMENTS

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REVISION RECORD

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INTRODUCTION

Wellington College Academy Trust will ensure compliance with the relevant legislation with regard to the requirements and responsibilities in relation to the management, prevention and reporting of aggressive and violent behaviour involving pupils, staff and visitors. The Trust will ensure best practice and extend the arrangements as far as is reasonably practicable to others who may also be affected by our activities.

1. Definition of ‘Violence and Aggression’

The Trust defines the term as:

‘Any incident in which an employee is abused, threatened or assaulted by another person in circumstances arising out of the course of his or her employment.’

This applies whether the member of staff is on or off duty and is irrespective of the status of the perpetrator.

This definition is based on advice from the Health and Safety Executive.

Examples of behaviour classed as ‘violence’ or ‘aggression’.

Kicking
Biting
Punching
Poking or pushing
Spitting
Scratching
Head butting
Tripping
Actions that restrict movement
Unwanted physical contact which results in no injury
Use of weapons
Use of missiles
Swearing
Other verbal or written abuse which causes personal offence or distress
Sexual, racial or other harassment
Bullying
Intimidation
Damage to personal property
Other aggressive behaviour

- Shouting
- Posturing
- Gestures
• Insults
• Innuendo
• Unreasonable demands or blackmail

3. General Policy

Violence and aggression are unacceptable and no member of staff should be required to endure either as a normal part of their work. However, given the nature of the services we provide it is acknowledged that some staff may, on occasion, encounter violence or aggression. In these circumstances, reasonable measures are to be applied to eliminate or minimise the risks.

These measures go beyond basic compliance with statutory duties because the Trust, and its partners, recognise the wider benefits of effective procedures for the prevention of, and response to, incidents of violence and aggression.

• A system of risk assessment will be used to determine the best measures to safeguard staff. The range of measures to be applied, including training for staff, is set out later in this document.

• All incidents of violence and aggression at work must be reported using the procedures referred to later in this document.

• When an incident takes place, support will be offered initially by the academy themselves and then, if necessary, by external services. The range of measures to be applied is set out later in this document and should be offered as appropriate to the incident. Individuals are encouraged to identify any additional support they may need.

• Staff are expected to take account of their own safety when considering their actions in intervening in violent incidents between children or adults using the academy.

The Trust has produced this policy for the benefit of all staff in their academies, including governors. The Trust will support the implementation of the policy within their academies and will monitor its effectiveness. However, it is the governors and the Executive Principal / Headteacher of each academy who have the responsibility to ensure that it is applied on a day-to-day basis.

4. Roles and Responsibilities

The Executive Principal together with the Headteacher or Vice Principals, are responsible for providing the direction of this policy through consultation with relevant partners and for ensuring that schools are supported in implementing the policy.

The Executive Principal / Headteacher and Vice Principals in each academy should:

• ensure that risk assessments are carried out across all work activities that they control and that appropriate measures are implemented commensurate to those risks. Guidance on risk assessment is given below;

• ensure that all staff identified through the risk assessment process, receive training at appropriate intervals in skills that can be used to minimise risks to personal safety. The range of training to be considered is set out in a later section;

• ensure that all staff are provided with clear instructions in respect of reporting incidents of violence and aggression and that all such reports are thoroughly investigated and responded to;

• offer and provide appropriate post-incident support to staff;

• monitor the effectiveness of this policy;

• ensure that all staff know about their responsibilities and of the measures used within the workplace to counter violence and aggression.
Individual members of staff are responsible for:

- following working procedures and risk assessments;
- reporting likely or actual incidents of violence or aggression;
- taking due regard of their own personal safety and well-being and for withdrawing from a situation where the risk of actual or potential violence or aggression is high. An exception to this would be where any formal plan (e.g. a care plan) relating to a pupil, required an alternative, prescribed course of action to be followed.

5. Risk Assessment

Risk is defined as “the likelihood of harm”. The significance of a risk depends upon the severity of the possible outcome and the number of people who may be affected. All risks are to be managed before harm occurs – that is to say, adopting a proactive approach rather than a reactive one.

The Executive Principal / Headteacher will identify staff to carry out risk assessments and ensure that they are adequately trained. Training will be organised by the Trust. These assessors will identify the potential for significant harm to either staff or others arising from work activities. This includes the potential for violence or aggression. Assessment of the risks of violence may need to be done in conjunction with specialists from other fields or agencies.

These assessments should not be confused with those made for an individual pupil, through a formal plan such as a care plan or an individual education plan. They are different and should be separate, because the risk of violence or aggression from a pupil may extend beyond the staff that might normally be expected to have access to the agreed plan. In the case of care plans, these individual assessments should be taken into account when preparing the risk assessment.

Additionally, each academy will be assessed at least annually to establish the extent to which they offer a safe and comfortable environment likely to minimise the likelihood of violence and aid control should it occur. The SLT will carry out this assessment.

Risk assessments will seek to establish the risk to staff after taking into account:

- information about children or adults using the academy, including the frequency and severity of any previous incidents;
- frequency and nature of the contact;
- experience and training of the member of staff;
- location;
- adequacy of existing precautionary measures.

In some cases, this information can only be established through consultation with others who come into contact with, or hold relevant information about those using the academy.

The risk assessor should identify any necessary measures and ensure that named individuals accept the responsibility to act upon them within an agreed timescale commensurate with the risk.

All significant risks should be recorded on a risk assessment form. Assessors and the Executive Principal / Headteacher are responsible for ensuring that the outcomes of assessments are made known to all relevant personnel.

All assessments will be reviewed at least annually but more frequently if enhanced risks are identified or whenever relevant circumstances change. Assessments should be reviewed after each incident.

6. Preventative Strategies
6.1 General Security
Each academy will need to be open to the public at some points, wholly or in part. Uncontrolled access to all areas may expose some staff to unnecessary risk. All buildings, therefore, must be assessed to identify which parts need to have restricted access achievable through security locks.
Keys and door entry combinations should be restricted to authorised personnel only and combinations should be regularly changed.
Systems to register all visitors, including the use of identification badges, can help minimise unauthorised access. Staff should challenge any unauthorised persons. Registered visitors should check out and return their badges after use.
A means of summoning emergency assistance should be available in areas where there is a significant possibility of encountering violent or aggressive behaviour. The immediate environment around each premise should be as free as possible from debris or loose materials that could be used as missiles.

6.2 Suitable Working Environments
All public areas should be well signed.
The Academy reception areas should, where practicable, be properly staffed and be kept in a clean, well-lit and comfortable state. They should have adequate space with sufficient seating. Using waiting areas as thoroughfares should be avoided if possible.
Rooms allocated for meeting with members of the public should be carefully arranged to put people at ease and ensure that the risk of aggression is minimised while maintaining the need for confidentiality. Staff should sit between the interviewee and door to ensure a swift exit. The room should not be lockable from the inside and wherever possible there should be a vision panel to enable checks to be made by other staff, when necessary. Other safety measures may include the selection of ornaments that are ineffective as weapons.
A means of summoning emergency assistance should be available in areas where there is a significant likelihood of encountering violent or aggressive behaviour. Any such system must be regularly tested including the reaction to the alarm from other staff.
All external areas used during hours of darkness must be adequately lit.
Classroom layout will be governed by space and teaching needs but wherever possible staff should base themselves in a position which allows sight of all entrances and immediate access to at least one of them.

6.3 Working Practices and Patterns
The following guidance applies to all academy staff although some may be more relevant to particular circumstances. Staff should recognise that their own attitudes and modes of behaviour are likely to be reflected by those using or coming into contact with the academy.
Before meeting a visitor, staff should refer to any information available about that person’s potential for violence. For this to be an effective precaution, it is essential that all relevant information about previous incidents is recorded and shared with staff. If it is anticipated that a visitor may display aggressive behaviour then staff should consider whether to meet with that person alone and should prepare their responses to any violent or aggressive behaviour in advance of the meeting.
Staff should avoid working in isolation, particularly out of normal hours. After evening functions, staff should consider leaving in groups rather than individually.
If telephone callers become abusive or threatening, staff may issue a caution along the lines of, ‘if you continue to be abusive, I shall put the telephone down’, and then do so if the caller persists.
Whenever working away from an academy, staff must always ensure that a colleague has details of their programme and whether or not you are intending to return to the academy. Local procedures must be in place to respond to concern about the non-arrival or return of colleagues. (See Section 6.9 on Lone Working).

When travelling by car or cycle, staff should ensure that the vehicle is roadworthy, that the route is planned, that the foot journey at their destination is as short as possible and that vehicles are left in well-lit and secure areas.

Staff should avoid wearing clothing or jewellery that could be grabbed and used to inflict injury on the wearer.

Staff involved in emergency responses should take account of the advice within this section as far as is possible and should not, in any circumstances, place themselves or colleagues at undue risk.

It is essential that any member of staff, receiving any information indicating that a pupil, parent, or visitor may pose a risk to staff, logs this information appropriately.

6.4 Physical Intervention (Control and Restraint)

All members of the Trust staff and those whom the Executive Principal / Headteacher has temporarily put in charge of pupils have a legal power to use reasonable force.

The term ‘reasonable force’ covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.

Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury. ‘Reasonable in the circumstances’ means using no more force than is needed.

As mentioned above, academies generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil’s path, or active physical contact such as leading a pupil by the arm out of a classroom.

Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.

Academy staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances. However the Trust cannot use force as a punishment – it is always unlawful to use force as a punishment.

All instances of physical intervention must be recorded in accordance with policies.

All staff who may be potentially involved in physical intervention must have access to the Trust's advice referred to in this document and any other local guidance that has been produced.

6.5 Self Defence

Leaving or getting away is often the best defence using any pretext that may work but individuals do have the legal right to defend themselves, or others, if attacked. The amount and degree of defensive force used
must be proportional to the level of risk being faced. This will depend upon the circumstances. You do not have to be hit first if you are in genuine fear of being injured.

6.6 Protective Equipment

Personal protective equipment may provide a degree of protection or reassurance to staff in some circumstances. Risk assessments should identify when equipment should be issued to staff and it should only be issued once information and training in their use has been provided.

If personal alarms are issued, they need to be carried so that they are easy to reach in an emergency. They may deter an attacker but may also aggravate a situation.

Mobile telephones can be used to summon assistance or to obtain information from colleagues that may help to defuse a situation.

6.7 Lone Working

The nature of our activities is such that many employees are sometimes required to work alone and / or away from their academy and / or out of normal school hours.

The risk of violence and aggression towards staff increases in a lone working situation and therefore all lone working activities will be subject to a risk assessment. The Executive Principal / Headteacher must assess the situations, either generically or individually, and ensure that reasonable practicable precautions are implemented. **N.B. Those assessed at high risk must not be allowed to continue.**

If the perceived risk warrants it, such precautions might include:
- cancelling the visit / appointment / meeting;
- re-arranging the venue;
- re-scheduling the time of the visit / appointment / meeting;
- specific selection of staff;
- additional staff being present;
- providing detailed information to colleagues about your intended itinerary;
- training in conflict diffusion techniques for staff;

In addition to these higher-risk precautions, all lone workers must log, with an administrative officer, their intended movements throughout any lone working period during school hours. The log should include information which will allow your movements to be traced should you fail to return safely either to the school or your home. **Note that the carrying of a mobile phone does not abrogate this requirement, as you may be unable to receive a signal or be incapacitated from using it.**

For low-risk lone working periods after normal school hours, then it is sensible to inform someone at home of your itinerary and of the action to take should you fail to arrive home. If there is no suitable person at home, then staff may, for their own reassurance, want to arrange a system whereby a colleague is primed to alert someone if confirmation of a safe return is not made.

A locally arranged escalating procedure must be in place to alert the Executive Principal / Headteacher if any member of staff is unaccounted for at the end of any high-risk lone working period or in any other circumstances giving cause for concern.

7. Responsive Measures

7.1 Short-term Debriefing
The nature and level of action following an incident will depend on the circumstances of each case. Some ‘minor’ instances may not require any action but it is important that no incident is dismissed as being too trivial to deal with without first exploring the effect of it with the member of staff involved.

Immediately after an incident, the Executive Principal/Headteacher will ensure that all necessary first aid or medical treatment is arranged.

It is probable that the victim will want to talk about the incident but may be feeling distressed or guilty. It is important that sensitive support is given at this point. The Executive Principal/Headteacher should be aware that other colleagues are likely to be seen as primary emotional supports and this may require some flexibility about the normal work routine continuing. Further opportunities to talk about the incident should be provided after a period for reflection.

All parties involved in the incident should write down their thoughts and recollection of the incident as soon as they feel able to. The staff member should be reminded of the local procedures for accessing a counsellor and that a trade union or professional association representative may be present at any meeting where a discussion of the incident takes place.

All incidents should be formally acknowledged. This may be verbally and/or in writing. The Trust recognises that the staff member involved may have a need for a specific type of acknowledgement.

The Executive Principal/Headteacher should review risk assessments and care and support programmes in the light of the incident. This should include the sharing of information protocol to ensure that all staff and other agencies are made aware of risks.

### 7.2 Longer-term Debriefing

Victims of violence or aggression may need time to come to terms with the implications of the incident. The Trust should be alert to the possibility that the member of staff is underestimating his or her own needs.

Other staff who may have witnessed the incident or are likely to come into contact with the aggressor should be given information about the incident and its implications. It may be useful to arrange a staff meeting to discuss feelings about the incident and assess its impact.

Any staff development needs that are highlighted by the incident should be addressed.

If a member of staff is absent from work for a lengthy period following the incident, the Trust’s HR Department and Occupational Health Service can provide advice.

### 7.3 Counselling

SLT/Headteacher should refer employees to the Occupational Health Service (OHS), where there are welfare or attendance issues that appear to be related to the violence or aggression incident. The OHS will provide appropriate recommendations for supporting such employees. When the occupational health professionals consider that an employee could benefit from counselling, this will be made clear in the report supplied to the Trust.

### 7.4 Change of Duties

The staff member and their line manager should agree any need to alter work duties as a result of the incident. This should be done such that the member of staff is not put under duress or made to feel guilty.

### 7.5 Involvement of the Police

The police should be informed of all incidents where a member of staff has been assaulted. In some circumstances, the member of staff may not wish the police to be involved. However, the Executive Principal has the final decision and may judge that the wider protection of the community requires that a report be made to the police, notwithstanding the wishes of the individual.
If, during the course of the incident, a child is assaulted or abused, this must be reported in the first instance to the LADO (Local Authority Designated Officer) for Allegations, who coordinates the local multi-agency response.

7.6 Employers Liability

A member of staff who believes that they have suffered harm as a result of a work related incident should seek independent advice as to any civil claim they may have.

Employees may also contact the Criminal Injuries Compensation Authority. Details can be found at www.cica.gov.uk. In order to pursue a claim the incident must be reported to the police within 24 hours and to the Authority within one year.

7.7 Legal Advice and Support

**If an employee is the victim**

If an employee is a victim of an assault which gives rise to criminal proceedings, then the Crown Prosecution Service and Victim Support can give information relating to the criminal process. The Trust cannot bring a civil action for damages on his/her behalf, save to the extent that this is necessary in order to request an injunction to prevent further assaults or harassment. If an injunction is to be sought against the perpetrator, the Solicitor to the Trust can advise on each case as to whether the circumstances justify such an application or whether alternative action may be more suitable.

Any employee who believes that they have suffered harm as a result of a work-related incident should seek independent advice as to any civil claim they may have. The Trust’s Employers Liability insurance will apply where legal liability is established against the Trust or any other employee.

Employees may also contact the Criminal Injuries Compensation Authority, as outlined in section 7.6 above.

**If an employee is alleged to have committed an offence**

Where an employee is the subject of a criminal investigation as a result of allegations made by one of the Trust’s clients, the Trust cannot provide legal advice or representation to that individual. This is so, even where it appears that the employee has followed the Trust's procedures.

If the police decide to take action against a member of staff then the Trust will be as supportive as the merits of the case allow. However, the Trust is also unable to provide financial assistance to an employee to seek his or her own legal advice and representation from another source. Nor can it reimburse an employee's legal costs in the event of a prosecution not proceeding or ending in an acquittal.

In light of these two paragraphs, it is strongly recommended that staff consider membership of an appropriate Trade Union. Alternatively, staff may want to consider the possibility of taking out private insurance cover for such eventualities.

**If a third party claims compensation**

Where an employee is the subject of civil proceedings arising from an incident in which a third party alleges injury, the matter will be dealt with under the Trust’s insurance arrangements, thus protecting individual employees. The only circumstances where employees may find themselves outside the protection of the Trust’s insurance are where criminal acts have been committed or where the individual has been negligent.
7.8 Exclusion of Pupils
Statutory guidance on excluding pupils from the academy can be found on the DfE ‘exclusion’ webpage.

7.9 Warning Letters
The Solicitor to the Trust will, at the request of the Executive Principal and subject to satisfactory evidence, issue a warning letter to any adult who has committed a serious act of violent, abusive or aggressive behaviour.

In the event of a permanent exclusion, reference should be made to the Trust’s policy on this and give the parent a chance to make any representations before any decision is implemented.

8. Training
Staff within the Trust who are likely to be at risk from violence will require some level of training. The type and frequency of training will differ according to the nature of the risks faced. The Trust should identify and provide suitable training in skills that may include de-escalation techniques; breakaway techniques; the use of force to control or restrain.

9. Reporting Procedures
Full guidance on the reporting of incidents is given in the Health and Safety Policy.

Only by reporting incidents can working practices and procedures be adjusted to provide as much protection for staff as is possible. The accumulative effect of several minor incidents can be just as harmful as that from those of a more serious nature and staff should not overlook these ‘lesser’ incidents.

The Trust will use these reports to identify measures that can reduce the likelihood of any recurrence as well as spotting regular or repeated perpetrators and victims. All reports will also be monitored centrally and regular cumulative reports will be compiled to identify trends and areas for further action.

The Executive Principal / Headteacher should be aware that if a major injury is attributable to an act of non-consensual violence for a work-related incident, then the incident must be reported to the Health and Safety Executive without delay by either telephoning 0845 300 9923 or on line by going to www.riddor.gov.uk.

Where an injury results in an absence of more than 7 days from normal work duties then the HSE must also be informed on line by going to www.riddor.gov.uk.

10. Further Support and Advice

Some other useful contacts are:

Health and Safety Executive
The Pithay
Bristol BS1 2ND
Tel: 0117 988 6000

Department for Education
Castle View House
Runcorn
Cheshire WA7 2GJ
Tel: 0370 000 2288