

DRAYTON COMMUNITY INFANT SCHOOL



HARASSMENT POLICY

To underpin the values and ethos of our school and our intent to ensure our children/young people are appropriately safeguarded this policy is included under the safeguarding umbrella.

February 2010

Drayton Community Infant School

Harassment Policy

This policy will be reviewed annually

Policy Statement

Drayton Community Infant School is committed to a working and learning environment where all people can achieve their full potential. The School's policy and procedure on harassment is designed to provide:

- an environment where it is clear that harassment is unacceptable, thereby reducing the chance that harassment will occur in the first instance.
- a mechanism to resolve complaints where it is felt that harassment has occurred.

Disciplinary action may be taken to deal with actions or behaviour, intentional or unintentional, that results in a breach of this policy. Disciplinary action may also be taken if allegations of harassment are found to be malicious or vexatious.

It should be noted that harassment can also lead to civil and criminal claims beyond the School's own disciplinary proceedings. For example, victims may be able to apply to the Civil Courts for an injunction to restrain the offending behaviour or claim damages for anxiety caused.

For the purposes of this Policy the term Staff includes **all** adults involved with Drayton Community First School including employees, members of the Governing Body, adult

volunteers, parents/guardians/carers and other users of the School, it's buildings, facilities and grounds.

Scope of Policy

This policy applies to all staff and pupils at the School and relates to harassment perpetrated by:

- a member of staff against a member of staff
- a member of staff against a pupil

[Whilst it is anticipated the above two examples would cover all cases of harassment which might occur there are two further examples which would also be covered by this policy: a pupil against a pupil or a pupil against a member of staff]

Harassment is not necessarily confined to the behaviour of senior staff towards more junior staff; it can take place between colleagues at the same level or involve staff behaving inappropriately towards more senior staff.

Definition of harassment

For the purpose of this policy, harassment is defined as unwelcome comments (written or spoken) or conduct which:

- Violates an individual's dignity
and/or
- Creates an intimidating, hostile, degrading, humiliating or offensive environment.

This reflects the statutory definition of harassment as outlined in the recent Race and Employment Directive. It should be noted that racial harassment and harassment relating to disability are now considered to be examples of direct discrimination. [Examples of the different types of harassment are included in the appendix at end of this policy]

Responsibility of all Staff

All staff can help to:

- prevent harassment by being sensitive to the reactions and needs of others, and ensuring that their conduct does not cause offence.
- discourage harassment by others through making it clear that such conduct is unacceptable, and supporting colleagues and peers who are taking steps to stop the harassment.

The School is responsible for:

- providing an environment where it is clear that harassment is not acceptable.
- taking action when it is aware that harassment may be or is taking place.
- ensuring that managers are aware of their responsibility for trying to prevent and, in the first instance, resolve problems in the immediate workplace.

Monitoring of policy and procedures

The Head Teacher compile statistics relating to cases of harassment and will provide an annual report to the Governing Body containing information about the number and nature of complaints and any disciplinary action taken, without naming the individual(s) involved.

Individual liability

A member of staff who is found to be harassing another individual is liable at law for his/her actions and may face action in the courts.

Appendix 1 - Examples of harassment

The examples given below, which include unacceptable physical and verbal conduct, are not exhaustive. Harassment on grounds of race, sex and disability now constitute forms of discrimination under the law.

Sex-related harassment

Examples include displaying power over a man or a woman because of gender through disparaging gender-related remarks and threatening behaviour.

Sexual harassment

Examples include unnecessary touching, unwelcome jokes of a sexual nature, inappropriate use of suggestive visual display unit material, intimidating behaviour such as asking for, or offering, sexual favours in return for positive academic assessment or promotion.

Harassment on grounds of sexual orientation

Examples include homophobic remarks or unwelcome jokes, threats to disclose sexuality and intimate questions about sexual activity.

Racial harassment

Examples include inappropriate questioning and/or jokes about racial or ethnic origin, offensive graffiti and intimidating behaviour, including threatening gestures.

Personal harassment

Examples include making fun of personal circumstances or appearance.

Bullying

This can be physical or psychological. Examples of psychological bullying include unmerited criticism, isolation, gossip, essential information withheld, or behaviour that is intimidating or demeaning.

Harassment of disabled people

Examples include discussion of the effects of a disability on an individual's personal life, uninvited touching or staring, and inappropriate questioning about the impact of someone's disability.

Age harassment

Examples include derogatory age-related remarks and unjustifiable dismissal of suggestions on the grounds of the age of the person.

Stalking

This can be physical or psychological. Examples include leaving repeated or alarming messages on voice mail or e-mail, following people home, or approaching others to ask for personal information.

Appendix 2

**Drayton Community infant School
Harassment Incident form**

In the event of an incidence of harassment Staff, volunteers, visitors and all others who believe they have been a victim of harassment are required to complete this form and pass to the Headteacher.

**Name.....Date ____/____/____ Position.....
Action taken**

Name.....Date ____/____/____ Position.....

Appendix 3 - For Reference



VIOLENCE AT WORK

AT A GLANCE ACTION

Managers must:

- Carry out an assessment of potential risk areas for violence
- Implement appropriate control strategies to reduce the risk of incidents
- Ensure all such incidents are reported and investigated
- Ensure staff who are victims of violence receive appropriate support
- Write procedures for dealing with violence into your local health and safety arrangements and school behaviour management policy as appropriate
- Ensure staff are aware of and involved in developing procedures to control these risks
- Display the Violence Against Staff notice in reception areas etc



Norfolk County Council at your service

Violence Against Staff

All staff in Norfolk's schools and in Norfolk County Council Children's Services have the right to work in a safe and supportive working environment.

Violence will be treated as a crime and we will press for the maximum possible penalty for anyone who behaves in a violent and abusive way.

Signed

**Director of Children's Services
Norfolk County Council**

Signed

**Cabinet Member for Children's Services
Norfolk County Council**

January 2007

Appendix 5 - For Reference and to aid clarification

Guidance from NCC Children's Health and Safety Manual

[Revised January 2007]

VIOLENCE AT WORK

GUIDANCE AND PROCEDURES

NORFOLK COUNTY COUNCIL STATEMENT OF INTENT

The County Council recognises its statutory obligations to provide a safe working environment and safe working practices for all its staff and, particularly in this context, those whose work may have an identifiable level of risk of threatening or violent behaviour by others.

The County Council also recognises its responsibilities to provide workplaces that minimise the risk of violence occurring and to ensure that methods of work are safe.

The Authority takes a serious view of any incident of violence against its employees. As an employer the County Council will support any employee who is assaulted or threatened in the course of their duties and it is the responsibility of managers to ensure that their staff are adequately trained and competent to fulfil their duties in a manner which will not escalate or promote the likelihood of violence occurring.

The County Council also acknowledges that no person should have to work in fear of assault and that an incidence of violence should not be seen as a reflection of an employee's ability.

INTRODUCTION

Children's Services' employees who deal directly with the public (i.e. with pupils, parents or clients) may face aggressive or violent behaviour. They may be sworn at, threatened or, on rare occasions, attacked. This guidance document gives practical advice to help managers in Children's Services' establishments decide if violence is a problem for their staff and, if it is, how to tackle it.

Guidance is provided on:

- Identifying the potential risk areas for violence
- Controls to reduce the risk of incidents
- The reporting, recording and investigation of incidents
- Support for staff who are victims of violence.

In addition links are provided to other documents that provide guidance on issues related to violence that already form part of the Health and Safety Manual, i.e. Lone Working (Section 28 of the Health and Safety Manual); Cash Handling (Annexe 1 to this document); and Guidance on 'Harassment of Employees by Members of the Public' (Annexe 2 to this document).

Corporate guidance on 'Bullying and Harassment in the Workplace' is also available, for non-schools, in the 'Employment Topics' section of the HR website on the NCC intranet. For schools, guidance on dealing with harassment, bullying, intimidation and victimisation is contained in the

'Equality of Opportunity and Dignity at Work' section of the Personnel Handbook.

DEFINITION OF WORK RELATED VIOLENCE

The Health and Safety Executive's definition of work related violence is 'any incident in which a person is abused, threatened or assaulted in circumstances relating to their work'.

Verbal abuse and threats are the most common type of incident. Physical attacks are comparatively rare.

Violence covers many areas including:

- Physical attack by a person or an animal belonging to a person
- Threatening behaviour or abusive language
- Rude gestures, innuendo
- Sexual or racial harassment or bullying
- Damage to staff property, e.g. car or personal effects

RISK ASSESSMENT

To deal with violence issues managers must carry out a risk assessment and then implement controls to remove or reduce the risk of exposure to reasonably foreseeable violence. The following paragraphs will assist in carrying out the assessment.

Who is at Risk?

Some activities carried out in Children's Services can give rise to a reasonably foreseeable risk of violence to staff. Examples of these are set out below:

Work Activity	Staff
Working with and supervising pupils or young people with challenging behaviours	Teachers, educational psychologists, pupil referral unit, day care and foster home, Looked After Children staff, midday supervisors, youth workers
Dealing with angry/difficult members of the public	Frontline Children's Services staff
Lone working	Pupil Referral Unit, Specialist Support and Alternative Provision staff; Traveller Education Service; childcare staff; caretakers, cleaners
Evening working	Caretakers, cleaners; childcare staff
Cash handling	Admin staff, youth workers

The above table is by no means exhaustive, but illustrates the areas managers need to look at to consider risks in their particular work environment.

Why Managers Should be Concerned

Both managers and staff have an interest in reducing violence at work. For managers, violence can lead to poor morale and a poor image for the school/service, making it difficult to recruit and retain staff. It can also mean extra cost and increased absenteeism. For staff, violence can cause pain, distress and worse. Physical attacks are obviously dangerous but

serious or persistent verbal abuse or threats can damage the health of staff through anxiety or stress.

How to Assess

Assess your premises or area of responsibility to ascertain where potential problem areas may lie. The table above will assist in identifying some of the risk activities and members of staff who may be vulnerable. You may think that violence is not a problem at your school or in your service or that incidents are rare. However, the views of your staff may be quite different. Ask your staff if they ever feel threatened. Provide them with feedback so they realise that you recognise the problem. Evidence suggests that women are more likely to be subject to work related violence.

Discussion with Union Safety Representatives will be of use, as will reviewing data contained in incident reports.

The assessment process may highlight a number of areas of concern. The following paragraphs give details of practical control measures.

It is very important, however, not to raise groundless concern over the problem of violence or to lead staff to believe that major alterations to working areas should be made in a short space of time.

Control Measures

To be effective control measures should be based on a suitable assessment of the risk. Measures will need to be specific to a particular location.

Staff are likely to be more committed to the measures if they help design and agree them and put them into practice. A mix of measures often works best. Concentrating on just one aspect of the problem may make things worse in another.

Areas to consider include:

- Physical aspects of the premises
- Work practices and patterns
- Staff training and information

Physical Aspects

Children's Services' establishments should consider carefully the design of the building and how it could be improved to reduce the likelihood of incidents of violence. Some suggestions are:

Reception Areas

Easily identifiable reception areas or entrances which allow staff to receive visitors, direct them to their destinations, answer queries etc. go a long way towards reducing people gaining unauthorised access or becoming frustrated or angry due to confusion etc. You should consider the following factors:

- The location of reception areas should be close to the main entrance
- They should be clear and unambiguous and adequate signage should be used to direct persons

- They should be well lit and contain appropriate furniture. Reading materials may be required if visitors have to wait to be seen
- They should not isolate reception staff from assistance if required
- If the risk of violence is perceived to be high, consideration should be given to fitting alarm systems and/or protective screens. There are some indications, however, that obvious alarm systems/protective screens can encourage violence. An alternative to screens may be to fit wider counters providing a safe distance to prevent an attack without giving security a high profile. Concealed panic buttons may also be a suitable alternative to more obvious alarm systems.

Interview/Meeting Rooms

Simple steps to minimise risk include altering the layout so that staff are seated between the client and the door to maintain an escape route if required. Interview rooms should not be totally isolated and vision panels in the doors fitted unless good reasons exist for not fitting these.

Security

Being able to identify people and to secure the premises as much as possible can be achieved by considering the following:

- Use of identity cards or visitor passes etc.
- Minimising the number of entrances to the premises
- Installation of fencing at strategic places
- Ensuring landscaping does not act as a screen for potential intruders

The Security Checklist provided at Appendix 1 should be used to consider these points.

Work Practices and Patterns

Managers must ensure that safe working practices are created and followed. Your risk assessment may have identified particular jobs or activities that have potential for violence.

Home Visits and Lone Working

An area of higher risk is where visits are undertaken away from the workplace, e.g. home visits. Managers should ensure that staff record places to be visited, people to be met and the estimated timescale.

The mechanism for keeping such records will vary depending on the normal pattern of work and general operational considerations. Managers should, therefore, determine the most appropriate means of ensuring that the whereabouts etc., of their staff is known given the nature of the work involved.

If lone working is involved, a risk assessment **must** be carried out and a local lone working procedure created setting out the control measures for the group of staff concerned. Refer to guidance in Section 28 of the Health and Safety Manual.

Separating Fighting Pupils or Young People

Many of the violent incidents that do occur involving staff in Children's Services premises stem from attempts to separate fighting pupils or young people.

It is not reasonable to set a blanket policy on this matter as clearly there will be times when such action will be necessary. However, there will also be occasions when the risk to the personal safety of the member of staff will be perceived by them as being too great.

It is important, therefore, that local procedures emphasise that staff are not required to perform such a function unless they consider their own safety in advance. Where a decision is made not to intervene but to seek assistance, headteachers and other Children's Services managers should support such decisions.

Section 27 of the Health and Safety Manual - 'Positive Management of Aggressive and Violent Behaviour' provides further information and assistance in this area.

Children's Services establishments should produce a clear

disciplinary/behaviour code for pupils and young people which makes it

clear that violence towards and abuse of any member of staff or the wider community will not be tolerated.

Training and Provision of Information

Training

Train your staff so that they can spot the early signs of aggression and either avoid it or cope with it. Make sure they fully understand any systems or procedures you have set up for their protection.

The following training courses are available to Children's Services' staff:

- Handling Difficult Situations Assertively
- Dealing with Violence and Aggression
- Positive Handling Strategies Training (Team Teach Approach)

Handling Difficult Situations Assertively and Dealing with Violence and Aggression training are available through Corporate Training and Development (CTD). Go to the 'Training' section of the Health and Safety website for course details and dates.

Team Teach training is available through Children's Services – click on 'INSET Opportunities website' for course details and dates.

Your local procedures for dealing with violence should be written into the school or service's health and safety policy so that all staff are aware of it. This will help staff to co-operate, follow procedures properly and report incidents.

Provision of Information

Provide staff with any information they might need to identify persons with a history of violence or to anticipate factors that might make violence more likely. Information that will be of use may include past history, remedial steps taken (e.g. medication) and how best to approach the person. Where necessary, relevant information should be shared between schools, sections within Children's Services and other agencies.

RECORDING, REPORTING AND INVESTIGATION

This is crucial in order to identify the scale of the problem and to devise and monitor preventive strategies. Surveys of staff by teaching unions have demonstrated that there is significant under-reporting of violence at work.

Recording and Reporting

All violent incidents involving staff (and governors/volunteers) must be reported to managers and an Incident Report Form completed in line with guidance contained in Section 12 of the Health and Safety Manual.

*Some staff may be reluctant to report incidents of aggressive behaviour which make them feel threatened or worried. They should not feel that accepting abuse is part of the job. **Encourage staff to report incidents promptly and fully and let them know that this is what you expect.***

You will need a record of all incidents to enable you to build up a complete picture of the problem. Do not use the Incident Report Form to record acts of violence between pupils/young people. A model form is available for this purpose in Section 27 of the Health and Safety Manual.

Investigation

The headteacher, manager or other nominated person should investigate all incidents of violence against staff and record the results on the Incident Report Form. All completed incident report forms should be sent to the Health and Safety Adviser, room 057, County Hall.

The incident investigation should establish:

- What happened and why?
- Could it have been prevented?
- Is there a likelihood of a recurrence in similar situations?
- Is a change in working arrangements necessary?
- Is any formal change in your violence risk assessment necessary?

Feedback on the outcomes of the investigation to the employee(s) involved is essential.

Serious violent incidents will be investigated by Children's Services Health and Safety Advisers and support and advice provided to the staff involved.

If a known person is responsible for intimidating behaviour etc. it may be appropriate for the department to send a formal warning letter to the individual and consider informing the Police. If someone is persistently displaying violent or aggressive behaviour towards one or more members of staff, staff should consult with their manager to review the service to that person. As a last resort withdrawal of service may be contemplated but such a decision would be made by the Director of Children's Services. Annexe 2 provides more detail on this process.

The Role of the Police

If there is a severe disturbance, assault or threat of violence, the Police should normally be called unless other considerations apply. Following other incidents management should decide whether to involve the Police and if appropriate consultation should take place with the employee(s) involved in making this decision.

If the Police are involved, it may be decided by the Crown Prosecution Service to prosecute an assailant. If, however, the Crown Prosecution Service decides not to prosecute, the employee has the option of pursuing the matter by taking private legal action against the assailant.

County Council Solicitors may be able to advise or act on behalf of a member of staff taking private legal action depending on the circumstances. Trade Union members may also be able to obtain advice/help from their Union in this respect.

If it is decided by the individual to take private legal action, it should be remembered that they have already suffered from the assault itself and it is important that they are reassured and guided in seeking legal redress.

SUPPORT FOR STAFF

If an employee is injured in, or otherwise suffers as a result of a violent incident in the course of their work, the County Council will provide support as summarised below.

If the employee is injured or in shock, assistance should be given with arranging medical treatment. Support must be given to the employee, however, over and above medical attention. Initially there should be no presumption of failure by the employee because violence has occurred.

Supervisors should talk through the incident as soon as possible.

Staff should be advised of the legal options open to them and in some circumstances it may be appropriate to refer to individual to their trade union for legal advice.

Counselling

Counselling should also be offered either by Children's Services' management, or a professional counsellor, depending on the circumstances and the wishes of the employee. The person concerned may wish to make their own counselling arrangements either through their trade union or independently. If this is the case the employee should be supported and compassionate leave allowed accordingly. If private counselling is arranged, either through the County Council or directly by the individual, the County Council will meet reasonable costs for up to five counselling sessions. This may be extended when necessary.

The following support services are available to Children's Services staff: -

Norfolk Support Line

Norfolk Support Line can be contacted on 0800 1697676 (24 hours) and offers confidential and independent advice on any aspect of working arrangements that may cause an individual undue concern, including dealing with the effects of violent incidents.

Norfolk Support Line is available to all individuals employed by Norfolk County Council and their partners and dependants. Dependants are considered as children up to 18 years of age, or 21 if they are in full-time education.

Teacher Support Network

An independent charity where teachers can get advice and support. The Teacher Support Line can be contacted on 08000 562 561; or via the website at <http://teachersupport.info/>

Sources of Compensation for Staff who Suffer Violence/Attacks against Property

Individuals who are injured or suffer damage to their property through no fault of their own and because of their work should not be financially disadvantaged. In such circumstances, where injuries are sustained which result in absence from work, the absence will be considered as arising out of work and will not, therefore, count against the normal sick pay entitlement. If full and half pay allowances become exhausted, sympathetic consideration will be given to extending these depending on the circumstances of each case.

National Conditions of Service prescribe various payments to compensate for permanent disablement or death.

If the injuries are the result of an assault it may also be able to claim compensation from the Criminal Injuries Compensation Authority (CICA), Morley House, 26-30 Holborn Viaduct, London EC1A 2JQ; tel: 020 7842 6800. To obtain an application form, or to receive general advice on the claims procedure, contact the CICA helpline on 0800 358 3601; or visit the website at www.cica.gov.uk

MONITORING AND REVIEW

To assess the effectiveness of these procedures, it will be necessary to monitor their implementation and subsequent operation. This should form part of the annual general risk assessment process described in Section 3 of the Health and Safety Manual.

SOURCES OF FURTHER INFORMATION

Various sources of further information are mentioned in this document and are grouped together below for ease of reference.

- Corporate guidance on 'Bullying and Harassment in the Workplace' is available, for *non-schools*, in the 'Employment Topics' section of the HR website on the NCC intranet.
- For *schools*, guidance on dealing with harassment, bullying, intimidation and victimisation is contained in the 'Equality of Opportunity and Dignity at Work' section of the Personnel Handbook.

- Guidance on reporting incidents is contained in section 12 of the Health and Safety Manual.
- Guidance on Lone Working is contained in section 28 of the Health and Safety Manual.
- Training on Handling Difficult Situations Assertively and Dealing with Violence and Aggression is available through Corporate Training and Development (CTD). Go to the Training section of the Health and Safety website for course details and dates.
- Team Teach training is available through the Children's Services INSET Opportunities website.
- Norfolk Support Line can be contacted on 0800 1697676 (24 hours) and offers confidential and independent advice on any aspect of working arrangements that may cause an individual undue concern, including dealing with the effects of violent incidents.
- The Teacher Support Line can be contacted on 08000 562561.
- The Criminal Injuries Compensation Authority (CICA) can be contacted on 0800 358 3601 or via their website at www.cica.gov.uk