



Education Department  
Pupil Support and Inclusion Division

Branch 3  
3-A North, Victoria Quay  
Edinburgh EH6 6QQ

**Circular No 6/03**

To: Chief Executives of Local Authorities

Telephone: 0131 244 0076  
Fax: 0131 244 7943

Copy to: Directors of Education

For distribution to:

Area Offices  
Headteachers  
School Boards  
Other interested organisations

26<sup>th</sup> June 2003

Dear Sir/Madam

**REPORTING INCIDENTS OF ANTI-SOCIAL BEHAVIOUR AND VIOLENCE**

**Introduction**

1. Circular 5/97 established guidance on the monitoring of violence against school staff. The current Circular is an updated version of Circular 5/97.
2. The Scottish Executive continues to recognise that firm disciplinary policies in schools are crucial to good education, and more generally to good order in society. The Executive is committed to assisting education authorities and schools to maintain a positive ethos and tackle indiscipline. Reviewing this circular is part of the Scottish Executive's commitment to ensuring that incidents of anti-social behaviour and violence against staff are reported, properly recorded and addressed.
3. The Scottish Executive's commitment to tackle indiscipline was demonstrated by the Discipline Task Group (DTG), which was established in January 2001 by Jack McConnell. The group was set up to address issues relating to discipline in Schools and was given the task of looking at existing policies and considering how best to build upon the good work that was already being carried out in this area. The Task Group reported its findings to Ministers in June 2001 in the report *Better Behaviour–Better Learning*. This report made 36 recommendations aimed at improving discipline in schools. These recommendations are currently being implemented by the Scottish Executive, local authorities and individual schools following the Joint Action Plan published in December 2001.

4. This Circular has been updated to include a more detailed definition of what constitutes anti-social behaviour, and what constitutes a violent incident (see paragraph 9, below). The reporting form has been refined to reflect the changed definition (see Annex A).
5. The revision of this Circular is part of an ongoing approach to improving systems of reporting, recording and monitoring by the Scottish Executive in partnership with local authorities and individual schools. The Scottish Executive is developing the ScotXEd system, by which the reporting, recording and monitoring of incidents of anti-social behaviour and violence against school staff will be collected beyond 2004/05. In future, publication of statistics may include disaggregation of statistics by local authority area, in addition to the national figures which are currently released annually.
6. The Scottish Executive considers that establishing a formal system for reporting, recording and monitoring incidents of anti-social behaviour and violence against school staff, teaching and non-teaching, is important for a number of reasons:
  - Such statistics are now being collected by authorities across Scotland. However, there is evidence that the information we are collecting is not yet sufficient to demonstrate in detail whether or not the extent or severity of such incidents is increasing.
  - By extending the definition of violence to include anti-social behaviour, we aim to provide more detailed and reliable data on the scale and nature of violence against school staff.
  - Recording incidents of violence and anti-social behaviour will assist authorities and schools in developing preventative strategies specific to a school's circumstances, and subsequently, will assist them in assessing the success of such strategies.
  - The refined incident report form will be easier for staff to use while continuing to provide information that can be used in maintaining discipline and taking action against perpetrators.
  - Monitoring and recording such incidents continues to be consistent with the safety strategy for the protection of school populations against violence, and the action plan for implementing and monitoring the effectiveness of safety measures recommended in the Report of Lord Cullen's Inquiry ("The Public Inquiry into the shooting at Dunblane Primary School on 13 March 1996").
7. This Circular relates to anti-social behaviour and violence against school staff arising out of the course of their employment. It is of course open to local authorities to introduce analogous arrangements in relation to other staff, such as attendance officers and educational psychologists, who are also employed by the education authority.

### **Introduction of the Amended Form**

8. It is therefore recommended that education authorities incorporate the amended form into their established procedures for reporting, recording and monitoring incidents of anti-social behaviour and violence against school staff. The remainder of this Circular refers to the

nature of these procedures. In due course authorities will be asked to confirm that they have introduced the form into their procedures as recommended, and to supply the Scottish Executive with information arising from the monitoring process.

### **Definitions of Anti-social Behaviour and Violence**

9. For the purposes of this Circular, anti-social behaviour and violence is defined as:

*Any incident in which an employee of a school is seriously verbally or physically abused, threatened, attacked or harassed by a pupil, parent, member of the public or any other person in circumstances arising out of the course of his/her employment. This includes any statement or action that causes the member of staff to fear for their safety, the safety of another, the school or for personal property.*

10. This includes physical violence, sexual, homophobic or racial harassment or abuse, harassment relating to religious beliefs or disability, assault (with or without a weapon), verbal threats or threatening gestures, verbal taunting, vandalism or arson, and any other intentional damage to personal property.

11. All incidents of this character should be recorded using the following procedures.

### **Recording and Reporting Incidents of Anti-social Behaviour and Violence**

12. As per Circular 5/97, staff should report any incident of anti-social behaviour or violence falling within the above definition. The reporting should be similar to the required reporting under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995, where employers are required to keep records of serious incidents, and accidents where staff are injured. To encourage staff to fulfil this requirement, the benefits of the procedure as discussed elsewhere in this Circular should be made clear to them. It should also be stressed that reporting an incident does not represent a failure on their part to maintain discipline.

13. It is for education authorities to devise reporting arrangements according to their own circumstances. Authorities must ensure reporting procedures allow for the identification of different types of incident - for example racial, homophobic or sexual harassment, or harassment on grounds of religion. The arrangements should provide for reports to be:

- Prepared as soon as possible after the incident
- Passed up the school management structure to the headteacher, and thereafter
- Passed on to the education authority.

14. Education Authorities may find it helpful to use or incorporate the form (attached as Annex A) into a form for reporting incidents of anti-social behaviour or violence against school staff. It is the responsibility of each education authority to incorporate this form into any local procedures for recording, monitoring and analysing incidents of anti-social behaviour or violence. The form principally records information required by the Scottish Executive for statistical recording. However, sections 1 and 3 are for the use of schools and education authorities only; this data will not be collected by the Scottish Executive.

## **Monitoring Incidents of Violence**

15. Education authorities should continue to require schools to maintain a register of incidents of anti-social behaviour or violence on their premises, and to submit periodic reports to education authorities. Authorities should then collate school-level returns and submit periodic reports to any committee appointed by the authority with responsibility for schools education. It is for the education authorities to devise the necessary arrangements, but it is recommended that returns should be submitted at no less than six monthly intervals.

## **Responding to Incidents**

16. In addition to periodic reports, authorities may also wish to require schools to submit to them an incident report form immediately after an incident has taken place as apart of the specific response to that incident.
17. A school may find it necessary to seek police assistance in relation to a particular incident. It is for schools themselves to determine this in the first instance. In addition, it is open to the victim in a case of alleged violence to call the police. Any reporting of an incident to police on behalf of the school or education authority should be carried out in accordance with the education authority guidelines on when the police should be involved.
18. Authorities and schools should also consider the need to offer appropriate counselling and support to victims or witnesses of incidents of anti-social behaviour or violence.

## **Enquiries**

19. Any enquiries relating to this Circular should be directed to the Scottish Executive on (0131) 244 0076; Education Department, Pupil Support and Inclusion Division 3, Area 3-A North, Victoria Quay, Edinburgh EH6 6QQ.

Yours faithfully

**RUTH CAMPBELL**

ANNEX A

INCIDENT REPORT FORM

ANTI-SOCIAL BEHAVIOUR AND VIOLENCE AGAINST STAFF

Definition of anti-social behaviour and violence:

Any incident in which an employee of a school is seriously verbally or physically abused, threatened, attacked or harassed by a pupil, parent, member of the public or any other person in circumstances arising out of the course of his/her employment. This includes any statement or action that causes the member of staff to fear for their safety, the safety of another, the school or for personal property.

This includes physical violence, sexual, homophobic or racial harassment or abuse, harassment relating to religious beliefs or disability, assault (with or without a weapon), verbal threats or threatening gestures, verbal taunting, vandalism or arson, and any other intentional damage to personal property.

Managers of staff who have been the victim of violence or anti-social behaviour should fully complete this form. It will help us to understand the problems staff face in their work, and consider ways in which the risk of future incidents can be reduced. Please use a continuation sheet if necessary.

Date of incident	Day of the week	Time
------------------	-----------------	------

**1. Employee – details of person assaulted**

Name..... Job/Position.....

Dept/Section..... Gender.....

Ethnicity..... (see end for list of categories of ethnicity)

What work was being done when incident started? .....

.....

**2. Details of alleged assailants (if known)**

**3. Witness(es) if any**

a) Ethnicity.....

Name(s) .....

Age(s) approx. ....

.....

Gender .....

(see end for list of categories of ethnicity )

Details of any Special Educational Needs .....

.....

Alleged assailant was (please circle one of the following): **Pupil**            **Past pupil**

**Parent**            **Other**

**b) Is the alleged assailant known to be involved in any previous incidents YES/NO**

If yes to (b), give date and brief details of incident(s) .....

.....

**4. Details of incident**

**a) Type of alleged assault (Pick number(s) from below.)**

- 1. Verbal abuse
- 2. Physical assault (no weapon or improvised object)
- 3. Physical assault using an improvised object
- 4. Assault using a weapon – an implement brought in with the premeditated intent of causing harm or injury
- 5. Damage to personal property

**b) Please indicate if the above action was connected to any of the following:**

- 1. Sexual harassment            2. Religious beliefs            3. Homophobia / Sexual orientation
- 4. Racial harassment            5. Disability

**c) Location of alleged incident**

- 1. Pre-school centres of education            2. Classroom            3. Other areas of school buildings
- 4. School grounds            5. Outwith the school grounds

**d) Time of alleged incident.**

1. During school hours

2. Outwith school hours

e) Consequences of action for alleged victim (please select one of the following)

- 1. No time off taken
- 2. Time off (treatment for emotional effects)
- 3. Time off (treatment for physical injury)
- 4. Time off - reportable under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences, 1995) (i.e. more than three days or 'major injury', such as broken arm or leg etc.) reportable to Health and Safety Executive
- 5. Unknown

f) If alleged incident has resulted in time off please indicate number of working days lost as direct result.

**5. Outcome** (e.g. what happened after the event, details of any police involvement, legal action taken and any action taken by the school)

.....

.....

.....

b) Any other relevant information. ....

.....

.....

Signed ..... Date .....

Position .....

**Please return this form as soon as possible**

*Categories of ethnicity:*

- |                   |                     |               |
|-------------------|---------------------|---------------|
| White – UK        | Asian - Bangladeshi | Black - Other |
| White - Other     | Asian - Chinese     | Other         |
| Mixed             | Asian - Other       | Not Disclosed |
| Asian - Indian    | Black - Caribbean   | Not known     |
| Asian - Pakistani | Black - African     |               |