



St Francis Xavier Primary School

Occupational Violence Policy

Rationale:

At St Francis Xavier Primary School we understand that employing authorities and school Principals carry a duty of care for providing a safe learning and working environment for students and staff.

They also have a non-delegable duty under the Occupational Health and Safety Act 2004 (Vic.) ('OHS Act') to institute measures that either eliminate risks to student and staff safety or reduce risks as far as is practicable.

Meeting this duty of care and instituting OHS requirements with confidence, consistency and professionalism requires the ability to recognise and safely respond to disruptive, aggressive and potentially violent behaviour before a crisis occurs. In addition, if behaviour does escalate to violence, it is essential to have the critical skills and support structures in place to maintain the safety of everyone involved.

Aim:

At St Francis Xavier Primary School we aim to provide an open, welcoming, inclusive and safe environment for all. We believe that parents and guardians are valuable contributors and participants in the life of our school.

Definitions:

OCCUPATIONAL VIOLENCE – any incident where an employee is physically attacked or threatened in the workplace. The violent or threatening behaviour can include:

- physical acts
- verbal abuse
- sexual harassment
- harassing gestures or expressions
- vandalism of a person's property
- oral or written statements, including those communicated via SMS, phone, emails or social media
- stalking.

VIOLENCE IN SCHOOLS – in any situation where a member of the school community (teacher, student, other staff member, parent or visitor) is intimidated, bullied, abused, threatened or assaulted; or their property is deliberately damaged by another member of that community or the public in circumstances arising out of their activities in a school.

AGGRESSIVE BEHAVIOURS – behaviours that present a risk to a person's physical and/or psychological health and safety and that can escalate into serious incidents of violence.

Implementation:

OCCUPATIONAL VIOLENCE – LEGISLATIVE RESPONSIBILITIES

Occupational violence falls under a legislative regime which includes the OHS Act and concomitant regulations and codes of practice. Among other requirements, the legislation imposes a general duty on an employer to provide and maintain, so far as reasonably practicable, a working environment that is safe and without risk to health. Section 21 of the OHS Act lists the duties of the employer, including so far as reasonably practicable:

- maintaining safe systems of work
- maintaining safe workplace and facilities
- ensuring the safe use, handling and storage of equipment
- employing or engaging suitably qualified person(s) to provide specific advice regarding health and safety
- monitoring conditions in workplaces
- providing adequate information, instruction, training and supervision
- keeping an Incident Report Book to keep track of all workplace injuries
- enabling employees to perform their work in a manner that is safe and without risk to health.

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Aggressive Behaviours – Prevention

Learning environments that are inclusive and relational and that stimulate high levels of learning engagement, connectedness, relevance, meaning and challenge have a significant bearing on the social–emotional learning of our students and their associated behaviours.

Strong parent and community partnerships strengthen St Francis Xavier’s Primary School capacity to prevent and/or respond effectively to violent incidents in our school. St Francis Xavier Primary School relies on parent input, support and collaboration to understand and manage a student’s challenging behaviours, and links with community networks and services increase the quality and efficacy of prevention and intervention strategies.

St Francis Xavier Primary School fosters a positive school culture that features respectful relationships, courteous communications and shared understandings of member’s rights and responsibilities and is a powerful driver of violence prevention at our school. St Francis Xavier Primary School and families share responsibility for developing and maintaining relationships characterised by respect for the goodwill of the other and a willingness to engage collaboratively.

St Francis Xavier Primary School Catholic Primary School has a well-articulated school policy on behaviour expectations and management. It is pastorally driven and focused on ensuring a just and reasonable balance of individual students and the school’s community rights. Our Behaviour Management Policy assists in building and maintaining a positive school culture and a safe learning and work environment for students and staff.

Both the St Francis Xavier Primary School Behaviour Management Policy and Complaints Handling Policy are developed in good faith in order to reduce the risk of a member of the school community’s challenging behaviour escalating to aggression and/or violence.

Training in conflict management and resolution, and in the defusing of challenging behaviours, strengthens staff members’ confidence and capacity to prevent and/or manage a student’s or parent’s aggression or violence.

Individual behaviour support plans for students who repeatedly exhibit challenging and aggressive behaviours have the potential to serve as a valuable support to staff who hold the key responsibility for the wellbeing, safety and learning of the student and all other students in their immediate care.

St Francis Xavier Primary School has well-rehearsed emergency management plans and systems and well-constructed critical incident plans, essential in maintaining a safe learning and work environment for students and staff.

Aggressive Behaviours – Interventions

Proactive networking and linking with external community and professional services increase the support and management options available to our school when responding to challenging student and parent behaviours and incidents.

Pastoral and restorative principles and practices that reflect Gospel values, Catholic social teaching and diocesan policies on student wellbeing influence St Francis Xavier Primary School post incident decisions pertaining to an offending student’s or parent’s ongoing relationship with the school.

An adequately resourced healing and recovery program (Employee Assistance Program) will be made available to staff who have been harmed by violent incidents, with this program funded and supported pastorally by the employing authority.

Our school’s incident response and emergency management procedures, when comprehensively constructed, well-rehearsed and effectively implemented, can minimise the adverse short- and long-term impacts of a violent incident.

In case of an incident, the school will comprehensively evaluate its incident response and emergency management procedures, and adjust where necessary, to reduce the risk of similar or repeated incidents in the future.

STRONG PARENT AND COMMUNITY PARTNERSHIPS

Strong partnerships with parents are essential for developing and maintaining safe and supportive learning environments for students and staff at St Francis Xavier Primary School. In instances where a student exhibits challenging behaviours and/or repeated breaches of behaviour expectations, the school relies on parent/guardian input and support to understand, manage and change the behaviour. St Francis Xavier Primary School values parent–school partnerships that are inclusive, relational and respectful.

In some instances, a student’s or parent’s aggressive or violent behaviour is triggered by or linked to some adverse health, social and/or economic difficulties in their family life. The interplay can be complex and the impacts multifaceted. Effective management therefore requires diverse and well-resourced strategies that are developed and implemented both in schools and across agencies. St Francis Xavier Primary School actively collaborates with and is proactive in networking and linking into local community services, such as health and welfare professionals, increasing the support and management options available to our school when dealing with challenging student or parent behaviours.

RESPECTFUL RELATIONSHIPS – POLICIES AND CODES OF CONDUCT

A whole–school approach and commitment to respectful relationships is an essential element of violence prevention at St Francis Xavier Primary School. The school has a whole–school approach that is supported and promoted through policies and codes of conduct that foster shared understandings and commitments among teachers, staff, students and parents/guardians.

Expectations of Staff

A key element of whole–school respectful relationships is an expectation of courteous communications, especially in interactions regarding contested issues. St Francis Xavier Primary School provide staff with information and development opportunities to improve understanding of their professional responsibilities in modelling and promoting respectful interactions, even if this behaviour is not reciprocated.

Expectations of Students

St Francis Xavier Primary School’s Behaviour Management Policy and Procedures outline the school’s expectations of student behaviour. Students are also asked to Sign a Code of Conduct. Where a student presents with particularly challenging behaviour, provisions for adequate support from both within and outside the school will be arranged. This may be support from the Student Wellbeing leader, Principal, Assistant Principal, MACS staff or other outside specialist professionals and wider community agencies.

Expectations of Parents

St Francis Xavier Primary School Primary School has a Parent/Guardian/Carer Code of Conduct that all families are asked to sign on enrolment at our school. This can also be found on the school website.

Its purpose is to guide dealings with staff, other parents, students and the wider school community. At all times, St Francis Xavier Primary School promotes and expects respectful, cooperative and supportive relationships.

Unacceptable Behaviours – Students and Parents

In the context of St Francis Xavier Primary School, in line with, *CECV Safe and Sound Practice Guidelines: Occupational Violence*, the range of student or parent behaviours directed at staff that are considered serious and unacceptable include the following:

- shouting at a staff member, either in person or on the telephone
- physically or verbally intimidating a staff member
- using aggressive hand gestures, such as shaking or holding a fist towards a staff member
- writing rude, defamatory, aggressive or abusive comments to or about a staff member via any written form including emails and or on social media

- swearing at a staff member
- pushing, hitting, punching or kicking a staff member (or attempting such actions)
- directing racist or sexist comments toward a staff member
- damaging or violating a staff member's possessions/property
- making rude, defamatory or inappropriate comments about their family

Student Conflicts and Parent Interventions

A frequently reported problem in many schools is one wherein parents attempt to resolve problems that involve their children and other students by direct approach to these students or their parents. In such instances, tensions and issues can escalate and behaviours can become more threatening, abusive and/or damaging to all involved. As per St Francis Xavier Primary School Complaints and Grievance Policy and Parent-School Relationship Code of Conduct:

- A parent should **never** approach another child to discuss their concerns. These concerns must always be directed through the classroom teacher in the first instance or the principal.
- We strongly discourage an aggrieved parent from approaching another parent about a school matter.
- A parent should never email/text another parent or take photo or video about an incident that has occurred at school when it is not their child E.g. **Parent A** texts **Parent B** to say that **Parent B's** child got in trouble at school

TRAINING AND CAPACITY BUILDING OF STAFF

In some cases, potential violence can be defused and prevented if staff have undergone skills training in identifying and responding to behaviours that could easily escalate to aggression.

The type of training and information that is made available to staff members includes:

Conflict management and resolution

- Understanding behaviour warning signs – the verbal and non-verbal precursors to aggression
- Handling provocation
- Improving listening skills
- Understanding the blame cycle
- Managing a request for an apology
- Moving beyond stalemates
- Encouraging fair play in negotiations
- Managing unreasonable complainant conduct
- Responding to strong emotions
- Being calm in a high-stress situation

Understanding occupational violence

- Understanding risk factors
- Recognising signs of impending occupational violence
- Identifying preventative measures
- Understanding workplace policies and relevant legislative frameworks

Emergency management

- Procedures for reporting circumstances or incidents of concern
- Knowing roles and responsibilities in violent or potentially violent situations
- Appropriate procedures in the event of a violent situation
- Ways to summon assistance from colleagues or internal security personnel
- How to activate alert systems, including local emergency services
- Ways to maximise safety and minimise risks in emergency situations

INCIDENT PREVENTION PRACTICES

Critical Incident and Emergency Management Plan

In severe, dangerous and/or high-risk incidents where physical violence is either threatened or unfolding, or where damage to property is ensuing, elements of St Francis Xavier Primary School Emergency Management or Critical Incident Plan may need to be enacted. In Victorian schools, a critical incident is understood as one where there is a high likelihood of traumatic effects. An emergency is understood as an event, actual or imminent that occurs on or off site and that endangers or threatens to endanger life, property or the environment and requires a significant and coordinated response.

Some staff may be more exposed and susceptible to aggressive and violent behaviours of students or parents due to the specific nature of their roles, e.g. reception staff, teachers of students with known behavioural disorders or Leadership Team members who are required to meet with distressed/angry parents regarding a complaint. These staff members, where appropriate, will work together with school leadership and/or CEM staff to:

- Understand and identify the appropriate organisational responses to a critical incident
- Identify practical tools for the management of the critical incident
- Understand the legislative framework that applies to managing the critical incident
- Understand behavioural disorders and other behaviours associated with particular disabilities and/or mental health conditions
- Build awareness of behavioural issues
- Build understanding behavioural disorders
- Build understanding behaviours associated with particular disabilities and/or mental health conditions.

DEFUSING CHALLENGING CONVERSATIONS AND BEHAVIOURS

Among practitioners in the fields of conflict resolution, arbitration and mediation, there exists a broad consensus on strategies for dealing in a timely manner with challenging behaviours. A key emphasis is on using calming, non-adversarial techniques that defuse a person's anxiety or distress and enable more rational emotions to prevail in continued interactions. The strategies below are a composite of techniques that have been applied to St Francis Xavier Primary School's settings and contexts.

Face-to-Face Interactions with Students and/or Parents

When in a Face-to-Face situation, staff are encouraged to use the following procedures:

- *Endeavour to hold or continue the conversation in a private setting.* This will minimise the anxiety, fear and risk of harm to others in the vicinity who have witnessed the aggressive behaviour. Ensure that the relocation area is safe (i.e. reasonable proximity to colleagues, external visibility, adequate lighting, and suitable access/exit doors).
- *Be empathic.* Try not to judge or discount the feelings of others. Whether or not you think their feelings are justified, those feelings are real to the other person. Pay attention to and acknowledge them, e.g. 'I can see that you're unhappy about ...?'
- *Clarify messages.* Listen for the person's real message. What are the feelings behind the facts? Ask reflective questions and use both silence and re-statements.
- *Permit some verbal venting.* Let the student or parent talk without interruption, as curtailing the flow can fuel his/her anger.
- *Respect personal space and be aware of your body position.* Invading personal space tends to increase the individual's anxiety and may lead to acting-out behaviour. Standing eye-to-eye and toe-to-toe with a person, especially a student in your charge, sends a challenging message. Standing one leg-length away and at an angle off to the side is less likely to escalate the individual's anxiety or anger.
- *Set and enforce reasonable limits.* If the person becomes (or continues to be) belligerent, defensive or disruptive, state limits and directives clearly and concisely. When setting limits, offer choices and consequences to the individual.
- *Avoid overreacting.* Remain calm, rational, and professional. Your response will directly affect the person's behaviour.

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- Use 'I' statements rather than 'you'. For example, 'I feel that (student's name) has not given you the whole picture,' rather than, 'your son/daughter has not told you the truth.'
- Be aware of any 'hurrying' or 'dismissive' behaviours or messages on your part. If you do not have time or have students in your care, offer a choice, for example, 'You can arrange an appointment to discuss this later today, or I will find someone else who can speak to you straight away.'
- Be clear about the boundaries of your role but ensure that you take responsibility appropriately. State clearly what you can do for the parent.
- Avoid giving advice at an early stage. This way, parents can make their own decisions and will be less likely to blame you if the option chosen does not work out.

Aggressive/Abusive Telephone Conversations

Staff on the receiving end of aggressive, abusive behaviour are encouraged to use the following procedures:

- *Calmly and firmly set limits*, such as: 'Please lower your voice'; 'Please calm down so that I can understand your concerns and try to help you'; 'Please stop shouting [your abusive language] or I will have to terminate the call'.
- *Feed back to the caller* what you have heard regarding the issue or concern underpinning the caller's aggression/abuse and what you believe the caller needs/wants.
- *Attempt to negotiate some referral and response time*, such as: 'You have raised some tough issues that ought to be referred to the staff member concerned/a senior member of staff'; 'I am not sure what we can do. I need to get advice from the Principal'. 'I can assure you that you will hear back from me/the school as soon as possible'.
- *End the call if the abuse or aggression continues or escalates*, stressing beforehand that you will ask another staff member to contact the caller.
- *Make notes on what was said immediately* on termination of the call and then report the incident to the principal or senior member of staff.

Aggressive/Abusive Written Communications

Staff on the receiving end of aggressive, abusive communications via email, SMS or social media ought to be advised of the following procedures:

- *Do not reply until* first agreeing on an appropriate response in consultation with the Principal or a senior member of staff; or
- *Reply with a simple concise message that the correspondence/message has been referred* to the Principal or a senior member of staff (name supplied) for response and follow-up, which will occur as soon as possible.

Social Media Offences

In most instances, when a staff member or a Principal has been threatened, denigrated or defamed in an online forum, the Principal or MACS Regional Leadership Consultant or representative ought to:

- Immediately approach the author/perpetrator of the offending material and request that the material be removed
- If appropriate to the circumstances, request a written retraction of comments/offending material
- Confirm the request in writing
- Seek legal advice if the material is not removed/retracted
- Confirm in writing to the author/perpetrator of the offending material that legal advice is being/will be sought and acted upon

STAFF RECOVERY AND SUPPORT

The Principal needs to ensure that a staff member harmed by a violent incident:

- is advised of his/her entitlements under WorkCover;
- is made aware of, and is able to exercise, his/her legal rights regarding referral to the police if the incident is deemed to be a breach of the law
- has a clear, adequately resourced program of healing, recovery and ongoing support provided by the employing authority. The program may include offering the staff member counselling support,

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reduced or changed duties for a negotiated period of time and compensation for damage to their personal property. (Employee Assistance Program)

In many instances, a violent incident will also have an adverse emotional impact on those who witnessed the incident (e.g. students, co-workers, other parents or visitors to the school). St Francis Xavier Primary School Principal may need to seek external assistance in facilitating debriefing sessions and arranging counselling services for those affected. Support will be sought from Catholic Education Melbourne

POLICE INVOLVEMENT

If there has been an alleged breach of the law by a student or parent, the matter will be referred to the police, unless it is considered a minor matter. This would normally be a Principal's decision; however, a staff member harmed by the incident has the right to make a police report independently of the Principal's decision.

The Catholic Schools Operational Guide presents the following information that may assist St Francis Xavier Primary School's Principal and/or staff members in discerning an appropriate way forward:

- The Principal and staff are usually not equipped nor skilled for carrying out investigations of an alleged crime: this should be handled by the police.
- Private inquiries beyond the minimum required in ascertaining the bare facts must be avoided. A private inquiry is not recommended as it may have consequences for the alleged victim, for the conduct of a proper inquiry and for innocent third parties.
- In Victoria, no citizen is compelled to report a crime as far as criminal law is concerned.
- Under Section 344 of the Children, Youth and Families Act 2005 (Vic.), a child under the age of 10 is not considered capable of committing an offence and cannot be rendered criminally liable for her or his actions. Between the age of 10 and 17 years, children are dealt with by the Children's Court, provided the child is under the age of 18 when the matter is brought before the court.
- Under Police Standing Orders, police have the discretion to administer a caution to a child whom they believe to have committed an offence, instead of laying criminal charges.

This is often the procedure adopted in cases of first offence and the caution is usually administered by a senior officer.

SANCTIONS: PARENT OFFENCES

St Francis Xavier Primary School's response to a parent's violent behaviour will need to take account of a range of factors, including:

- The nature of the violent action and its impact on the staff member and others in the school community;
- The school's stated policies on Parent-School relationship and/or related codes of conduct or charters;
- The school's Complaints Handling Policy and the degree to which it was observed prior to the incident;
- Any known extenuating circumstances associated with the parent's behaviour (e.g. health issues, family hardship);
- Any history associated with the parent's behaviour (e.g. Previous threatening behaviour and the school's earlier attempts to address the issue).
- The parent must be given every opportunity to calm down and account for his/her behaviour. This process should be facilitated by the Principal and another Leadership Team Member, with no expectation that the affected staff member attends.
- If there has been an alleged breach of the law, the matter should be referred to the police. This action will have a bearing on whether the school undertakes its own investigation of the incident and the issues leading up to its occurrence
- An assessment in regard to the parent's continued presence in the school, short-term or longer-term, will need to be undertaken. Personnel from Melbourne Archdiocese Catholic Schools may need to be called in for assistance in determining this matter

- Where the behaviour of a parent is deemed likely to cause ongoing harm, distress or danger to others, the school has the right to impose a temporary or permanent ban on the parent entering the school premises by way of a Trespass Order. Legal advice about parent exclusion options, including Personal Safety Intervention Orders, Trespass Orders and procedures, can be accessed through Melbourne Archdiocese Catholic Schools. Assistance can also be provided in drafting letters informing the parent of the school's position and its processes and timeline for reviewing the ban/intervention orders by MACS Regional Manager.
- There may be instances where a parent requests external, third-party mediation if he/she believes that the school's response to the incident is unsatisfactory. Conversely, the School Principal may require mediation assistance if interactions and negotiations with the parent fail to achieve satisfactory outcomes. The School Principal is advised to contact Melbourne Archdiocese Catholic Schools for advice about appropriate mediation services and providers. The neutrality of mediators (perceived or actual) in what should be a 'level playing field' will be an important
- Consideration and in some cases may preclude the direct involvement of Melbourne Archdiocese Catholic Schools personnel.

INCIDENT MANAGEMENT REPORTS AND EVALUATION

In the aftermath of an incident, it is essential that all aspects of the school's management of the emergency or critical incident be reviewed. The review outcomes may require adjustments to existing procedures and systems in order to reduce the risk of similar or repeated incidents in the future.

As part of the review, it is the responsibility of the Principal to ensure that:

- a report of the incident has been made in the school's accident/incident register and has been forwarded to the appropriate Melbourne Archdiocese Catholic Schools personnel;
- all aspects of the school's relevant risk assessment and management process are evaluated;
- the school's OHS staff representatives has been informed of the incident and are involved in evaluating the school's response;
- school policies, processes and procedures are modified if necessary, with staff and parents advised of changes;
- the efficacy of emergency response equipment and systems is evaluated and, where needed, the plan is upgraded and expanded.

Evaluation:

This policy will be reviewed as part of the school's review cycle or with changes to protocol or legislation.

This policy was last reviewed and ratified by SFX School Leadership – April 2020

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