

**LANCASHIRE COUNTY COUNCIL  
CHILDREN AND YOUNG PEOPLES' DIRECTORATE**

**MANAGING VIOLENCE AND  
AGGRESSION IN SCHOOLS: CHILDREN  
AND YOUNG PEOPLE**

**POLICY AND GUIDANCE**

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# **CHILDREN AND YOUNG PERSONS' DIRECTORATE MANAGING VIOLENCE AND AGGRESSION BY CHILDREN AND YOUNG PEOPLE IN SCHOOLS**

## **POLICY STATEMENT**

### **1. Policy Statement**

- 1.1 The Governing Body of \_\_\_\_\_ School believe that 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 if they are subjected to abuse, threats or violence by children and young people on school premises and in exercising their duties off site.
- 1.2 For the purposes of applying the provisions of the policy and associated guidance, school staff includes volunteers.
- 1.3 This document sets out the whole school policy on managing violent or aggressive behaviour towards employees by children and young people.
- 1.4 This policy is published as part of this school's health and safety policies. It has been produced after consultation between Lancashire County Council and employees through recognised Teacher Associations, Trade Unions, and the respective Diocesan Authorities.
- 1.5 The Governing Body accept the following definition of violence:

***“Any incident, in which a person is abused, threatened or assaulted in circumstances relating to their work”.***

***This definition includes verbal abuse or threats as well as physical attacks.***

***(Health and Safety Executive)***

### **2 Scope of the Policy**

- 2.1 A separate policy applies to aggressive or violent behaviour on the part of adults.

### **3 Roles and Responsibilities**

- 3.1 The roles and responsibilities of the Governing Body, Head teacher and employees are set out below.

### **3.2 Governing Body:**

3.2.1 The Governing Body are responsible for the implementation of this policy and ensuring it is operating effectively.

3.2.2 The Governing Body and Head teacher are committed to meeting their legal duties and obligations. They recognise their general duty to ensure, as far as is reasonably practicable, the health, safety and welfare of their employees and other members of the school community affected by the work they do. (Health and Safety at Work Act 1974 s2).

### **3.3 The Head teacher**

3.3.1 The Head teacher is responsible for the day-to-day implementation and management of the policy.

3.3.2 The Head teacher may delegate the lead role on day-to-day policy implementation and management of the policy to a nominated Senior Manager.

3.3.3 The Head teacher is also responsible for the following:

- a) Ensuring that suitable and sufficient risk assessments are carried out of employees' risk of exposure to violence and aggression and that appropriate control measures are implemented.
- b) Making appropriate arrangements for incidents to be reported, recorded and investigated.
- c) Regular monitoring of the level and general nature of any incidents and the school's response to them.
- d) The Head teacher will review the effectiveness of the policy including risk assessment, control measures and responses to incidents.
- e) Provision of appropriate training for employees and volunteers.
- f) An annual monitoring and evaluation report will be provided to the Governing Body by the Head teacher.

### **3.4 Employees**

3.4.1 Employees also have a responsibility to protect their own safety and that of their colleagues and anyone else who may be affected by the work they do.

3.4.2 Volunteers should follow school procedures.

3.4.3 Employees must contribute actively in hazard and risk assessment, and familiarise themselves with policies, guidelines, control measures, instructions and reporting procedures. All employees should participate positively in appropriate training. Depending on their role some employees may also have a legal responsibility to participate in appropriate training.

3.4.4 All incidents of violence and aggression (as defined at paragraph 1.5 above) must be reported, recorded and investigated. Appropriate action will be undertaken by the Head teacher with the aim of reducing the risk of a recurrence.

#### **4. Support and Guidance**

4.1 Access to confidential, counselling facilities and other appropriate support will be available to employees who are faced with violence or aggression in the course of their employment. They will also be encouraged to contact their Teacher Association, Trade Union representative or Safety Representatives.

4.2 Appropriate guidance will be made available to employees to enable them to deal with any incidents of violence or aggression. Employees will be given access to appropriate training and support by the Head teacher.

#### **5. Policy review**

5.1 This policy and associated guidance will be reviewed regularly by Lancashire County Council, Childrens' Services Authority (CSA<sup>1</sup>). The Head teacher will provide an annual review report to the Governing body on the effectiveness of the policy and associated guidance.

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<sup>1</sup> Lancashire County Council Childrens' Services Authority.

# MANAGING VIOLENCE BY CHILDREN AND YOUNG PEOPLE POLICY

## DEFINITION OF TERMS

*The following definitions apply to the policy on 'Managing Violence by Children and Young People..*

**Volunteer:** A person who is not an employee of the school who carries out work at the school on an unpaid basis.

**Employee:** A person who works at the school or setting under a contract of employment.

**School:** References to school include community schools, voluntary-controlled schools, voluntary-aided schools, foundation schools, maintained special schools, maintained nursery schools, short stay schools, maintained early years provision and Childrens' Centres with a Governing Body.

**Child or Young person:** A child or young person is defined as either:

- (i) a pupil or student on the roll of the school or setting, **or**
- (ii) a pupil or student from another educational establishment who is attending the school or setting by invitation in order to participate in education or school activities.

A child or young person who does not have a lawful reason to be on school premises is defined as a trespasser and as such is covered by the Managing Violence at Work by Adults policy.

# **GUIDANCE ON MANAGING VIOLENCE BY CHILDREN AND YOUNG PEOPLE**

## **INTRODUCTION**

The Governing Body believes that all members of the school community (including pupils, employees and volunteers) have a right to expect a safe school environment.

As part of the school's ongoing commitment to employees' health and safety, Governors have adopted the policy entitled 'Managing Violence by Children and Young People' which is also available on-line at [https://schoolportal.lancsngfl.ac.uk/corporate/web/view\\_sp.asp?siteid=4311&pageid=22041&e=e](https://schoolportal.lancsngfl.ac.uk/corporate/web/view_sp.asp?siteid=4311&pageid=22041&e=e)

This booklet provides practical guidance<sup>2</sup> to Head teachers, Governors, employees and volunteers on dealing with violence and aggression by children and young people in the school context.

The aim is to provide a 'one-stop' shop approach to managing violence and aggression through the links to other related policies, proformas and guidance. A summary of those links is included at section 7 of this document.

A separate policy and guidance on 'Managing Violence and Aggression by Adults' has also been adopted. This and accompanying guidance is available from the schools portal [https://schoolportal.lancsngfl.ac.uk/corporate/web/view\\_sp.asp?siteid=4311&pageid=22041&e=e](https://schoolportal.lancsngfl.ac.uk/corporate/web/view_sp.asp?siteid=4311&pageid=22041&e=e)

## **AIMS**

The aims of the 'Managing Violence by Children and Young People' policy and this guidance are to:

- Prevent Violence and Aggression at school level as far as reasonably practicable
- Assist the Head teacher and Governing Body to implement the 'Managing Violence by Children and Young People' policy.
- Give guidance to all members of the school community so they can contribute towards a safe school environment.
- Provide information about roles and responsibilities, the legal framework<sup>3</sup> and good practice in this area.

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<sup>2</sup> The guidance does not form part of the policy.

<sup>3</sup> This document does not provide an authoritative statement of the law. For further advice on specific issues, contact your health and safety team.

- Encourage and facilitate incident reporting and recording.
- Define terminology.



## **PREVENTION OF VIOLENCE TOWARDS STAFF**

The 'Managing Violence by Children and Young People' policy' adopts the HSE definition of violence,<sup>4</sup> which includes any incident where an employee is abused, threatened or assaulted at work; endangering their safety, health, well-being or work performance.

It covers insults, threats, physical or verbal abuse exerted by children and young people towards a person at work, whether they are an employee or a volunteer. Violence to staff is an occupational health and safety issue and should be dealt with at school level.

Effects of violence towards the individual may include:

- Physical harm
- Stress
- Emotional trauma
- Feelings of powerlessness
- Demotivation

Consequences for the employer include:

- Higher staff turnover
- Increased absenteeism and sickness absence
- Low morale
- Difficulty in recruiting staff
- Higher insurance costs<sup>5</sup>

Risk assessment, prevention through pupil specific control measures and minimising harm to staff after violent incidents; are all essential elements of effective management of violence in schools by children and young people. Though it is not necessary to be a legal expert to be able to put effective measures in place, a basic knowledge of the legal position will be helpful when identifying appropriate management measures.

An overview of Health and Safety and other relevant legislation is provided in Section three and at

[https://schoolsportal.lancsngfl.ac.uk/corporate/web/view\\_sp.asp?siteid=3726&pageid=18222&e=e](https://schoolsportal.lancsngfl.ac.uk/corporate/web/view_sp.asp?siteid=3726&pageid=18222&e=e)

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<sup>4</sup> Page 3 paragraph 1.5.

<sup>5</sup> From "Prevention of violence to staff in the education sector"; European Agency for Safety and Health at Work.

## **RISK ASSESSMENT, PREVENTION AND PROTECTION**

### **Risk Management Arrangements<sup>6</sup>**

The risk assessment process is the starting point for dealing with violence. It allows for the identification of potentially violent situations and leads schools to consider all aspects such as the environment, the situation itself, any background information which may be of assistance, the employee and any other individual(s) concerned. Once all this information is to hand, a strategy for dealing with a situation appropriately and keeping everyone safe can be developed.

### **Managing the risk of violence: key points**

- Find out if you have a problem
- Decide what action to take
- Take action
- Check what you have done is working
- Provide feedback

### **Assessing the risk and reducing the potential for violence**

There are precautionary and preventative steps that schools can take which help to avoid, prevent, minimise or mitigate incidents where staff can be subjected to violence or abuse by children and young people. Talk to staff; they may have noticed things that are not immediately obvious. To assist in gathering accurate information it may be useful if staff complete a simple questionnaire. An example is given at

<https://schoolportal.lancsngfl.ac.uk/corporate/web/viewdoc.asp?id=36514>

It is important to foster a security-conscious culture amongst all staff and pupils, maintaining a sense of proportion in relation to the assessed risk.

### **Step 1 – Look for the Hazards**

You need to consider the elements which may contribute to the risk of violence and the effect they have on each other. Consider the following:

- The role of the individual employee in relation to children and young people.
- Who they come into contact with, on and off site
- The times when staff work including early mornings, late evenings, holidays, weekends.
- Have you identified the behaviour patterns of children and young people who might present a risk to employees? Are there identifiable triggers for this behaviour?

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<sup>6</sup> This section incorporates HSE guidance.

- Are staff aware of the disabilities of children and young people which may impact on their behaviour towards employees?
- Staff working alone, in remote buildings, on sports fields or carrying out home visits.
- Are your work instructions and procedures being communicated and followed?
- Are all staff made aware of any changes and procedures in working practices including for example: positive handling strategies, care and control policies, behaviour management policies.
- Do your accident/incident records reflect a true picture?
- Are there security/access restrictions of the premises?

## **Step 2 – Who might be harmed and how?**

If this part of the assessment is to be of practical value you need to identify all the groups of employees who might be affected. It is not simply a matter of saying all those that have direct contact with children and young people. Consider the frequency, context and nature of interactions with children and young people when determining the extent to which employees' could be at risk.

## **Step 3 – Evaluate the risk and your existing precautions**

The most effective precaution is to avoid risks altogether. Obviously this is not always possible, therefore you need to consider what you need to do to reduce and minimise the risk. When considering the **likelihood** and **severity** of harm, think about the most serious risks and those that affect the most people first.

- Do you need to change the way people carry out their duties or where they work?
- Have you taken account of the site layout and the knowledge of the immediate working environment?
- How is the site and buildings used by others?
- Incident recording and response to incidents.
- Do you have any information, reports, involvement with other agencies such as the police and childrens' social care?
- What information is provided for staff, how is it communicated?
- Is the right level of training provided to relevant employees?

## **Step 4 - Record your findings – Take action to minimise the risk**

The main (significant) findings of the risk assessment must be recorded and where necessary written work procedures and instructions provided for staff. The assessment should include:

- High risk children and young people, activities and areas.
- Existing preventative measures and evaluation of the remaining risks.
- Additional preventative and control measures identified, including timescales.

- Communication procedures and review arrangements.

### **Step 5- Monitor, Review and update the assessment**

It is important to establish the assessment as a continuous two-way communication process between persons' at risk and Head teachers/managers controlling the risks. This will help to promote regular review to ensure precautions are kept up to date.

Monitoring is about making sure your procedures are being followed and are effective. Where possible involve new people in the review process as they will be able to provide observations from a different perspective. The written assessment, control measures, safe working practices and procedures must be reviewed following significant changes for example legislation, building/site makeup, work activities and incidents.

### **Step 6 - Draw up an action plan**

The action plan should be monitored by Senior Management and Governors to ensure that all items identified have sufficient resources allocated and have been addressed. The plan should be fit for purpose and tailored to managing the specific hazard/risk presented by identified individuals or groups of children and young people. The plan should include the following:

- Action required,
- Action by whom
- Risk priority
- Projected timescales
- Date completed

See guidance on completion of risk assessments at

[https://schoolportal.lancsngfl.ac.uk/sp\\_atoz/service.asp?u\\_id=2120&strSL=R](https://schoolportal.lancsngfl.ac.uk/sp_atoz/service.asp?u_id=2120&strSL=R)

Further examples of risk assessment forms are available at

<https://schoolportal.lancsngfl.ac.uk/corporate/web/viewdoc.asp?id=39626>

Guidance on school security is given in the training video 'Do you see what they see?' Which will soon be available.

## **COMMUNICATION, CO-OPERATION AND TRAINING**

### **Communication**

Head teachers and managers need to show through their behaviour that they take the risks seriously. Head teachers, managers and employees need to ensure that there is effective communication about risk assessments, control measures and hazardous situations.

## Co-operation

The effective co-operation of all employees can best be achieved by fully involving them and their representatives in assessments and discussions on the nature of risks, control measures and review. Co-operation is particularly important in relation to the reporting and recording system for violent incidents. If employees are not consulted about the system it is likely to fall into disuse resulting in inaccurate statistics and potentially inadequate control measures. Some employees may accept too easily risks which they see as part of their job; they may co-operate more readily if they see that this will help reduce the risk to others.

## Staff Training

Levels of competency, including such things as positive behaviour management and handling skills required for particular staff roles, should be determined during the risk assessment and appropriate training given where necessary. Competence needs to be considered, for example at the point of recruitment, placement, change of job/duty and employment of supply staff.

Employees who may be exposed to violence need to be aware of the risks they face and be capable of recognising the potential danger either to themselves or to others within the school. Consider all employees who may be affected such as; teachers, administrative staff, lunchtime welfare, cleaners, site supervisor and technicians.

Head teachers and managers should identify appropriate training dependent upon the level of foreseeable risk of violence and aggression. Induction should always include the arrangements in place to prevent and deal with incidents of potential violence and aggression. In many cases the risk to staff may be low and basic in-house information and instruction at team meetings, or tool box talks, may be all that is required.

A staff training programme could include:

- School policy and safe working procedures for dealing with violence (induction).
- Risk assessments and signposting employees to them.
- Safe working practices
- Causes of violent and abusive behaviour by children and young people and measures to avoid this.
- What to do when feeling threatened with violence and abuse.
  - Managing confrontation by using positive behaviour management strategies.
  - Using the schools' identified support systems including the assistance of other colleagues.

- Post-incident action: reporting, recording, investigation, support and counselling
- Refresher training should be provided at regular intervals.

## **MANAGING INCIDENTS EFFECTIVELY**

### **REPORTING AND RECORDING**

Recording and reporting incidents involving abuse, threats or violence to members of staff is important because it can enable Lancashire County Council, schools and employees to:

- Meet their statutory duties in compliance with the Health and Safety at Work Act 1974 and associated Regulations, the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) and Social Security Regulations.
- Inform policy reviews and future risk assessments.
- Assist the School's insurers if a claim for compensation is made.
- Inform the CSA's child safeguarding protocols.

Guidance on reporting accidents, accident prevention and management action following accidents/incidents' sets out guidance in this area. This document is available at

[https://schoolportal.lancsngfl.ac.uk/corporate/web/view\\_sp.asp?siteid=3726&pageid=15043&e=e](https://schoolportal.lancsngfl.ac.uk/corporate/web/view_sp.asp?siteid=3726&pageid=15043&e=e). Reporting forms are also available at this link.

### **Incident Reporting, Investigation and follow up**

The development and implementation of reporting procedures are among the essential steps in the planning process to deal with workplace violence. This is an avenue through which employees can report incidents of violence, and management's support of the process and encouragement for reporting incidents is vital so that appropriate support can be provided and any corrective action can be taken.

It is recognised that individuals will have a different opinion on what is deemed unacceptable behaviour and would require reporting, however the effect of that behaviour on colleagues should be considered and for the sake of consistency it should be agreed with employees what is reportable. By recording what is perceived as 'minor' incidents of violence management has the opportunity to take action and prevent any further escalation of violence. The process of recording and classifying incidents of violence can help to further tailor and improve preventative measures by highlighting important patterns and trends.

It is important that the school determine who will investigate reports of violence and provide them with the necessary skills.

- An HS1 report form should be completed as soon as possible after the violent/ abusive event. A record should also be made in the school's serious incident book.

- If the incident results in a major injury you should contact the HSE without delay (for example; by telephone) and within 10 days follow this up with a completed accident report form F2508. You must also send a completed F2508 to the HSE within 10 days if an employee is off work for more than 3 days due to an act of physical violence.
- Complaints and reports should be investigated swiftly (and confidentially where appropriate)
- Where an incident warrants more detailed investigation an HS2 form should be completed.
- What happened, who was involved, what triggered the incident, place, conditions, time of day, witnesses
- Witness statements should be collected as soon as possible by the manager investigating the accident.
- Management must investigate the underlying causes of the incident and record remedial actions required to minimise and control the risks. This will include appropriate sanctions.
- The role of health and safety representatives includes carrying out investigations.
- Investigations must not be looking to assign blame but to learn from an incident how to improve the response if it occurs again and prevent a situation escalating into abuse or violence
- Staff must be instructed in any changes made to safety systems and procedures
- Management must check that new procedures have been implemented, are being followed and are effective.

## **Reporting serious assaults to the police**

A member of staff physically assaulted may have to speak to the police, but it is also their right not to involve them if they feel unhappy to do so. If the incident is not reported to the police they will have no access to the criminal injuries compensation scheme.

## **Monitoring, Review and Evaluation**

### **Monitoring**

Schools should monitor the effect of methods used to control violence to find out how successful they have been. They can then identify strategies that are not working, or which have unforeseen consequences, and modify or replace them.

Active monitoring involves checking that systems and procedures are working without waiting until something goes wrong.

Reactive monitoring involves looking at incidents after the event and sickness absence analysis. It depends on an effective system of reporting and recording incidents and ill health.



It is only through analysing information on incidents that patterns can be detected and strategies developed to manage unexpected situations.

Monitoring is only effective if those involved understand what is expected of them therefore procedures need to identify clearly what is to be monitored, by whom and how often.

## **Review**

A review process works best if it is part of the day-to-day management of health and safety and should also take forward the results of the monitoring described above. Reports by the head teacher, safety representatives, safety committee and staff training records may provide useful information. The Management of Health and Safety at Work Regulations require risk assessments to be reviewed when they may no longer be valid, when circumstances change significantly and when change is planned. The overall review process helps identify any need for changes in risk assessments and associated procedures.

## **Evaluation**

The school's policy states that a head teacher monitoring and evaluation report will be provided to the Governing Body on an annual basis. It will be for each head teacher to determine the structure of the report but as a general guide the report should include information about:

- An overview of the areas for which risk assessments have been carried out.
- Results of employee questionnaires
- Details of control measures which have been put in place to safeguard employees. For example: care and control plans, IEP's.
- Statistical information from monitoring systems and procedures, reporting and recording of incidents.
- Training which has been provided and an evaluation of how effective this has been.
- Planned actions.
- Information contained within the report should maintain the confidentiality of individual employees, children and young people who should not be identified.

## **STEPS TO TAKE AFTER AN INCIDENT**

### **Supporting Employees after an Incident**

Employees harmed physically or psychologically by violence may need support. Experience has shown that the immediate care and concern of managers and colleagues is much appreciated and may limit or prevent any serious long-term effects. The support framework needs to be flexible to respond to the needs of

the particular situation and should recognise that actual physical assault is not only traumatic for the victim but can also affect close colleagues.

## **Post incident procedures**

- First and foremost the affected person/s must be supported.
- Later, but as soon as possible, staff should be encouraged to begin the post – incident procedures.

### **These procedures include:**

- Completion of the accident/incident report and investigation forms.
- Sensitive debriefing of the incident. Staff are sometimes brought together soon after a violent incident to discuss what happened. The process of debriefing may have two functions to; establish the details of what happened and to provide emotional help.
- Reminding employees they can seek the support and advice of their professional association/trade union.

## **Post incident practices: Types of support**

The following identifies the type of support/action which may be required following violent incidents (this list is not exhaustive and not all items will be appropriate in all cases):

- Encourage the employee to seek medical attention or attend hospital.
- Look after the employee's belongings including their vehicle if they leave them behind.
- Contact the employee's relatives or friends.
- Acknowledge that the employee has experienced an extreme event and establish appropriate arrangements to allow them to talk about it in school including during a private meeting where they are encouraged to recount the events from a personal perspective.
- Acknowledge and respect the employee's feelings whether this is anger, fear, resentment or guilt.
- Inform the employee of the County's confidential counselling and welfare services can be contacted via Ask HR on 01772 535355 or [health.safety@lancashire.gov.uk](mailto:health.safety@lancashire.gov.uk).
- Consider and consult the employee on whether a change to work patterns is appropriate for those employees who may be constantly exposed to violence and abuse.
- Demonstrate a team/shared concern for the employee's welfare.
- Be aware of any need for 'time out', either away from the scene of the incident or perpetrator involved.
- Maintain support if the employee is absent from work. A link to the Occupational Health referral service and the absence management policy

(County model) is available [https://schoolsportal.lancsngfl.ac.uk/corporate/web/view\\_sp.asp?siteid=4311&pageid=19045&e=e](https://schoolsportal.lancsngfl.ac.uk/corporate/web/view_sp.asp?siteid=4311&pageid=19045&e=e).

- Take a lead from the employee concerned as to how they can best be helped to recover and return to normal functioning.
- Monitor employee wellbeing. <http://lancashire.gov.uk/education/wellbeing>
- Record any action taken.

### **Employee Welfare and Counselling Service**

The affects of violence and aggression can be severe, some people cope more easily than others and some people may experience emotional ill-health, such as post traumatic stress.

Where management support is unable to address the individual's emotional concerns there is a need to seek expert advice, LCC Occupational Health and Employee Welfare and Counselling Service can provide this. The contact telephone number is 01772 535355 Calls are treated in confidence and must be made by the individual affected. Further details can be found at [https://schoolsportal.lancsngfl.ac.uk/corporate/web/view\\_sp.asp?siteid=4311&pageid=19284&e=e](https://schoolsportal.lancsngfl.ac.uk/corporate/web/view_sp.asp?siteid=4311&pageid=19284&e=e) .

### **Critical incidents**

Further advice on critical incidents can be obtained from the Critical Incidents website at

[https://schoolsportal.lancsngfl.ac.uk/sp\\_atoz/service.asp?u\\_id=2123&strSL=C](https://schoolsportal.lancsngfl.ac.uk/sp_atoz/service.asp?u_id=2123&strSL=C)

### **Publicity**

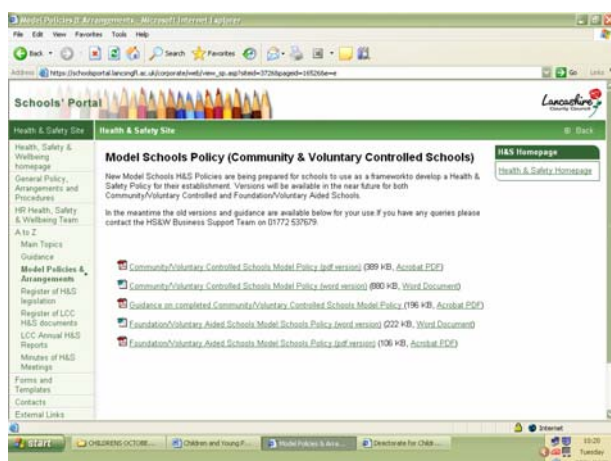
Advice on how to deal with publicity can be obtained from the Corporate Communications team at County Hall. Follow this link:

[https://schoolsportal.lancsngfl.ac.uk/sp\\_atoz/service.asp?u\\_id=2407&strSL=P](https://schoolsportal.lancsngfl.ac.uk/sp_atoz/service.asp?u_id=2407&strSL=P)

## LINKS TO ASSOCIATED POLICIES AND GUIDANCE

An audit has been undertaken to establish those policies and guidance which already exist which are relevant to the effective management of violence in the workplace. A short synopsis and hyperlinks to these documents are given below:  
7

### Health and Safety policy



*All schools should have adopted a Health and Safety policy. The Health and Safety policies which have been commended to community and voluntary aided schools are available at [https://schoolsportal.lancsngfl.ac.uk/corporate/web/view\\_sp.asp?siteid=3726&pageid=16526&e=e](https://schoolsportal.lancsngfl.ac.uk/corporate/web/view_sp.asp?siteid=3726&pageid=16526&e=e)*

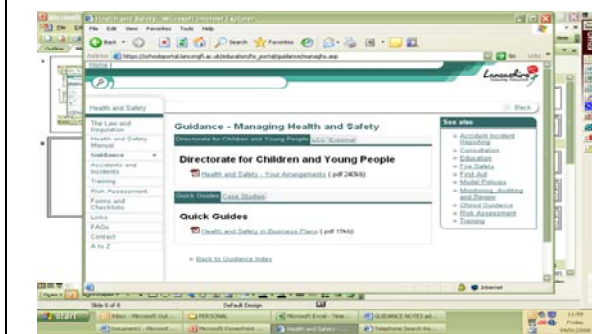
### Teachers Handbook



*Guidance on the statutory responsibilities of the school is available at [https://schoolsportal.lancsngfl.ac.uk/corporate/web/view\\_sp.asp?siteid=4311&pageid=19433&e=e](https://schoolsportal.lancsngfl.ac.uk/corporate/web/view_sp.asp?siteid=4311&pageid=19433&e=e)*

<sup>7</sup> Lancashire County Council is not responsible for the content of external websites

## Health and Safety general duties



Further guidance on general health and safety management responsibilities is available at

[https://schoolsportal.lancsngfl.ac.uk/corporate/web/view\\_sp.asp?siteid=3726&pageid=18222&e=e](https://schoolsportal.lancsngfl.ac.uk/corporate/web/view_sp.asp?siteid=3726&pageid=18222&e=e)

## Risk Assessment comprehensive guidance



The Health and Safety team have developed comprehensive guidance and forms for your use when conducting risk assessments. Very useful link at

[https://schoolsportal.lancsngfl.ac.uk/sp\\_atoz/service.asp?u\\_id=2120&strSL=R](https://schoolsportal.lancsngfl.ac.uk/sp_atoz/service.asp?u_id=2120&strSL=R)

## Risk assessment form



This link takes you to Risk Assessment forms and general guidance.

[https://schoolsportal.lancsngfl.ac.uk/corporate/web/view\\_sp.asp?siteid=3726&pageid=16069&e=e](https://schoolsportal.lancsngfl.ac.uk/corporate/web/view_sp.asp?siteid=3726&pageid=16069&e=e)

To see a read only version of the risk assessment form click on the link below

<https://schoolsportal.lancsngfl.ac.uk/corporate/web/viewdoc.asp?id=28273>

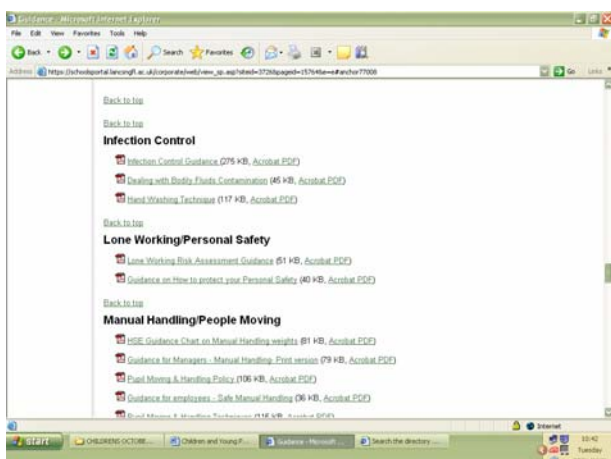
## Guidance on security in schools



Guidance on security in schools is available at

[https://schoolsportal.lancsngfl.ac.uk/corporate/web/view\\_sp.asp?siteid=3492&pageid=9837&e=e](https://schoolsportal.lancsngfl.ac.uk/corporate/web/view_sp.asp?siteid=3492&pageid=9837&e=e)

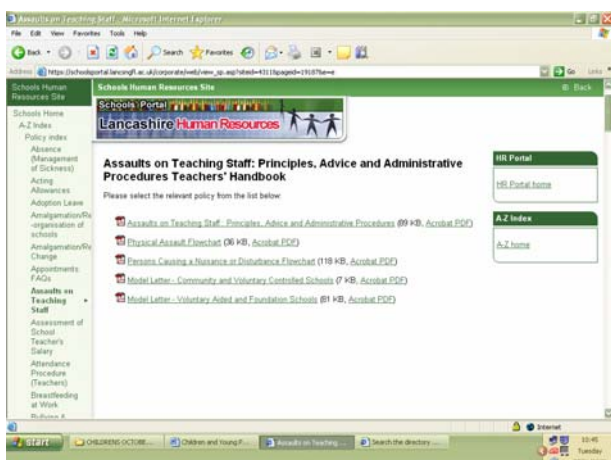
## Lone Working Guidance



*This guidance will assist you to fulfil your responsibilities towards those staff who work alone for part or all of their working week.*

[https://schoolsportal.lancsngfl.ac.uk/corporate/web/view\\_sp.asp?siteid=3726&pageid=15764&e=e-anchor77008](https://schoolsportal.lancsngfl.ac.uk/corporate/web/view_sp.asp?siteid=3726&pageid=15764&e=e-anchor77008)

## Assaults: Guidance



*If any employee is assaulted, this guidance will take you through the steps you need to follow. Support for employees is also covered.*

[https://schoolsportal.lancsngfl.ac.uk/corporate/web/view\\_sp.asp?siteid=4311&pageid=19187&e=e](https://schoolsportal.lancsngfl.ac.uk/corporate/web/view_sp.asp?siteid=4311&pageid=19187&e=e)



## Incident Reporting



Incident reporting is not only important but a key critical aspect of health and safety responsibilities in relation to violence at work. You will find guidance and incident report forms at

[https://schoolsportal.lancsngfl.ac.uk/corporate/web/view\\_sp.asp?siteid=3726&pageid=15043&e=e-anchor67883](https://schoolsportal.lancsngfl.ac.uk/corporate/web/view_sp.asp?siteid=3726&pageid=15043&e=e-anchor67883)

## Managing Critical Incidents



Critical Incidents need careful management. Guidance on developing a school emergency response plan (including response to violent incidents) can be found at incidents is available at

[https://schoolsportal.lancsngfl.ac.uk/corporate/web/view\\_sp.asp?siteid=3726&pageid=20020&e=e](https://schoolsportal.lancsngfl.ac.uk/corporate/web/view_sp.asp?siteid=3726&pageid=20020&e=e)

The Critical Incident Support team are trained to support school communities who experience a critical incident.

## Cyberbullying



In these technological times, cyberbullying can apply to children and to employees.

This link offers advice on cyberbullying.

[https://schoolsportal.lancsngfl.ac.uk/sp\\_atoz/service.asp?u\\_id=2567&strSL=C](https://schoolsportal.lancsngfl.ac.uk/sp_atoz/service.asp?u_id=2567&strSL=C)

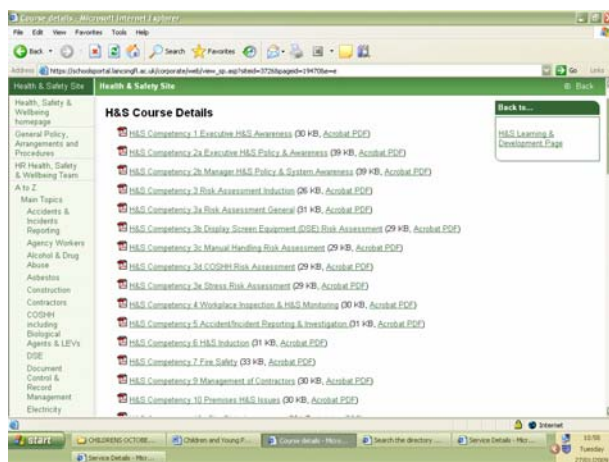
## Children's Safeguarding Board



This link takes you to information on children's safeguarding.

[https://schoolsportal.lancsngfl.ac.uk/sp\\_atoz/service.asp?u\\_id=2205&strSL=S](https://schoolsportal.lancsngfl.ac.uk/sp_atoz/service.asp?u_id=2205&strSL=S)

## Training provision



For details of Health and Safety training see

[https://schoolsportal.lancsngfl.ac.uk/corporate/web/view\\_sp.asp?siteid=3726&pageid=19470&e=e](https://schoolsportal.lancsngfl.ac.uk/corporate/web/view_sp.asp?siteid=3726&pageid=19470&e=e)

## Well Being programme

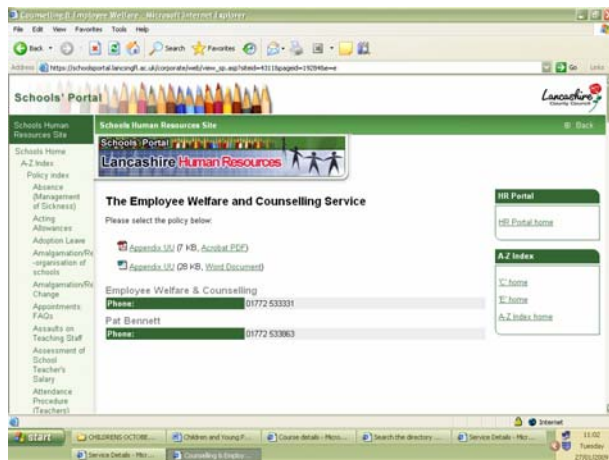


The Well Being programme provides schools with an innovative approach to fostering employees' well being. Further details of the scheme are available at

<http://www.lancashire.gov.uk/education/wellbeing/>



## Employee Welfare and Counselling



Should an incident arise employees may need additional support which can be provided through the confidential counselling service provided by Lancashire County Council. Further details are available at

[https://schoolsportal.lancsngfl.ac.uk/corporate/web/view\\_sp.asp?siteid=4311&pageid=19284&e=e](https://schoolsportal.lancsngfl.ac.uk/corporate/web/view_sp.asp?siteid=4311&pageid=19284&e=e)

## Useful websites



General information on work-related violence and the legal position is available from the Health and Safety Executive website.

<http://www.hse.gov.uk/violence/index.htm>

Recognised professional associations and trade unions publish information on violence in the workplace.

<http://www.nasuwat.org.uk/>  
<http://www.teachers.org.uk/>  
<http://www.atl.org.uk/>  
<http://www.naht.org.uk/>  
<http://www.unison.org.uk/>  
<http://www.gmbunion.org/>

## DCFS legal toolkit



The policy and guidance takes into account the DCFS legal toolkit. This is a useful reference document available from

<http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DfES%200504%202002&>

## Inclusive Continuum Action plan



Advice on pupil inclusion is available at the following website:

[https://schoolsportal.lancsngfl.ac.uk/sp\\_atoz/service.asp?u\\_id=2323&strSL=I](https://schoolsportal.lancsngfl.ac.uk/sp_atoz/service.asp?u_id=2323&strSL=I)

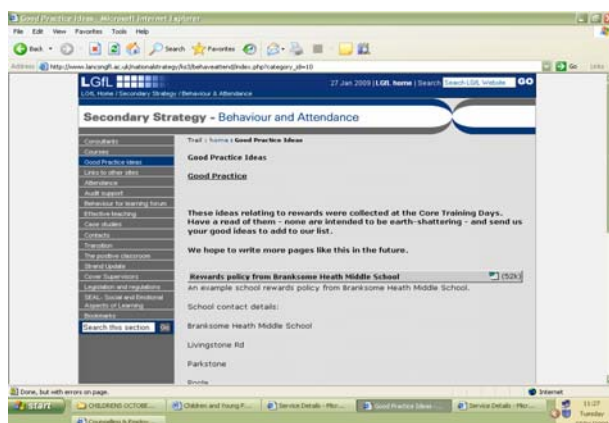
## Individual Education Plans (IEP's)



Guidance on IEP's is available here:

[https://schoolsportal.lancsngfl.ac.uk/sp\\_atoz/service.asp?u\\_id=2523&strSL=I](https://schoolsportal.lancsngfl.ac.uk/sp_atoz/service.asp?u_id=2523&strSL=I)

## Secondary National Strategy



This link takes you to the school portal page on the Secondary National Strategy. Links are listed to external sites which provide useful information on behaviour management.

[https://schoolsportal.lancsngfl.ac.uk/sp\\_atoz/service.asp?u\\_id=2103&strSL=S](https://schoolsportal.lancsngfl.ac.uk/sp_atoz/service.asp?u_id=2103&strSL=S)

[http://www.lancsngfl.ac.uk/nationalstrategy/ks3/behaveattend/index.php?category\\_id=10](http://www.lancsngfl.ac.uk/nationalstrategy/ks3/behaveattend/index.php?category_id=10)

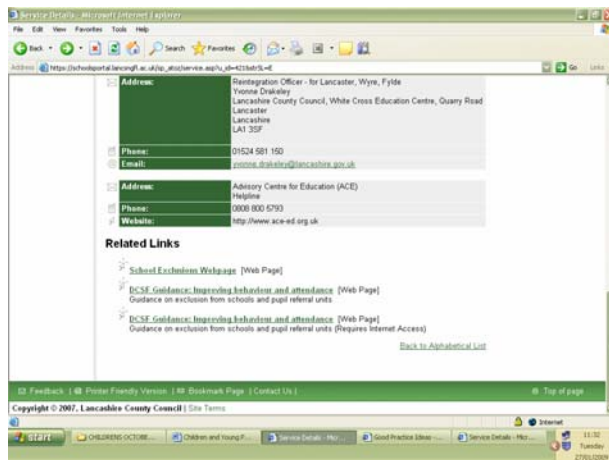
## SIMS behaviour management



SIMS has been extended to include recording behaviour management activity in schools. See the link below:

[https://schoolsportal.lancsngfl.ac.uk/sp\\_atoz/service.asp?u\\_id=2428&strSL=S](https://schoolsportal.lancsngfl.ac.uk/sp_atoz/service.asp?u_id=2428&strSL=S)

## School exclusions



Guidance for schools on exclusion of pupils is available at:

[https://schoolsportal.lancsngfl.ac.uk/sp\\_atoz/service.asp?u\\_id=421&strSL=E](https://schoolsportal.lancsngfl.ac.uk/sp_atoz/service.asp?u_id=421&strSL=E)

## LEGAL FRAMEWORK

The legal framework for managing violence at work is set out below. This is general guidance rather than an authoritative statement of the law. For advice on particular situations, please contact either the Health and Safety team or Legal Services.

### **Health and Safety at Work etc Act 1974**

Employers have a legal duty under this Act to protect the health, safety and welfare of their employees and volunteers involved in school activity. An employer's responsibility includes protecting staff from the risks associated with work-related violence as far as is reasonably practicable.

Employees also have responsibilities – primarily to take reasonable care of themselves and their colleagues, and to co-operate with their employer in order to assist the employer in fulfilling their health & safety obligations.

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

These Regulations require employers to assess the risks to employees, and any others who may be affected by their work or business, and to make arrangements for their health and safety by effective planning, organisation, control, monitoring and review. Where appropriate, employers must assess the risks of violence to employees (and others) and, if necessary, put in place appropriate control measures to protect them.

### **Reporting of Injuries Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)**

These Regulations define accidents as including 'acts of non-consensual physical violence done to a person at work'. Injuries to employees arising from such acts are reportable by the employer to the HSE if they result in death, major injury, or if they result in the worker being away from work or unable to do the full range of their duties for more than three days.

Only **physical** injuries resulting from acts of non-consensual violence suffered by people at work are included in the definition of 'accident'. Accidents to non-employees and absence from work due to causes that are not physical (e.g. illness resulting from verbal abuse, or psychological conditions arising from physical assault) are **not** reportable to the HSE. Accordingly, cases where an employee suffered shock from witnessing an act of violence or abusive or threatening behaviour are **not** reportable to the HSE.

However, the fact that a particular incident is not reportable under RIDDOR does not mean that it is outside the scope of health and safety legislation. Employers

may still have duties under the Health and Safety at Work etc Act 1974 and The Management of Health and Safety at Work Regulations 1999.

### **Safety Representatives and Safety Committees Regulations 1977 (a) and the Health and Safety (Consultation with Employees) Regulations 1996 (b)**

Employers must inform, and consult with, employees in good time on matters relating to their health and safety. Employee representatives {*either appointed by recognised trade unions under (a) or elected under (b)*} may make representations to their employer on matters affecting the health and safety of those they represent.

Recognised Trade Unions and Professional Association representatives may appoint Health and Safety Representatives. The law makes it clear that in fulfilling their role Health and Safety Representatives can:

- represent employees generally and when you consult them about specific matters that will affect the health, safety and welfare of the employees;
- represent employees when Health and Safety Inspectors<sup>1</sup> from HSE or local authorities consult them;
- investigate accidents, near misses, and other potential hazards and dangerous occurrences in the workplace;
- investigate complaints<sup>1</sup> made by an employee they represent about their health, safety or welfare in the workplace;
- present the findings of investigations to you;
- inspect the workplace;
- attend Health and Safety Committee meetings as a representative of your employees.

### **Criminal Justice Act 1988 – Assault**

When anyone is assaulted and minor injury is caused, this is known as ‘common assault’. The assailant can be charged with common assault in accordance with section 39 of the above Act.

### **Offences Against the Person Act 1861– Assault**

A more serious offence is assault occasioning actual bodily harm which can be prosecuted under section 47 of the above Act. This would be the case where a more serious injury is inflicted, usually requiring medical treatment.

### **Criminal Justice Act 1988 – Carrying Offensive Weapons**

Section 139A of the above Act makes it an offence to carry an offensive weapon or knife on school premises. The police have powers to search for knives and weapons inside school.

## **Corporate Manslaughter and Homicide Act 2007**

This Act, which supplements existing Health and Safety legislation, creates a new statutory offence of corporate manslaughter. The provisions of the Act only apply to 'organisations' and not to individuals. An organisation (which definition will include school Governing Bodies) can be guilty of this offence if someone dies as a result of the way in which it failed to properly manage or organise its affairs, such that the failure amounted to a gross breach of a duty of care owed to that person.

Schools that have appropriate arrangements in place to address their responsibilities under the Health and Safety at Work Act 1974 should be well placed to meet the demands of this legislation.

## **Violent Crime Reduction Act 2006**

Section 139A of the Criminal Justice Act 1988 provides that it is a specific criminal offence to have a knife or an offensive weapon on school premises, without proof of a good reason or lawful authority.

Head teachers, and any other members of staff authorised by the Head teacher, may search pupils and their possessions for knives and for any other offensive weapons. That power, which was introduced by the Violent Crime Reduction Act 2006, can only be exercised under particular conditions:

- the member of staff must have reasonable grounds for suspecting that the pupil has a weapon with him or among his possessions,
- the search may only be carried out on the premises of the school, or elsewhere in circumstances where the member of staff has lawful control of the pupil,
- the person carrying out the search must be of the same sex as the pupil,
- the pupil cannot be required to remove any clothing, other than outer clothing. They cannot be made to remove socks or tights, shirts, trousers or skirts.
- the search must be conducted in the presence of another member of staff, also of the same sex.

Reasonable force may be used, if necessary, in order to carry out such a search.

If a knife or offensive weapon is discovered in any such search, it may be seized and must thereafter be delivered to the Police as soon as practicable. It is important to note that there is no discretion for the matter to be dealt with internally by the school if such a search reveals a knife, weapon, or evidence in relation to an offence.