

# St Patrick's Catholic Primary School



## Managing Violence and Aggression by Adults Policy

Date: December 2023

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*We strive for excellence within a caring and diverse community, nurturing the Catholic faith, respecting each other, living, working and growing together as part of God's family.*

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### 1. Policy Statement

1.1 The Governing Body of St Patrick's Catholic Primary 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 parents and other adults 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 adults including parents, visitors and trespassers.

1.4 This policy is published as part of this school's health and safety policies. It has been produced after consultation with Waltham Forest council and school employees through recognised Trade Unions and the Diocese of Brentwood.

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 pupils.

2.2 This policy does not apply to allegations of grievance between employees. The Grievance Policy is available in school.

2.3 Should incidents of aggression or violence occur between employees the Disciplinary Procedure will apply.

### **3. Roles and Responsibilities**

3.1 The roles and responsibilities of the Governing Body, Headteacher 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 Headteacher 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 Headteacher**

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

3.3.2 The Headteacher 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 Headteacher 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 Headteacher 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.

#### **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 and supply staff 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. They should also 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 Headteacher with the aim of reducing the risk of a recurrence.

3.4.5 The Governing Body will support the right of any member of staff who has been subject to violence to report the incident to the police.

#### **4. Banning Parents from Access to the School Premises**

The school, in line with its safeguarding and employment duties, must deal appropriately with any identified risks to pupils and staff. Occasionally, the school may consider a parent's behaviour to be such a risk.

It is an established legal principle that parents have an implied licence to some degree of access to the school their child attends. However, this right of access can be withdrawn by the school if the parent has been threatening or abusive on the school premises towards a pupil or a member of staff; indeed it is enough for a pupil or a member of staff to simply feel threatened.

If the school decides to impose a ban, the school must ensure it acts reasonably. The school should notify the parent of its proposal to implement the ban and must give the parent an opportunity to make written representations. If the ban is imposed with immediate effect due to the severity of the circumstances, the parent must still be given an opportunity to present their side of the story in the form of written representations. The ban should be kept under review, and applied for no longer than is reasonable, taking into account the facts and circumstances surrounding the matter.

If a parent breaches the conditions of the ban this may constitute a criminal offence under section 547 of the Education Act 1996 (Act). The school can seek to physically remove the parent from the school premises. This removal can be administered by a police officer or a person authorised by the school. The parent may also be liable to a fine.

The parent's ban from the school premises will not automatically extend to communications between the parent and the school. If a parent is sending excessive numbers of emails to the school or calling the school repeatedly, the school may consider taking restrictive measures, for example, stopping all communication between certain staff members and the parent and requiring information to be passed through a single person/email address instead. The school can, for example, state that all emails will be picked up, read and responded to on a weekly basis save in matters of urgency where the school would of course need to ensure it acts in the best interests of the child. All such measures should be reasonable, proportionate and subject to review.

## **5. Support and Guidance**

5.1 Access to Occupational Health 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 Trade Union representative.

An Occupational Health referral will be made to establish what further support can be provided to the employee.

5.2 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 Headteacher.

## **6. Policy review**

6.1 This policy and associated guidance will be reviewed regularly by the Governing Body.

### **DEFINITION OF TERMS**

The following definitions apply to the policy on 'Managing Violence and Aggression by Adults':

**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.

**Trespasser:** A person who has no lawful right to be on the premises of the school or, having come on to the premises lawfully, behaves in such a way as to cause a nuisance or disturbance.

**Child:** The "Managing Violence and Aggression by adults" policy does not apply to children. A child is defined as either:

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

A child 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 and Aggression in schools at Work by Adults policy.