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Circular 40/97

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DEPARTMENT OF EDUCATION**

PRIMARY BRANCH

**CIRCULAR LETTER TO BOARDS OF MANAGEMENT AND PRINCIPALS
OF NATIONAL SCHOOLS**

ASSAULTS ON TEACHERS/SCHOOL EMPLOYEES

The Minister for Education wishes to bring to the attention of the school authorities his concern at the increase in the incidents of assaults on staff in primary schools. Violence in the workplace is an issue of grave concern for employees and employers alike. As in other workplaces, school employees are also the victims of violence in the workplace. During the course of their work, school staff may be at risk from violence in the form of verbal abuse, threats, assaults or other forms of intimidation. This behaviour may come from pupils, parents, guardians, other staff members or intruders.

The Minister is anxious that every effort would be made to create and maintain a culture in schools where acts of violence are not tolerated and where incidents, when they do occur, are effectively and speedily dealt with.

In this context, the Department of Education wishes to draw the attention of Boards of Management to the following issues:

- the Board's duty to provide a safe place of work for employees
- measures to be taken to prevent or minimise the risk of assaults to teachers or other staff employed in schools
- measures to be taken in support of staff who have been assaulted or threatened with assault; and ensuring that appropriate action is taken to safeguard against a recurrence.

1 Board's Duty to provide a Safe System of Work

The Safety, Health and Welfare at Work Act became operative on 1 November 1989. It is an important piece of legislation for Boards of Management and for those who work in schools, as schools and colleges were brought under the scope of safety legislation for the first time.

The Safety, Health and Welfare at Work Act 1989 requires employers to ensure the safety and health of their employees. It requires employers to draw up a Safety Statement:

- Identifying the hazards
- Assessing the risks to health and safety
- Putting in place appropriate safeguards

In the Education Sector violence should be considered as a potential hazard and assessed accordingly and where there is a risk to health and safety from violence appropriate safeguards must be put in place. Account should be taken of the specific circumstances that pertain in each school.

There should be consultation with those at risk concerning the measures to be taken and monitoring their effectiveness. Information should be given to staff on protection and preventative measures which are essential.

The Safety, Health and Welfare at Work (General Applications) Regulations 1993, provides that the Health and Safety Authority must be notified when an accident/ incident occurs in the workplace which requires treatment from a registered medical practitioner or treatment in hospital. An accident or incident which results in an employee being absent from work for 3 days or more must also be reported to the Authority.

2 Preventative Measures

Boards are urged to consider and implement measures which would prevent or minimise the risk of assault to the employees of the Board. The effectiveness of agreed procedures should be reviewed where necessary.

(a) External Liaison

Bearing in mind that communication between home and school should be frequent, open and positive, Boards in consultation with the principal and staff of the school should promote good practice for the conduct of communication between home and school.

In this context schools should develop and circularise to parents, policies to deal with the following matters:

- Admitting parents/visitors to the school

Parents who wish to have a consultation with a class teacher should be encouraged to make a prior appointment with the relevant teacher. In urgent cases where a pre-arranged appointment is not appropriate, parents should be encouraged to report in the first instance to the school secretary/principal. The practice of parents approaching classrooms directly during teaching time should be discouraged. Specifically, access to teachers should be on an "appointment only" basis where the circumstances of a meeting are likely to provoke a confrontation.

- Parent/teacher meetings

Arrangements for the conduct of formal parent teacher meetings should be addressed in the School Plan. Parents should be given adequate notice regarding the timing of such meetings and encouraged to raise issues of concern. Where sensitive issues are the subject of discussion, arrangements should be made for conducting such interviews in privacy. Conducting interviews at the classroom door, while simultaneously supervising a class of children is not conducive to open

communication. Particular care should be taken to ensure that parent/teacher consultations do not take place within the hearing of other pupils and/or parents.

- Code of Discipline

Under the terms of Circular 20/90 schools are requested to develop a Code of Behaviour and Discipline for Pupils. This Code should be developed by the principal and staff in consultation with parents and approved by the Board of Management. Once finalised, this Code should be notified to parents. Any sanction imposed on a pupil should be in accordance with the Code of Discipline. Procedures for suspending pupils should be clearly set out in the school's Code of Discipline and should be adhered to.

- Complaints Procedure

Boards of Management should have in place a clear procedure for the processing of potential complaints. Some Managerial Associations have already negotiated such a procedure with the INTO. The terms of the complaints procedure should be notified to parents and parents should be encouraged to utilise stages of the procedure where necessary.

(b) Internal Procedures

The issues of internal school procedures should also be discussed from time to time at staff meetings. Staff should be familiar with all relevant procedures.

In circumstances of increased risk (e.g. schools for young offenders) training should be provided for staff:

- in identifying potentially violent situations, and
- in calming down potentially violent situations.

Specific examination should be given to circumstances where staff are:

- working alone on the school premises
- working in an isolated part of the school premises
- engaged in out of class activities
- working with pupils with behavioural difficulties
- engaged in home visiting.

3 Steps to be followed in the event of an assault

Boards should develop a clearly defined procedure to be implemented in the event of an assault on an employee. This policy should include a clear commitment on the Board's part to be fully supportive of staff who have been subject to violence.

It is accepted that judgement will have to be exercised in each case. However, the following elements should be included in each procedure

- (i) The incident should be immediately reported to the principal teacher/other colleague.

The details of the incident should be recorded in an Incident Book kept for this purpose in the workplace. Situations in which members have been intimidated or threatened with physical violence should also be recorded.

- (ii) Where necessary immediate medical assistance should be sought.
- (iii) The matter should be reported to the Gardaí, where appropriate. This report would normally be made by the teacher who was assaulted.

- (iv) The Board of Management should be notified of the incident and where necessary an emergency meeting of the Board should take place. The Board should notify its legal advisors of the assault. The Board's insurance company should also be notified.
- (v) Where the assault is by a pupil the matter should be dealt with in accordance with the school's Code of Discipline and as provided for in Rule 130(5) of the Rules for National Schools.
- (vi) Repeatedly aggressive pupils should be referred, with the consent of parents, for psychological assessment in order to assess the pupils' social and emotional needs and to determine how these can be best met.
- (vii) Where the assault is committed by a parent/guardian, the parent/guardian should be immediately instructed in writing not to make direct contact with the teacher/school pending full consideration of the matter by the Board. Subsequently the Board should correspond with the parent/ guardian stating:
 - that the Board considers the assault unacceptable
 - what action the Board intends to take
 - outlining what pre-conditions should be met before access to the school is restored.
- (viii) Applications for leave of absence, in relation to a member who has been assaulted, should be forwarded to Primary Payments Section, Department of Education, Cornamaddy, Athlone, Co. Westmeath. Each application will be assessed on its merits.
- (ix) Where an employee's personal property is damaged in the course of an assault, compensation for its replacement value may be paid by the Board of Management under the extended school Protection Policy.

John Dennehy,
Assistant Secretary.

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