DEALING WITH ABUSE THREATS AND VIOLENCE TOWARDS SCHOOL STAFF

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Introduction

Suffolk County Council has a duty to protect the health and safety of its staff in schools and shares a duty of care in relation to their physical and emotional well-being with governing bodies and head teachers.

Suffolk County Council believes that violence, threatening behaviour and abuse against school staff are unacceptable and should not be tolerated. 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 on their behalf if they are subjected to abuse, threats or violence by parents and other adults on the school premises. (This policy does not cover such behaviour on the part of pupils.) Suffolk County Council and Suffolk Constabulary will take all reasonable and appropriate action in support of schools and their staff.

Please refer to the separate Parental Code of Conduct for more information.

Definition of Abusive, Threatening and Violent Behaviour

The most common example of unreasonable behaviour is abusive and aggressive language for which the most widely used remedy, where informal action is not considered to be appropriate or has proved to be ineffective, is the withdrawal of permission to be on school premises.

Where a person recklessly or intentionally applies unlawful force on another or puts another in fear of an immediate attack, it is an offence in law which constitutes an assault. The Local Authority would normally expect the Police to be contacted immediately in such cases.

There are three categories of assault, based on the severity of the injury to the victim:

a) Common Assault

- involving the threat of immediate violence or causing minor injury (such as a graze, reddening of the skin or minor bruise).

b) Actual Bodily Harm

- causing an injury which interferes with the health or comfort of the victim (such as multiple bruising, broken tooth or temporary sensory loss).

c) Grievous Bodily Harm

- causing serious injury (such as a broken bone or an injury requiring lengthy treatment).

Hate crimes involving prejudicial behaviour, including racially aggravated assault, may carry higher maximum penalties.

It is important to note that **no physical attack or injury** needs to have occurred for a common assault to have taken place. It is sufficient for a person to have been threatened with immediate violence and put in fear of a physical attack for an offence to have been committed. Individual circumstances will influence the decision as to whether a particular incident should be reported to the Police. The Police would expect to be involved where there is a clear injury (whether physical or emotional) and acknowledge that other factors may need to be taken into account such as the previous behaviour of the offender and the likelihood of a repetition if action is not taken to prevent it.

Abusive, threatening or intimidating behaviour, includes the use of letters, email, school messaging systems or social media platforms.

The School's Measures to Avoid, Prevent and Minimise Incidents

The headteacher has the prime responsibility in the school to ensure that the staff are protected. This responsibility is delegated to the member of the Senior Leadership Team who is responsible for safety of staff on a day to day basis.

The Chair of the Governors has been nominated to oversee the implementation of the policy on behalf of the governing body.

In specific circumstances, the school may carry out a risk assessment in order to ascertain which steps the school needs to take, if any, which might help to avoid, prevent, minimise or mitigate incidents where staff might be subjected to abuse, threats and violence.

Staff are advised in the event of an incident, to:

Speak calmly and without raising the voice

- Be assertive but not aggressive
- Be polite but firm
- Seek assistance
- Think about an escape route, should the need arise, walk away

When staff are in school in the evening, they should stay in the areas designated for use for that particular event and not go to other parts of the school.

Staff should refer to the Lone Worker Policy and risk assessment for further information and guidance.

In the event of an emergency, staff should request assistance from a member of the Senior Leadership Team, if available, otherwise the nearest member(s) of staff. In the longer term, support can be obtained from the member of staff's trade union or from the Victim Support or the County Council on giving evidence in court. All parties involved should take into account the needs, views, feelings and wishes of the victim at every stage. The school will ensure that sympathetic and practical help, support and counselling are made available to the victim at the time of the incident and subsequently.

Involving the Police

Suffolk County Council and Suffolk Constabulary would normally expect all cases of assault, and all but the most minor of other incidents, to be regarded as serious matters which should be reported to the Police and followed up with due care, attention and rigour.

The 999 call system should always be used when the immediate attendance of a Police Officer is required. The Police support the use of 999 in all cases where:

- There is a danger to life
- There is a likelihood of violence
- An assault is, or believed to be, in progress
- The offender is on the premises
- The offence has just occurred and an early arrest is likely.

In non-urgent cases, where the incident is not thought to be an emergency but police involvement is nevertheless required, the Force Operations Room should be contacted on 01473 613500 so that an incident log can be created for possible further reference.

All 999 calls receive an immediate response. Unless other arrangements are agreed at the time, other (non-emergency) calls will normally result in attendance within eight hours (and within 24 hours at the latest).

When they attend the school, the Police will take written statements from the victim (including a 'Victim Personal Statement') and obtain evidence in order to investigate the offence in the most appropriate and effective manner.

The Police will also take into account any views expressed by the head teacher as to the action which the school would like to see taken. The head teacher should, therefore, speak to the victim and be aware of his or her views before confirming with the Police how the school would wish them to proceed.

In certain cases, the victim may be asked by the Police if he or she wishes to make a complaint or allegation against the alleged offender. In such a situation, it is important that the victim has the opportunity to discuss the matter with the head teacher, colleague, friend or union representative before deciding on their response.

The decision on whether or not to prosecute is made by the Police or Crown Prosecution Service on the basis of the evidence and with due regard to the relevant gravity or public interest factors including the Victim Personal Statement. If there is a need subsequently for the victim to give evidence in court, support can be provided by the Head of Legal Services if it is not available from Victim Support.

The Head of Legal Service has advised that, in the absence of a prosecution supported by the CPS, a private prosecution is most unlikely to succeed. The LEA will, however, judge every incident on its merits and will consider the need for further action in cases where an employee has been assaulted and the CPS has decided against a prosecution.

Harassment

Situations can arise where staff find themselves subjected to a pattern of persistent and unreasonable behaviour from individual parents which is not abusive or overtly aggressive but which can be perceived as intimidating and oppressive. In these circumstances, staff may be faced with a barrage of constant demands or criticisms (on an almost daily basis) which, whilst not particularly taxing or serious when viewed in isolation, can have the cumulative effect over time of undermining their confidence, well-being and health. In extreme cases, the behaviour of the parent may constitute an offence under the protection from Harassment Act 1997. If so, the Police have powers to take action against the offender.

Harassment may include communications by letter, email, school messaging systems and social media platforms.

If the actions of a parent appear to constitute harassment, the head teacher has the options of writing and/or talking to the parent explaining the gravity of the situation, banning the parent from the school premises and/or advising the parent to make a formal complaint.

Banning Parents and other Visitors from School Premises

Section 206 of the Education Act 2002 makes it a criminal offence punishable with a fine of up to £500 for a person to trespass on school premises **and cause a nuisance or disturbance**. Parents and some other visitors normally have implied permission to be on school premises at certain times and for certain purposes and they will not therefore be trespassers unless the implied permission is withdrawn.

The Headteacher may withdraw permission for any parent or other person who behaves unreasonably on school premises to be on site. Incidents which could warrant this should be reported to the head teacher.

It is important throughout this process that a full record is made of each incident, including details of witnesses, since evidence will need to be provided to the Court.

Recording and Reporting Incidents

The recording and reporting of incidents are important because they can enable the Council, schools and employees:

- To meet their statutory duties in compliance with the Health and Safety at Work Act and Regulations, the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) and Social Security Regulations.
- To collect evidence which may later be necessary if proceedings are brought against an alleged assailant.
- To assist the County Council's insurers should any claim for compensation be made. To help in reviewing policies and informing future risk assessments.
- The recording and reporting of incidents should be made online by Suffolk County Council's incident reporting portal at https://residents.suffolk.gov.uk/SchoolsSHAW

In some instances, the school may need to carry out a risk assessment in relation to a specific individual whose behaviour has been, or may be, a cause for concern.

Links to other policies:

Parental Code of Conduct

Lone Worker Risk Assessment

Review Date: February 2026

Next Review Date – February 2027