



The right support, at the right time

Procedures for Dealing with Allegations of Abuse Towards Staff Policy

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This policy sets out the procedures and responsibilities for dealing with allegations of abuse towards staff at the Leading Futures Alternative Provision.

Introduction

This policy sets out how Leading Futures will seek to prevent workplace violence, and the procedures that will be followed if a violent incident occurs.

Leading Futures acknowledges the Health and Safety Executive's (HSE) definition of workplace violence as "any incident in which a person is abused, threatened or assaulted in circumstances relating to their work"¹. This includes physical assault as well as verbal abuse, threats, harassment, and malicious damage to property, whether caused by a learner, colleague, parent/ carer, or member of the public.

Leading Futures takes a zero-tolerance approach to all physical attacks against staff.

Scope

This policy applies to all staff employed by Leading Futures, including fixed-term, temporary and/ or agency staff.

Equalities

Leading Futures is committed to complying with all relevant employment and equalities legislation and regulations.

An Equality Impact Assessment (EIA) may be undertaken to ensure that the application of this policy does not disadvantage any group with a protected characteristic(s), as defined by the Equality Act 2010.

Any violence or abuse in relation to one or more protected characteristics (age, disability, gender reassignment, race, religion or belief, sex, and sexual orientation) may constitute illegal harassment under the Equality Act 2010.

Roles and responsibilities

Leading Futures has a duty under the Health and Safety at Work etc. Act 1974 (HASAWA) to provide its staff with a safe and healthy workplace. This includes, but is not limited to, the following:

- a safe system of work
- a safe place of work
- carrying out risk assessments as set out in regulations, and taking steps to eliminate or control these risks
- appointing a 'competent person' responsible for health and safety (competent persons, such as a head of health and safety) to oversee day-to-day safety management, oversee safety inspections, and liaise with staff safety reps
- consulting with health and safety trade union representatives
- providing adequate facilities for staff welfare at work

All employees have a responsibility to co-operate with the employer on, and follow instructions in relation to, health and safety matters.

Definitions in this policy

'Assault' refers to any form of violent conduct against a member of staff. It may be physical, psychological, sexual and/or verbal. It also refers to threats of and attempted assault of any kind, and includes abuse and threats made via the telephone or via social media. Behaviours associated with assault may include, but are not limited to: hitting, pinching, biting, spitting, swearing, offensive gestures and unwanted physical contact such as unnecessary touching.

¹ [Violence and aggression at work - Overview - HSE](#)

‘Secondary trauma’ refers to the potential impact on staff of chronic exposure to working with learners suffering from unregulated stress. This can lead to a replication in the adult of similar regulatory, processing, and social disorders as those experienced by the learner.

‘Manager’ includes the Directors and members of the senior leadership team.

‘Employee’ refers to all members of staff including those employed on fixed term contracts, supply teachers employed via an agency or directly by the alternative provision, trainees and student teachers, apprentices and contractors employed by the provision.

‘Parent’ includes a guardian or carer.

‘Alternative Provision’ and ‘Provision’ include our educational establishment.

Preventing assaults – risk assessment

Leading Futures will conduct regular and suitable risk assessments in relation to violence and assaults on employees. The risk assessment will be kept under review and updated as necessary.

The risk assessment procedure involves:

- establishing the risk of violence and assault on employees
- considering the risk of stress and/or secondary trauma which arises from working in fear of violence and assault
- taking appropriate steps to remove these risks
- where removal of the risk is not possible, reducing the risk by any necessary changes in working practices or by introducing appropriate protective and supportive measures
- reviewing the risk assessment periodically to ensure it is fit for purpose
- recording the results of the risk assessment

Control measures taken to reduce the risk of violence and assault may include, but are not limited to:

- the provision of alarms for staff
- revision of lone working and/or emergency procedures
- changes to the working environment such as improved lighting or room layout
- reviewing the Engagement For Learning Policy to ensure that learners exhibiting violent behaviour are treated fairly and equally under the policy, to prevent potential alienation and disaffection, which could fuel further anti-social and violent behaviour

Where the behaviour of an individual learner presents a demonstrable and ongoing risk to the health, safety, and wellbeing to other members of the provision community, and implementation of the provision’s Engagement For Learning Policy has had little or no effect, an individual behaviour risk assessment will be considered.

Incidents that will result in a learner behaviour risk assessment include, but are not limited to:

- A learner carrying out, or threatening to carry out, any form of physical or sexual assault, whether in or outside of the provision premises.
- A learner is found to be carrying a weapon, or threatens to bring a weapon into the provision, such as a knife, ball-bearing gun etc.

Leading Futures will inform all employees of the outcome of the risk assessment (including any relevant learner behaviour risk assessments) and ensure that this information is included in the induction for all new members of staff, including supply teachers and staff employed via an agency.

Leading Futures will monitor the effectiveness of control measures by monitoring incident rates and equality characteristics of staff affected by assaults, and through meaningful engagement with the workforce and their trade union representatives.

Leading Futures will also gather information about the causes of violence in schools and will use this information to inform the risk assessment and prevention process. This process may involve engaging with external bodies and the provision of training and learner assemblies.

Liaison with the police

Leading Futures has established a protocol with the local police in line with the [National Police Chief's Council guidance \(NPCC\)](#) for dealing with assaults and violent incidents. This will allow the police to be notified and to respond promptly when such incidents occur. The Directors and/ or the designated safeguarding lead are responsible for contacting the police in these instances.

Liaison with the police may also be required to address violent incidents within the wider community or within the vicinity of the provision. For instance, the provision may report concerns about potentially dangerous activity, such as knife crime, to the police for further investigation.

Reporting procedures

Leading Futures believes that all assaults against employees should be reported, even if they initially appear trivial.

Leading Futures will record all assaults on employees, monitor this data and make it available to all staff and the recognised trade unions. Leading Futures will ensure all staff are made aware, at regular intervals, of the reporting procedures.

The Violent Incident Reporting form, available at Appendix 1, should be completed as soon as practically possible following a violent/abusive incident or following a threat of violence. The employee will be given as much time as is necessary out of their normal duties to complete the form. Once completed, the form will be passed to the employee's line manager, who is responsible for ensuring it is processed and recorded, and that appropriate action is taken in accordance with this policy.

Additionally, under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR), Leading Futures is responsible for reporting the following to the HSE:

- All accidents to employees resulting in deaths or 'specified injuries' (list available at: hse.gov.uk/specified-injuries.htm)
- All accidents which result in an employee being off work due to injuries for more than seven days
- All accidents to non-employees which relate to work and which results in them being hospitalised or killed

Procedure to follow if an assault occurs

If an employee is assaulted or is threatened with assault, the following action will be taken:

- The employee will be allowed to access a private area for as long as necessary following the incident
- The employee will be advised to contact their trade union if they have not already done so
- The employee's line manager should be informed of the incident as soon as possible. The Directors must be made aware of the incident
- The incident will be recorded, as soon as possible after the incident, in line with the procedures set out in this policy
- Where required, medical treatment will be sought for the employee. The provision's designated first aider will be asked to provide assistance, and further medical treatment assessment sought as necessary (e.g. at hospital or from their GP). The employer will pay all charges (e.g. from a doctor, dentist or optician) that may be incurred following the assault
- In the case of physical injuries, photos should be taken if possible

- The employee should also be encouraged to seek an appointment from Leading Futures occupational health provider. Occupational health assistance should be sought following both physical and verbal assaults, as there may be stress and anxiety arising from an incident
- Professional counselling services will be offered to the employee, and Leading Futures will cover the costs
- The Director is responsible for ensuring written statements are taken from the employee, any witnesses, and the assailant (where applicable) as soon as possible following the incident. The statements will be taken and processed in line with the [Advisory, Conciliation and Arbitration Service](#) (ACAS) guidelines. A copy of all statements taken in relation to the incident will be provided to the employee and their trade union representative
- The Director will investigate the incident or will delegate this responsibility to a member of the SLT. A report will be produced following the investigation and agreed with the employee. A copy will be retained by Leading Futures and the manager with responsibility for health and safety. If the assault is being reported to the police, they will also receive a copy of the report
- Following the incident, the risk assessment will be reviewed by the Directors, in conjunction with the governing body. In cases where the assault was carried out by a learner, an individual learner risk assessment will be undertaken. Reference will need to be made to other policies including those addressing poor learner engagement, provision security and safeguarding

The same procedure applies if a member of staff suffers an assault away from their normal workplace, but the assault arises in the course of/via the performance of their professional duties.

Dealing with learner possession of weapons

If a member of staff has grounds to suspect that a learner is in possession of a weapon, or there has been an incident involving a weapon, they should immediately inform the Directors or a member of SLT. Employees are not expected to and should not deal with the incident on their own.

The Directors will decide whether the learner should be searched, with or without their consent, referring to the provision's confiscation policy and Department for Education (DfE) guidance (available at: gov.uk/government/publications/searching-screening-and-confiscation).

If a weapon is found, or the learner refuses to co-operate, the police should be called immediately. If a weapon is found during a search before the police have arrived, it should be seized and kept in a safe, secure place until the police arrive.

If a learner is found to be in possession of a weapon, the disciplinary policy will be instigated, and an individual learner risk assessment will be undertaken. Depending on the circumstances of the incident, sanctions may include exclusion on a temporary or permanent basis.

Assaults by visitors/ intruders

In the case of an assault by a visitor or intruder, the Director dealing with the incident will, in the first instance, inform the police requesting their prompt attendance, and ensure that all staff and learners are safe and secure. They will then follow the procedure in this policy for responding to incidents.

If abusive, aggressive, or insulting behaviour or language from a parent/ carer presents a risk to staff or learners, or makes them feel threatened, schools (and by extension Alternative Provisions) have common law powers to bar the parent/ carer in question from the premises. If a bar on a parent/ carer is deemed necessary, this will be put in writing, giving the parent a formal opportunity to put forward their views before the bar is made permanent. Following any representations from the parent/ carer, the bar will be confirmed or removed.

It is a criminal offence under section 547 of the Education Act 1996 for a person who is on school premises without lawful authority to cause or permit a nuisance or disturbance. It also allows for the removal and prosecution of any person believed to have committed the offence. Therefore, in cases where the assailant is known (including if they are a parent/ carer), a letter will be sent stating that

their behaviour is unacceptable, and they are no longer permitted to come onto the premises in the future without an appointment. If they do persist in entering the alternative provision premises and displaying unreasonable behaviour, they will be treated as a trespasser and will be liable to prosecution.

Assaults by learners

Where an employee is assaulted by a learner, whether on/ off provision premises, the learner's conduct will be dealt with via the provision's Engagement For Learning Policy. The learner will be removed from lessons and work independently under supervision. Sanctions for poor engagement, including suspension or permanent exclusion, may be required. A fixed term suspension may be necessary to investigate the circumstances around the assault. As part of this process, an individual learner behaviour risk assessment will also be carried out and the outcome shared with all employees that have contact with the learner in question. Leading Futures safeguarding lead should also be consulted following an assault by a learner as there may be child protection issues to consider.

Where a learner has assaulted an employee and they return to the provision, the member of staff will be supported to hold a restorative meeting with the learner before they are required to teach or supervise the learner in question again. We understand that the member of staff may find this difficult and if they do not feel comfortable doing so, they will be supported further and additional arrangements will be explored.

Sexual assault/ harassment

The employer's risk assessment will also specifically consider the risk of sexual assault and harassment against employees. Sexual harassment is defined as unwanted conduct that violates an individual's dignity or creates an intimidating, hostile, degrading, humiliating, or offensive environment. It may take the form of unwanted verbal, non-verbal or physical conduct of a sexual nature, and it is unlawful under the Equality Act 2010.

Incidents within the provision vicinity

Leading Futures will also consider the risk of violent incidents, such as knife crime, not occurring directly on the premises but in the wider vicinity of the provision. The risk assessment will consider the possibility of such incidents occurring, and whether violent incidents have previously occurred in the community. However, Leading Futures staff will not be required to monitor public areas outside of the provision vicinity, and if there are concerns about criminal or dangerous activity taking place, the police will be contacted.

If a violent incident occurs that impacts on the provision, such as one involving knife crime, the Directors will convene a rapid response meeting with the police. This is particularly important if there is a continuing risk e.g., if the perpetrator is still at large.

Counselling will be offered in the aftermath of the incident to the whole Leading Futures community (staff, learners, and parents/ carers).

Support for victims

Employees that have experienced an assault will be permitted paid time off to meet with their trade union representative, the police, legal counsel and to attend court if necessary.

If the employee sustains an injury arising from an assault at work, and it is necessary for them to take sick leave, Leading Futures will advise them of their additional entitlements to sick pay for those suffering injury at work (in accordance with section 4, paragraph 9 of the Burgundy Book). Following an injury, Leading Futures will also provide the employee with advice on the prospects of obtaining compensation through the Criminal Injuries Compensation Authority and will offer assistance in making and pursuing an application where appropriate.

Following an assault, Leading Futures will discuss with the employee whether they feel ready to return to their normal duties, and advice will be sought from Leading Futures occupational health provider. If the employee is not able to complete their normal duties, arrangements will be made for amended/temporary duties. For instance, a reduced timetable or shortened working hours. The employee will receive their normal salary during any period of amended duties.

Leading Futures will compensate the employee for any damage to their personal property or clothing because of the assault. Leading Futures will also reimburse any prescription charges incurred by the employee as a direct result of the assault.

Leading Futures acknowledges that employees may experience stress and/or anxiety following an assault or arising out of the threat of assault. Leading Futures will offer and pay for employees to attend counselling following an assault. The employee will receive paid time off from work during normal working hours to attend counselling.

Review and monitoring

This policy will be reviewed annually, in consultation with the recognised unions, to ensure consistency, fairness, and effectiveness, and to reflect any changes in employment legislation.

Leading Futures will monitor, review and report on the outcomes and impact of this policy on an annual basis, in line with the Equality Act 2010.

On the application of this policy, Leading Futures will share with the recognised unions and/or the workplace Health and Safety Committee information such as appropriate anonymised data broken down by equality characteristics in line with the General Data Protection Regulations (GDPR), including the number of requests granted and the outcome of any appeal. Should analysis of this data cause concern, this will trigger a review of the policy and its application.

Record keeping

Leading Futures will ensure that individual records and information about violence at work are managed appropriately in accordance with data-privacy requirements under the General Data Protection Regulations (GDPR).

Appendix 1

Leading Futures Violent Incident Reporting Form

Name of Employee:

Date of incident:

Time of incident:

Please circle your response

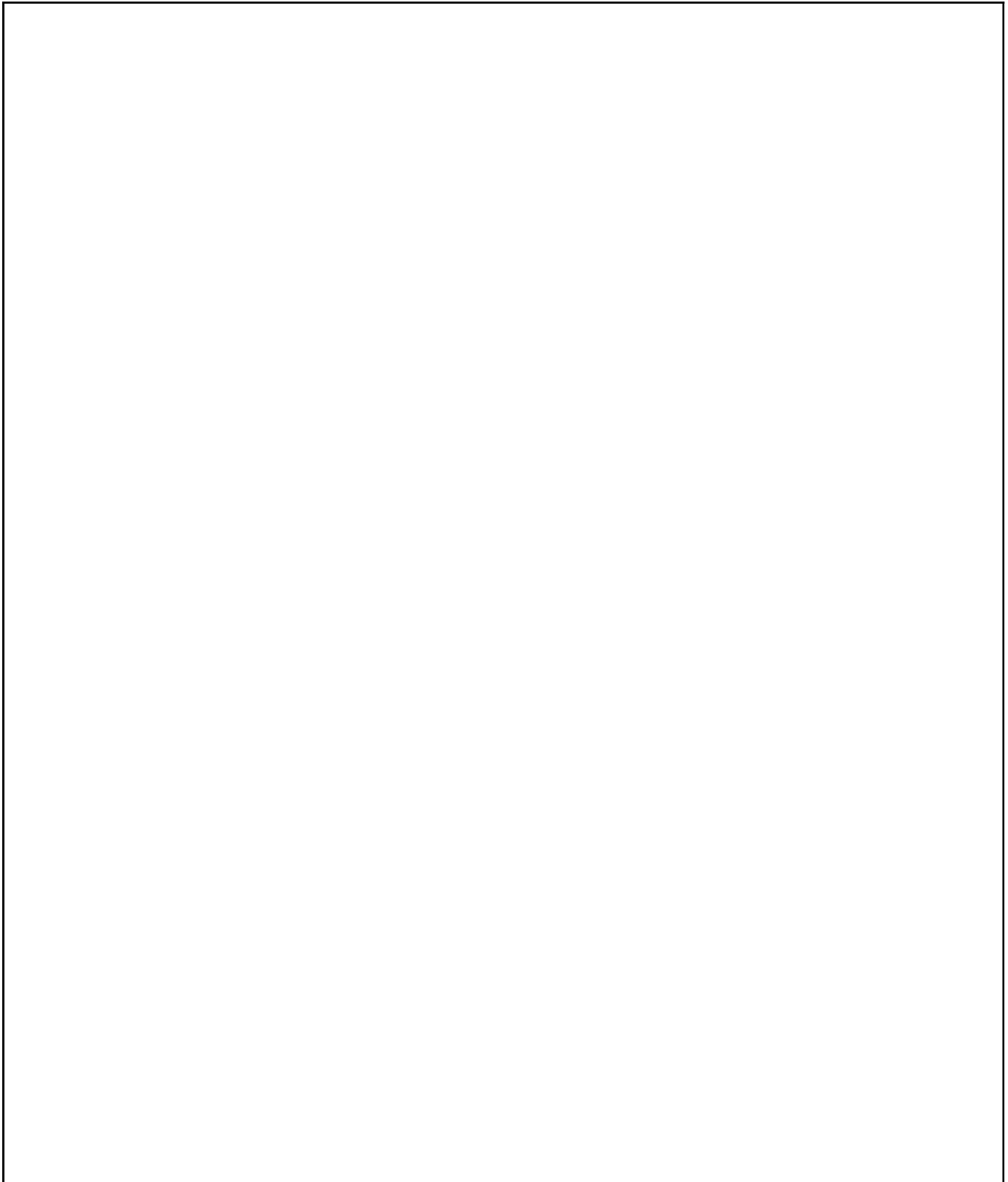
Did the incident involve verbal abuse?	Yes	No
Did the incident involve a threat of violence?	Yes	No
Did the incident involve actual violence?	Yes	No
Did an injury occur because of the incident?	Yes	No
Was medical attention sought because of the injury?	Yes	No
Were the police notified of the incident?	Yes	No

Do you believe that this violent incident was carried out in relation to one or more protected characteristics (age, disability, gender reassignment, race, religion or belief, sex and sexual orientation) and which may constitute illegal harassment under the Equality Act 2010?

Yes No

Please describe the incident in detail. If an injury was sustained because of the incident, describe the injury and any medical attention that was required. Attach any photographs that are available.

Cont...

A large, empty rectangular box with a thin black border, occupying the central portion of the page. It is intended for the main content of the document.

Employee name printed:

Employee signature:

Date:

Once completed, please pass the form to a Director who will ensure it is processed and recorded, and that appropriate action is taken.