OCCUPATIONAL VIOLENCE AND AGGRESSION

QUALITY AREA 2 & 7 | ELAA version 1.0

PURPOSE

South Kingsville Preschoolis committed to the provision of a safe and healthy work environment and safe work procedures that protect staff and other persons at the service from the risk of occupational violence and aggression (OVA) *(refer to Definitions)*. This policy outlines the minimum requirements and responsibilities of South Kingsville Preschool in providing a safe workplace where staff members are not subjected to aggression and violence.

POLICY STATEMENT

VALUES

South Kingsville Preschoolis committed to:

- promoting a no tolerance approach to any form of aggression or violence, including verbal abuse against staff members
- staff and other persons at South Kingsville Preschool will be protected as far as reasonably practicable from all forms of OVA *(refer to Definitions)*.
- following a risk management approach to eliminate or minimise the risks of OVA *(refer to Definitions)*
- regularly consulting with staff and the OHS committee, to discuss OVA *(refer to Definitions)*. concerns and the factors likely to increase the risk of OVA *(refer to Definitions)*.

SCOPE

This policy applies to the approved provider, persons with management or control, nominated supervisor, persons in day-to-day charge, early childhood teachers, educators, staff, students, volunteers, parents/guardians, children, and others attending the programs and activities of South Kingsville Preschool, including during off-site excursions and activities and online (i.e. during an online meeting).

RESPONSIBILITIES	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
R indicates legislation requirement, and should not be deleted					

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Developing policies and procedures to prevent and manage aggressive and violent behaviours *(refer to Definitions)* in the service *(refer to Attachment 1)*	√	√			
Building and maintaining a workplace environment and culture that supports a commitment to a workplace that is free from violence and aggression	√	√	√	√	√
Providing and promoting a safe work environment where staff members are not exposed to hazards and can work without risk of injury or harm *(refer to Attachment 1)*	**R**	√			
Identifying, assessing, and controlling environmental risks in each workplace to reduce the potential for harm to staff members *(refer to Attachment 2)*	**R**	√			
Implementing a risk assessment *(refer to Definitions)* approach in the management of workplace aggression and violence *(refer to Attachment 2)*	**R**	√			
Promoting a no tolerance approach to any form of aggression or violence, including verbal abuse against staff members *(refer to Code of Conduct Policy)*	√	√	√	√	√
Providing training programs specific to the needs of staff, relative to the degree of risk faced within the working environment	√	√			
Supporting staff members to actively report all incidents and hazards related to aggression and violence	**R**	√			
Informing staff and other persons at South Kingsville Preschool about unacceptable behaviours in the workplace	√	√			
Ensuring all incidents and near misses of violence or aggression are reported via [Insert reporting system]. External reporting to WorkSafe may also be required, in the case of notifiable incidents *(refer to Definitions)*	**R**	√			
Ensuring all incidents and near misses reported are reviewed by [Insert appropriate position e.g. manager or OHS Committee] and will be investigated to identity controls	√	√			
Ensuring all staff, contractors, volunteers and students are given an induction and on-going training (if applicable) to learn relevant skills and strategies on conflict and aggression management	√	√			
Ensuring all staff at South Kingsville Preschool are trained on the appropriate response to the types of violence or aggression they may be exposed to	√	√			
Taking appropriate action after any incidents of violence and aggression, in terms of support, counselling and follow-up	√	√			
Keeping a record of persons who have exhibited past behaviours of violence and aggression and sharing amongst appropriate staff	√	√			
Implementing appropriate security measures to protect the health and safety of staff from OVA *(refer to Definitions)*	√	√			

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Ensuring that all allegations or acts of violence or aggression will be thoroughly investigated, and where appropriate may be referred to the Police	√	√			
Notifying Work Safe Victoria within 48 hours of a notifiable incident *(refer to Definitions)*	**R**	√			
Notifying DET within 24 hours of becoming aware of a notifiable complaint *(refer to Definitions)* or allegation regarding the safety, health and/or welfare of a child at the service	**R**	√			
Evaluating the effectiveness of this policy to minimise violence and aggression	√	√			
Immediately reporting any incidents or near misses of occupational violence or aggression which affect their own health or safety, or that of others in the workplace		√	√	√	√

BACKGROUND AND LEGISLATION

BACKGROUND

The approved provider has a duty under the *Occupational Health and Safety Act 2004* to eliminate risks to health and safety of workers and other persons so far as is reasonably practicable. If it is not reasonably practicable to eliminate risks, they must be minimised so far as is reasonably practicable.

This means the approved providers must do all that they reasonably can to manage the risk of violence and aggression occurring at the workplace.

They must also, so far as is reasonably practicable:

- provide and maintain a work environment that is without risk to the health and safety of staff
- provide adequate and accessible facilities for the welfare of staff to carry out their work
- give staff the necessary information, instruction, training or supervision to do their job safely and without risks to health, and
- consult with staff, and health and safety representatives, if you have them, about health and safety issues that may directly affect them.

Workplace violence and aggression is any incident where a person is abused, threatened or assaulted at work or while they are carrying out work. The approved provider has occupational health and safety duties to ensure staff and others are not exposed to risks to their health and safety, including violence.

Workplace violence and aggression can be:

- physical assault – such as biting, scratching, hitting, choking, kicking, pushing, grabbing, and throwing objects
- coughing or spitting on someone on purpose
- sexual assault or any other forms of indecent physical contact
- harassment or aggressive behaviour that creates a fear of violence, such as stalking, sexual harassment, verbal threats and abuse, yelling and swearing
- hazing or initiation practices for new or young workers

violence from a family or domestic relationship when this occurs at the workplace, including if the person's workplace is their home Violence may come from anyone in the workplace, including any other staff member, parent/guardian, authorised nominee, Authorised Provider, visitor, student on placement, service provider, allied health provider or child.

Violence and aggression can have significant short- and long- term impacts on a person's physical and psychological (mental) health.

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It's not just violent incidents like physical assault which can cause harm - being exposed to lower level but frequent forms of aggression, like yelling, name calling and challenging behaviours, can also have a lasting effect on a person's health.

Violence and aggression can lead to:

- feelings of isolation, social isolation or family dislocation
- loss of confidence and withdrawal
- physical injuries
- stress, depression, anxiety or post-traumatic stress disorder (PTSD)
- illness such as cardiovascular disease, musculoskeletal disorders, immune deficiency and gastrointestinal disorders e.g. as a result of stress, and
- suicidal thoughts.

LEGISLATION AND STANDARDS

Relevant legislation and standards include but are not limited to:

- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- National Quality Framework: Quality Area 7: Governance and Leadership
- Occupational Health and Safety Act 2004
- Occupational Health and Safety Regulations 2017

The most current amendments to listed legislation can be found at:

- Victorian Legislation – Victorian Law Today: www.legislation.vic.gov.au
- Commonwealth Legislation – Federal Register of Legislation: www.legislation.gov.au

DEFINITIONS

The terms defined in this section relate specifically to this policy. For regularly used terms e.g. Approved provider, Nominated supervisor, Notifiable complaints, Serious incidents, Duty of care, etc. refer to the Definitions file of the PolicyWorks catalogue.

Notifiable Incident: (In the context of this policy) An incident that is required, under the Occupational Health and Safety Act 2004, employers must notify WorkSafe immediately after becoming aware a notifiable incident has occurred. Failure to report an incident to WorkSafe is an offence and may result in prosecution.

Employers must report incidents resulting in

- death of a person
- a person needing medical treatment within 48 hours of being exposed to a substance
- a person needing immediate treatment as an in-patient in a hospital
- a person needing immediate medical treatment for one of the following injuries: amputation, serious head injury or serious eye injury, removal of skin (example: de-gloving, scalping), electric shock, spinal injury, loss of a bodily function, serious lacerations (example: requiring stitching or other medical treatment)

For more information about obligation to notify visit: https://www.worksafe.vic.gov.au/report-incident-criteria-notifiable-incidents

Occupational Violence and Aggression: OVA involves incidents in which a person is abused, threatened or assaulted in circumstances relating to their work. This definition covers a broad range of actions and behaviours that can create a risk to the health and safety of employees and other persons at work.

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Examples of work-related violence can include:

- biting, spitting, scratching, hitting, kicking, choking
- pushing, shoving, tripping, grabbing
- throwing objects
- verbal threats
- threatening someone with a weapon
- armed robbery
- sexual assault
- emotional abuse

SOURCES AND RELATED POLICIES

SOURCES

- 1800Repect: www.1800respect.org.au
- Fair Work Ombudsman: www.fairwork.gov.au
- Our Watch: www.ourwatch.org.au
- Safe Work Australia: www.safeworkaustralia.gov.au
- Work Safe Victoria: www.worksafe.vic.gov.au

RELATED POLICIES

- Code of Conduct
- Occupational Health and Safety

EVALUATION

In order to assess whether the values and purposes of the policy have been achieved, the approved provider will:

- Encourage feedback from everyone affected by the policy regarding its effectiveness, particularly in relation to identifying and responding to child safety concerns
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notifying all stakeholders affected by this policy at least 14 days before making any significant changes to this policy or its procedures, unless a lesser period is necessary due to risk *(Regulation 172 (2))*.

ATTACHMENTS

- Attachment 1: Steps to Prevent Violence and Aggression
- Attachment 2: Managing Risks
- Attachment 3: Responding to Incidents

AUTHORISATION

This policy was adopted by the approved provider of South Kingsville Preschool on [Date].

REVIEW DATE: May 2028

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ATTACHMENT 1. STEPS TO PREVENT VIOLENCE AND AGGRESSION

As an approved provider, there are a number of steps you can take to manage the risk of violence and aggression and meet your Occupational Health and Safety duties. Here are some ideas to help you start thinking about what you can reasonably do to prevent violence and aggression at your workplace.

Create a safe physical and online work environment.

Workplace violence is commonly committed by people such as parents/guardians, contractors, volunteers and students or members of the public, but it may also happen between staff. Keeping workplaces safe, well-lit, and under strong natural observation can help reduce the likelihood of violence and improve the ability to react if it does occur. Avoid having items like furniture, walls, or partitions that can limit staff's visibility and freedom of movement. If staff are working alone or after hours, think about security measures including security personnel, video surveillance, communication, and alarm systems. Think about segregating staff from the public by utilising security doors. People with a history of violence or aggressive behaviour should be banned from the service where possible.

Implement safe work systems and procedures.

Manage the expectations of parents/guardians, contractors, volunteers and students by clearly communicating the service that is being provided. Avoid the need to handle a lot of cash or valuables, and staff working alone or outside of standard business hours. If staff work at other places such as a family's house, provide training in how to do a situational risk assessment, regularly check in with staff throughout their shift and have processes to assess and manage client behaviours.

Create a positive and respectful workplace culture.

As an approved provider, it is your responsibility to set the behaviour standards that provide a safe workplace for all staff. Foster a safe and respectful workplace culture where violence and aggression are not tolerated, and all matters can be discussed openly and routinely. Make sure everyone at the workplace understands what violence and aggression is and that it will not be tolerated, including from customers and clients.

Implement workplace policies.

How the service will prevent, and address workplace violence should be outlined in a workplace policy. It should make clear to everyone who enters—staff, parents/guardians, contractors, volunteers, students, and visitors —that violence and aggressiveness have no place at the service. The policy can outline the duties of every employee (including the approved provider, nominated supervisor and persons in day-to-day charge), the protocols for handling violent or aggressive occurrences (both during the incident and afterwards), how to report incidents, and the available support services. To make sure that staff are aware of the policies at induction, distribute pamphlets, hang posters, or have casual conversations with them.

Provide information and training.

Inform staff about where, when and how violence may happen at the workplace and prevention. Staff should receive training on dealing with challenging people, resolving conflicts, knowing when to escalate problems to more senior employees, and reporting events. Consider hiring staff who may come from culturally or linguistically varied backgrounds. Everyone at the service needs to understand the workplace standards and behaviours required of them. Additionally, staff should be made aware of the support resources that are available to them in the event that they encounter hostility or violence at work.

Address violence within the workplace.

Early intervention is crucial when dealing with inappropriate behaviour. Review workloads and time constraints frequently, make sure that jobs are clearly defined for staff, and offer training so that staff can carry out their responsibilities with assurance and competence. Young and inexperienced staff may require extra guidance and oversight.

Encourage workers to report violence and aggression.

Offer a variety of reporting options to staff, including informal, formal, anonymous, and confidential. Make sure staff are aware of the resources for assistance, protection, and advice when reporting acts of violence or hostility.

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ATTACHMENT 2. MANAGING RISKS

Risk Management

Risk management of OVA is an approach that involves:

1. identifying OVA risks;
2. assessing the likelihood of those risks causing injury or illness;
3. implementing risk control measures to eliminate the risk/s (or, where that is not reasonably practicable, reducing the risk so far as is reasonably practicable); and
4. reviewing and improving the effectiveness of risk control measures over time.

This need to be done in consultation with staff and any Occupational Health and Safety representatives.

Identifying hazards and assessing risk

To identify the potential for violence or aggression gather information about the hazards in the service and assess the associated risk.

Factors that can increase the likelihood and risks of staff being exposed to violence or aggression include:

- providing care or services to people who are distressed, confused, afraid, ill, affected by drugs or alcohol, or receiving unwelcome or coercive treatment
- enforcement activities e.g. the activities of Police, prison officers or parking inspectors
- working in high crime areas
- handling valuable or restricted items e.g. cash or medicines
- the physical work environment e.g. poor lighting or visibility
- working alone, in isolation or in a remote area with the inability to call for assistance
- working offsite or in the community
- working in unpredictable environments e.g. where other people may pose a risk to workers' safety such as at a client's home
- interacting with customers including face-to-face, on the phone or online
- in relation to gendered violence, low worker diversity, power imbalances along gendered lines, and a workplace culture which accepts and tolerates gendered violence, and
- service methods or policies that cause or escalate frustration, anger, misunderstanding or conflict e.g. low staffing levels, customer service policies, setting unreasonable expectations of the services an organisation or workers can provide.

It is important to consider that staff may be more likely to experience violence and aggression, and/or be differently or more severely affected by it, because of their sex, gender, sexuality, age, migration status, disability and literacy - the risk of experiencing harm rises when a person faces multiple forms of discrimination.

Also less serious, but still unacceptable behaviour such as eye rolling, sneering, swearing and name-calling. This conduct can sometimes escalate to more serious forms of aggression and may be an indication of a risk of violence.

Violence and aggression may happen between staff within the service, but it may also come from third parties such as parents/guardians, contractors, volunteers, students or members of the public. Although it may be difficult to control the actions of third parties, as far as it is practically possible, the approved provide must eliminate or significantly reduce the chances of third-party violence and hostility occurring at the service.

To identify hazards at the service, it may be useful to:

- observe work practices to identify risks of exposure e.g., working alone, or working after hours
- walk-through and inspect the service e.g., low visibility in service areas, entries and exits for staff after hours
- observe parents/guardians, contractors, volunteers and students' behaviour and how they interact with staff, including lower level but more frequent behaviours like incivility from parents/guardians, contractors, volunteers and students
- identify whether issues already identified between co-workers, parents/guardians, contractors, volunteers and students could escalate to violence
- observe the culture of the service to see whether violence or aggression is accepted as normal behaviour - staff may take on this behaviour to participate in the service culture without thinking about the consequences to others e.g. name calling, swearing, sexual or gendered jokes, or hazing new or young workers is seen as a workplace norm

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- identify the physical, psychological and emotional demands involved in the work
- observe how nominated supervisor/persons in day-to-day charge and others interact with one another e.g. poor relationships, cultural or community issues leading to workplace tension, or workers avoiding being around certain people
- conduct confidential staff surveys about incidents or behaviours that have caused discomfort and situations that had the potential to become more violent
- conduct surveys of parents/guardians, contractors, volunteers and students to identify problems with service delivery
- identify factors external to the service which may lead to violence or aggressive behaviour impacting the staff e.g. gatherings of people like protests or people affected by drugs or alcohol
- monitor information like hazard and incident reports and workers' compensation claims

After identifying the hazards, assess the risks in consultation with the staff. To do this, think about the following:

- Do particular tasks increase or decrease the likelihood of violence and aggression? How often are particular tasks done? Do particular tasks increase or decrease the severity of potential harm?
- Has violence happened before, either in this workplace or somewhere else? If it has happened, how often does it happen?
- What are the potential impacts? Will it cause harm to the health of the worker?

Controlling the risks

The risk of violence can be affected by a number of factors, for example the:

- nature and location of work
- interactions with clients, customers and members of the public, and frequency of interaction, and
- staffing levels and skills.

As these factors will vary between workplaces, the control measures that are put in place need to be tailored to context of the service and the staff. When deciding what control measures are reasonably practicable for the service consider and weigh up all relevant matters, including (but not limited to):

- the likelihood of staff and other people at the workplace being exposed to violence
- the degree of harm that might result e.g., physical assault can result in serious injury or death, which means the degree of harm is very high; violence can also result in serious psychological injuries like PTSD
- what you know about how to eliminate or minimise risks e.g., securing access to the service after hours or when staff are alone
- availability and suitability of ways to eliminate or minimise the risk, and
- costs associated with the available ways of eliminating or minimising the risk.

When thinking about control measures, it is important that staff and Occupational Health and Safety representatives are consulted. Engaging staff and others in developing controls will likely result in measures that are more effective and more widely used. Considering the views of staff into account when making decisions and advise them of decisions. Also consider whether the control measures introduced create new hazards or risks to health and safety.

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ATTACHMENT 3: RESPONDING TO INCIDENTS

If a staff member or anyone at the service is in immediate danger, call 000.

Responses to violence will vary depending on the nature and severity of the incident.

Ensuring there is a response system in place to address what to do at the time of an incident and after an incident, including internal reporting and notifications required by external agencies such as Police and Occupational Health and Safety regulator.

Staff should be trained in these procedures, for example (but not limited to):

- using calm verbal and non-verbal communication, de-escalation and distraction techniques
- seeking support from other staff
- asking the aggressor to leave the premises or disconnecting the aggressor from the phone call
- activating alarms, or alerting security personnel or Police, and
- retreating to a safe location.

Immediately after an incident occurs at the service:

- address immediate safety issues and ensure that everyone is safe
- provide first aid or urgent medical attention where necessary
- provide individual support where required, including psychological support to the victim and other workers
- report criminal acts such as physical assault, sexual assault and threats to harm someone to Police on 131 444, and
- record what happened, who was affected and who was involved.

Depending on the circumstances, even if a matter has been referred to Police or another agency, the Occupational Health and Safety Regulator may still be involved. For example, notifying Occupational Health and Safety regulator and if the incident is a notifiable incident *(refer to Definitions)*.

After an incident, review the risk management systems to identify and address factors that may have increased the risk of violence and aggression, evaluate what worked and what could be improved.

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