

The Societas Trust



Violence Against Staff by Other Adults Procedure

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1 Policy Statement

1.1 The Societas Trust ("The Trust") is committed to protecting the health, safety and welfare of all employees and others affected by its work. Violence, threatening and abusive behaviour against our staff by other adults is unacceptable. Employees and others must be protected as far as is reasonably practicable from violence, threats and abuse. The Trust will therefore ensure that:

- risk assessments for the workplace are completed (see appendix 3)
- employees play an active role in the risk assessment process
- measures identified through risk assessment are implemented and monitored
- employees are given access to information, training and supervision so they can carry out their duties safely and effectively
- violent and abusive incidents are reported and investigated
- employees who initiate civil proceedings against assailants are supported legally, subject to the employee having acted reasonably

1.2 This procedure has been consulted upon with the recognised trade unions and has been adopted by The Societas Trust for all its settings.

2 Scope

2.1 This procedure applies to all Trust employees (this includes volunteers, supply and agency staff).

2.2 This procedure applies to intentional acts of violence **by other adults (also referred to as persons)**; it does not apply to unintentional or accidental incidents. Any acts of physical violence, verbal abuse made face to face, over the telephone, via email or any social media platforms will be taken seriously and an appropriate investigation will take place.

2.3 This procedure does not apply to those who are not under the care of the organisation. Violence between employees or allegations of harassment and bullying or sexual harassment will be dealt with using other relevant Trust procedures.

3 Definitions

3.1 **Workplace violence** is "any incident in which a person is abused, threatened or assaulted in circumstances relating to their work". For the purpose of this policy, this relates to the following acts being committed by an adult, towards an adult:

- physical violence – kicking, spitting, hitting, pushing, use of weapons
- verbal abuse – shouting, swearing, insults, racial or sexual abuse
- threats and intimidation

3.2 The **impacts** of workplace violence are two-fold:

- **Impacts on people**

- physical injury
- stress/fear/anxiety – which can have long-term effects on health and well being
- de-sensitisation to violent behaviours
- job dissatisfaction
- lack of motivation

- **Impacts on service provision**

- Staff absence due to anxiety, stress or physical injury
- damage to the reputation of the Trust and/or the setting

4 Responsibilities

4.1 The Employer will:

- take all reasonable steps to promote the safety and well-being of employees by preventing such incidents or, where they occur, by minimising their adverse effects.
- provide advice to management and governing bodies on risk assessment and methods of reducing the potential risk of violence.
- assist towards legal costs to staff who, in the absence of criminal proceedings, initiate civil proceedings against adult assailants (subject to the employee having acted reasonably).
- provide counselling support to help employees deal with the effects of violence and stress to which they have been subjected in the course of their employment.
- consult with safety representatives.
- Via the Headteacher, report incidents to RIDDOR where appropriate.

4.2 Headteachers/ Managers will:

- promote the reporting of violent incidents, verbal abuse and threats.
- ensure suitable and sufficient risk assessments are in place and are regularly reviewed when circumstances change.
- Where possible, immediately after an incident ensure that the needs of the victim are addressed and met by speaking personally to them or in their absence, another designated person.
- Ensure there is investigation of every reported incidence of violence.
- assist staff in reporting violent incidents to the police, with victim's knowledge and consent.
- allow employees reasonable paid time off from duty in order to receive training, counselling or medical treatment.
- in conjunction with the employee report the violent incident on the setting's incident/accident form.
- ensure staff receive adequate and appropriate training and support.
- make staff aware of the locality of first aid equipment and first aiders.

4.3 Employees will:

- take care of their own health and safety and that of their colleagues and pupils.
- report incidents of workplace violence to their headteacher.
- raise issues of concern with the appropriate line manager, senior manager, Trade Union safety representative or health and safety adviser.
- participate in training events and the risk assessment process.
- perform their duties in accordance with established policies and procedures, guidelines, codes of practice, instructions and rules within the regulatory framework.
- co-operate on Health & Safety matters and follow all Health & Safety instructions.

5 Risk Assessment

5.1 Overview

It is the responsibility of all Headteachers to identify situations where there may be a risk of violence to staff. Guidance on handling a potentially violent situation can be found at appendix 1. A suitable and sufficient risk assessment must be carried out with a view to reducing the risk to the lowest reasonably practicable level. This may involve the

nominated Trade Union Health and Safety Representative and/or the link Governor for Health and Safety where available. The key stages are: a) to identify risks, b) where and who they affect and c) how the risks can be managed. Risk assessments should be used as a preventative tool and should be reviewed on an annual basis or where changes to the working environment have occurred.

5.2 Risk Control Measures

When looking at preventative measures and risk assessments, these should be both reactive and preventative. Examples of risk control measures can be found at appendix 2 and a template risk assessment can be found at appendix 3.

6 Reducing the Potential for Violence

6.1 A culture of safety awareness

It is vital to develop a culture where the leadership team and employees are naturally aware of risks in the work environment and take a responsible attitude toward them. Points for the leadership team and employees to consider are as follows:

- be mindful of your own safety and that of their colleagues
- treat members of the public professionally and with dignity
- feedback concerns to management on a regular basis
- follow policies, procedures and guidelines
- participate in training
- report and record all incidents of violence
- contribute to investigations of incidents
- make use of available employee support and counselling

6.2 Reception areas

The potential for violence in reception areas can be reduced by how visitors are treated, and by how the room and building is designed and set out. Some points to consider are as follows:

- receive visitors courteously
- ensure the visitors' book is completed
- ensure that people waiting are informed of any delays
- ensure violence warning posters are clearly displayed
- reception areas should have easy access, be secure, have good lighting, be well signposted and have a calm and inviting atmosphere

6.3 Meeting rooms/spaces

Interview rooms can be places where violent incidents occur, often because of the issues discussed during meetings or interviews with parents and pupils. Thought must be given as to how the room is designed and set out, and the procedures for using interview rooms. Some points to consider are as follows:

- Meeting rooms should not be in an isolated part of the building
- staff should always be closest to the door (two doors can make this easier)
- there should be a way of looking into the room from outside
- where appropriate, have two staff present or staff close by
- furnishings and decoration should create a calm professional atmosphere
- not having anything in the room that could easily be used as a weapon or thrown

7 Lone working

7.1 Home visits

It is usually better to arrange for meetings to be held at the setting, but in some situations home visits will be necessary.

There must be a risk assessment for home visits. Staff who go out on home visits must follow the risk assessment and it must be updated where needed. Employees should be made fully aware of the following guidelines:

- don't make visits alone where there is a known history of violence, or if there is no information about the people being visited
- check the address – for example, check the setting's records for home address and cross match the name and address if the resident is unknown
- do not be drawn into meeting elsewhere, unless this is a supervised public place
- visits should, wherever possible, take place during normal working hours
- if possible try to arrange the appointment for a time when other people will be around. Request permission to bring a colleague if there is any reason to suspect that there may be a risk of violence
- make sure that the time for any visit is appropriate
- make sure the Headteacher or suitable colleague knows exactly where the member of staff is going, any relevant telephone number so that communication is possible, and the expected time of return
- if delayed, notify colleagues at the setting. The setting should also try to contact the employee if no contact has been made after the allocated time for the appointment
- make sure you follow the person in, and offer to close the door so that you see how it can be unlocked
- try to sit closest to the route out of the home
- consider use of the Hollie Guard app, which provides an enhanced level of protection via a mobile phone. Details on how to use the Hollie Guard app can be found online at www.hollieguard.com

7.2 In the school building

Some Trust school buildings have wings or sections that are geographically isolated from the rest of the premises. If there is a foreseeable risk to staff who work in these areas, then simple measures for communication (e.g. telephone/walkie talkie/personal attack alarm) should be put in place.

7.3 Outside locations and security

It is important to identify everyone who might be involved in this type of work, and to assess and control the foreseeable risks. Some possible examples are: caretakers who might work during the school holidays, site managers locking up after an evening event, teachers patrolling grounds during events and cleaners opening up in the morning. Communication, or a means of raising the alarm, should always be provided to those who work on their own or in isolated situations.

7.4 Travelling alone

Staff travelling alone may be at risk of violence in some situations. For example, following a road traffic accident or breakdown. Risk assessments must be in place for tasks which require staff to travel alone. The precautions are generally straightforward, and may include:

- communicating where you are going and when you will be expected back
- carrying a means of communication e.g. mobile phone
- keeping satellite navigation systems of the areas they need to travel in
- having a plan to deal with breakdowns and road traffic accidents

- only travel in your own car if you have the appropriate insurance and this has been verified by the Headteacher

7.5 Handling cash

Follow sensible precautions to minimise the risk of theft or robbery, such as:

- avoid the need to carry cash wherever possible
- avoid setting patterns - vary routes, parking and timing as much as possible
- don't take cash home
- keep cash out of sight
- give change from a separate, small float
- do this job in pairs
- never discuss the fact that cash is carried or collected
- personal safety is the most important thing

8 Indicators of Potential Violence

8.1 Difficult situations

Violence is more likely in situations where people are distressed, if sanctions are being imposed or requests refused. Often if there is an audience, people tend to become aggressive as they don't want to be seen as weak or compliant by others.

8.2 Past history

Careful consideration should be given to people who have previously been violent. Do not automatically assume that a past history of violence will mean that a person is always violent, but it is important to be aware of past issues. Some people may have a low tolerance of frustration or issues that can lead to aggressive and or violent responses. Staff should refer to the risk assessment where appropriate. The Trust may wish to consider a zero-tolerance approach to people who have been previously violent and impose sanctions such as banning them from the Trust site. Consideration should also be given to actioning legal proceedings (section 9.5). Academies also need to consider how they will share information with staff about potentially violent people, i.e. by implementing systems or mechanisms that enable the relevant information to be shared with the appropriate staff, within the principals of the General Data Protection Regulations (GDPR).

8.3 Physical presentation

These may include:

- pitch, tone and volume of voice
- speed of talking and abrupt replies
- physical proximity
- sweating
- becoming upset
- muscle tension in face and body
- aggressive posture
- eye contact – either glaring or avoiding
- constant interruptions and contradictions
- threatening and offensive language
- evidence of drug or alcohol abuse

9 Dealing with incidents

An incident of violence, especially where restrictive intervention has been used, can be distressing for all involved. As such, the Trust and setting has a responsibility for the welfare and safety of both employees and pupils by providing a clear opportunity to discuss and review incidents.

- 9.1 Following an incident, a meeting to provide support and management may be required. It is good practice to expect that employees are given opportunities to talk about what happened in a calm and safe environment. Importantly, post-incident support should not be compulsory but should be encouraged.

The following shows a recommended process for post-incident support:

1. 'Defusing' – prevent any further violence (possibly by separating those involved) and provide physical and emotional first aid immediately to those involved before they leave the work area.
2. 'Debriefing' – emotional support for individuals and/or groups which is most effective when it occurs within 48 hours of the event occurring
3. 'Employee Assistant Programme/Counselling' – longer term personal support should be made available where available
4. 'Incident analysis' – examining and learning from the event. This aspect of post-incident work is primarily concerned with an examination of the event to identify why it occurred, how it developed and how it ended. Incident analysis aims to provide a better understanding of an event and consequently, a strategy to avoid it occurring again. A risk assessment should be carried out or updated, in order to identify the risks and minimise or manage these.

9.1 **Support from colleagues**

Often following an incident, the only support needed by many people is understanding and acceptance by colleagues. There is a need for all employees to understand the possible serious consequences and impact upon their colleague following violent or aggressive incidents. Everyone should be aware of the need to offer moral support to colleagues who suffer aggression at work. It is the responsibility of the Headteachers to ensure that individuals receive this support.

9.2 **Recording, reporting and investigation**

All incidents should be recorded to enable long-term patterns and trends to be evaluated. This enables workers to make better judgments when completing risk assessments as well as providing information which can aid the review of management strategies. Incidents of assault to staff should be reported to the police. All incidents of violence should be recorded using the Incident/Accident Report form.

Establish the events surrounding the incident as soon as possible. Interview witnesses separately and obtain from each a written independent account of events as soon as possible.

If involved, the police will follow their own procedures in responding to the incident.

It is good practice to find out whether the person wishes to make a complaint about how the incident was managed.

Independent counselling is available from [insert counselling details].

All employees need to be aware of these confidential facilities in order to take advantage should the need arise. It may be that the counselling service is not needed immediately following an incident but individuals may find that the service is of benefit to them after a period of time when the long term effects and implications of the incident are causing distress.

9.3 **Medical assistance**

Immediate medical support should be offered following all incidents as it may not be obvious to the onlooker that there has been an injury. It is advisable that the First Aider is called upon to assess the need unless, in extreme and obvious cases, it may be necessary to call an ambulance.

Victims of violence should be allowed leave with pay for immediate medical treatment/consultation and/or recuperative time off work.

Should an employee need to attend hospital for treatment he/she should be accompanied by preferably a First Aider or alternatively by a friend/colleague of his/her choice. Assistance should be given in informing the victim's next of kin of the situation, taking care not to cause undue concern, in order that they can provide more personal support e.g. meet at the hospital, make alternative arrangements for children etc.

9.4 **Legal advice**

Legal advice is available from the Trust's legal advisers and staff should be encouraged and supported to make use of the service.

Criminal proceedings: The Trust cannot prosecute the perpetrator on the employee's behalf. Criminal prosecution is a matter primarily for the Police and it is necessary for the employee to be prepared to give evidence to help with Police enquiries.

Injunctions: If a person poses a serious and persistent threat, action can be taken by seeking an injunction. An injunction is a court order which is used to try and prevent an individual or individuals, from causing disruption at a specific location or from approaching a particular employee(s) or location. The employee involved would have to give evidence in such proceedings and Headteachers must be aware that such proceedings should not be initiated without his/her full support.

It must be emphasised that an injunction is enforced not by the Police, but by the person/body obtaining it. Upon a breach of the injunction the applicant must again have the perpetrator brought before the court with a view to having him/her punished for contempt. The support of the individual employee is necessary. The penalties for contempt can be severe i.e. large fines and/or imprisonment. The threat of this may act as a powerful deterrent to future violent acts. Injunction proceedings are therefore a potentially effective course of action in situations where violence is threatened and the employee wishes action to be taken.

Damages: A person who suffers personal injury or damage to their property may sue the party responsible in a civil court. Once again, this is not a course of action the employer could take either on its own or on the victim's behalf.

Warning letters/meetings: If no formal legal action is taken it is appropriate in most cases of violence, actual or threatened, for a record to be made. This can be done by a letter sent to the person answerable, pointing out the error of his/her ways and conditions regarding future behaviour. It is the responsibility of the Headteacher to ensure that such action is taken. It is also useful for the employee to receive a copy of such letters and that any letter is sent as soon as is practical following an incident.

Damage to property and insurance: recompense for any resultant damage to any Trust property will be pursued via the Trust's insurers.

10 **References and further information**

Website of the Health and Safety Executive – further information and guidance on workplace violence: www.hse.gov.uk/violence

The official police website for the “secured by design” initiative, that works to improve the security of buildings and their immediate surroundings: www.securedbydesign.com

The Education Support Partnership providing mental health and wellbeing support to education staff: www.educationsupport.org.uk

Hollie Guard App – providing enhanced personal protection via a smartphone app www.hollieguard.com

11 Appendices

Appendix 1 - Handling a Potentially Violent Situation

1.1 De-escalation

Good observation and sensitivity in recognising the signs of tension, frustration and anger are essential. Employees should be controlled and confident. A violent adult will sense anxiety and fear and may react to this. Conversely, meeting aggression with aggression will usually only make the situation worse. Employees shouldn't try to intervene if the violence is directed only towards property. The following is a summary of some useful de-escalation techniques:

Non-Verbal Communication: Remember to use all six components of non-verbal communication (NVC) where appropriate: touch, gestures, tone of voice, head-nodding, eye-gaze, facial expression and personal space. Try to mirror the aggressive person's NVC, then lead the NVC as the person subconsciously begins to mirror your NVC. Open postures (arms unfolded, bent at the elbow, palms facing forwards) are best.

Interactional Style: There are various ways in which individuals respond to different ways of learning. The three main ways of learning are through seeing, hearing and feeling. To maximise the chances of interacting positively with an angry person, agree with everything that is being expressed by the angry person, using all three types of learning: e.g. "I can see what you mean, I can hear what you are saying, I can understand how you feel..."

When you / I feel / Because: This is a powerful way of getting an angry person to understand your point of view. Use the following structure:

When you... <insert the angry person's behaviour> I feel... <insert your feelings>

Because... <describe reasons and consequences of actions>

Negotiation: Agree to negotiate, then establish some ground rules (e.g. calm down first). Ask for information about the situation and then explore some possible solutions. Select realistic solutions and reach an agreement. Agree to disagree where necessary.

Distraction: Overload with agreement by agreeing with everything the person says and give them what they want. Try asking questions they have to think about, as this may distract their attention from being angry.

Embedded Commands: Phrase commands as questions, so they don't seem like commands, but still prompt the person to do what you want them to. E.g. "You'll realise this is all just a misunderstanding."

LEAPS: Listen to the person actively, showing interest and not interrupting or arguing. Empathise by acknowledging how they feel. Ask short open questions (who, when, where, what, how). Paraphrase by putting the facts you have heard into your own words, using a vocabulary the person will understand. Summarise what has been said and agree a course of action.

1.2 Self Defence and the Use of Reasonable Force

The Criminal Law Act, Section 3(1) says: "Any person may use such force as is reasonable in the circumstances in preventing a crime or in effecting or assisting in the lawful arrest of offenders or suspected offenders or of persons unlawfully at large." This means:

- all citizens have legal permission to use force...
- ...but all citizens have legal responsibility to use only reasonable force, and only in certain circumstances.

It is lawful to use reasonable force in defence. The best guide to what is 'reasonable' is the least force sufficient to stop further attack and should seek to avoid injury.

1.3 Physical Restraint and Reasonable Force

Section 93 of the Education and Inspections Act 2006 states that members of Trust staff may use such force as is reasonable in the circumstances for the purposes of preventing a pupil from:

- committing an offence;
- causing personal injury to, or damage to the property of, any person (including the pupil / service user themselves); or
- prejudicing the maintenance of good order and discipline at the setting or among any pupils receiving education at the setting, whether during a teaching session or otherwise.

It is important to avoid contact with the sexual areas, head and face. Never interfere with the pupil's breathing.

1.4 Minimum Force and Least Restrictive Physical Intervention

Minimum force, and Least Restrictive Physical Intervention is a standard higher than what the law requires and is necessary in circumstances where there is a duty of care towards pupils, clients, or staff. These are expectations and requirements of employers, and they are higher than the expectation of the law. An employer can't stop an employee from using 'reasonable force'.

1.5 Training for Physical Intervention Skills

Training can play an important role in handling violent or potentially violent situations at work. In practical terms, training will in the main be awareness raising on local rules, relevant documents and other aids, concentrating on:

- causes of aggressive behaviour;
- recognising potential violence at an early stage;
- defusing violent or potentially violent situations;
- developing an awareness of the physical surroundings which may contribute to violence;
- self-protection and disengagement techniques;
- safe holding skills and
- understanding Trust guidelines and policies.

The recommended framework for training in this area is CPI (previously MAPA).

Appendix 2 – Examples of Risk Control Measures

Preventative:

- Provide training opportunities on dealing with aggression and personal safety.
- Ensure employees have the knowledge and ability needed to work safely without direct supervision.
- Ensure staff are aware of the Trust's social networking protocol and ensure social media networking sites are set to "private".
- Use the Lone working Policy to decide in which circumstances or situations employees should never be on their own.
- Where possible, avoid duties which employees undertake alone and where there is a foreseeable risk.
- If lone working cannot be avoided, ensure a risk assessment is in place and a form of communication is available.
- Ensure support is in place for staff with medical conditions or who are pregnant.
- Provide external lighting for access footpaths and car parks.
- Minimise undergrowth or screening which may make employees vulnerable to surprise attack.
- Minimise the need for cash to be handled.
- Protect staff from uncontrolled public access.
- Ensure staff have access to walkie talkies.
- Secure public areas with CCTV.
- Prepare specific procedures and/or risk assessments for high-risk activities e.g. call-out procedures for vandalism.

Reactive:

- Ensure a safe exit is possible in foreseeable emergency situations.
- Provide training opportunities for disengagement techniques.
- Ensure access to communication equipment for use in an emergency.
- Ensure easy access to first aid equipment.
- Investigate any incidents and report them to the Police if appropriate.
- Keep any evidence available such as threatening emails, messages or CCTV footage.
- Minute meetings or record discussions to ensure there is a true account of any incidents that take place.

Hazard		Initial risk			Action plan			Residual risk			
Details of hazard	Who is affected and how?	Likelihood	Consequence	Risk L/M/H	What controls are already in place	Further action required	By whom	By when	Likelihood	Consequence	Risk L/M/H
	•										

The level of risk is calculated by:

The likelihood

x

The Consequence

- 1- Very unlikely
- 2- Unlikely
- 3- Fairly likely
- 4- Likely
- 5- Very likely

- 1- Insignificant (no injury)
- 2- Minor (minor injury needing first aid)
- 3- Moderate (up to 3 days absence)
- 4- Major (more than 3 days absence)
- 5- Catastrophic (death)

Risk rating:

1 – 4	Low (acceptable)	No further action required
5 – 9	Medium (adequate)	If risk cannot be lowered any further, consider risk against benefit. Monitor and look to improve at next review
10 – 16	High (tolerable)	Identify further control measures to reduce risk rating. Seek further advice e.g. line manager, H&S team, etc.
17 - 25	Very High (unacceptable)	Do not undertake the activity. Implement immediate improvements