



Ymddygiad Treisgar Tuag at Staff Ysgol

Violence towards School Employees

Adroddiad am y prosiectau a ariannwyd

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Sioned Bowen

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YMDDYGIAD TREISGAR TUAG AT
STAFF YSGOL

A CYFLWYNIAD

Mae gan bob Cyfarwyddiaeth yng Nghyngor Sir Ddinbych gyfrifoldeb i baratoi polisiâu ysgrifenedig ynghylch trais ac ymddygiad treisgar, a fydd yn dangos i'r holl gyflogeion fod y cyflogwr:-

- ◆ yn cydnabod y risg mae'r staff yn ei wynebu;
- ◆ yn gwerthfawrogi'r effeithiau potensial sy'n deillio o drais;
- ◆ yn ystyried pob ymddygiad treisgar tuag at staff fel rhywbeth annerbyniol

Mae'r ddogfen hon yn berthnasol i'r holl gyflogeion yn ysgolion yr Awdurdod.

B DIFFINIO YMDDYGIAD TREISGAR/TRAIS

Mae trais, yn ei holl ffurfiau, yn anodd i'w ddiffinio, ond bydd y categorïau a ganlyn yn gyfarwydd i bawb:-

1) DIFFINIAD CYFREITHIOL

- a) **Ymosodiad** Ymddygiad sy'n rhoi person arall mewn ofn o gyffwrdd anghyfreithlon neu gyffwrdd anghyfreithlon gwirioneddol, sy'n fwy na chyffwrdd dinod yn unig.

Dylai'r grym sy'n cael ei arddangos fod o'r fath fel bod y dioddefwr yn credu bod grym yn mynd i gael ei ddefnyddio yn ei (h)erbyn.

- b) **Curo** Defnyddio grym anghyfreithlon, yn fwriadol neu'n ddiotal, yn erbyn rhywun arall.

- c) **Anaf Corfforol Adran 47 Deddf Troseddau yn erbyn Person Gwirioneddol 1861**

Anaf corfforol gwirioneddol nad oes raid iddo fod yn fawr nac o natur barhaol ond sy'n amharu ar iechyd neu gyffyrddusrwydd y dioddefwr mewn mwy na ffordd dibwys.

- ch) **Clwyfo Adran 18 ac Adran 20 Deddf Troseddau yn erbyn Person 1861**

Mae'r ddau'n debyg o ran natur, rhaid i'r ddau fod wedi'u hachosi o ganlyniad i weithred anghyfreithlon neu faleisus.

Adran 18 Clwyfo neu achosi anaf corfforol difrifol yn fwriadol drwy ba bynnag fodd.

Adran 20 Clwyfo neu achosi anaf corfforol difrifol gyda neu heb arf - nid yw'r elfen o fwriad yn angenrheidiol.

DENBIGHSHIRE COUNTY COUNCIL

VIOLENCE TOWARDS SCHOOL
EMPLOYEES

A INTRODUCTION

There is a responsibility on each Directorate, within Denbighshire County Council, to prepare written policies on violence, which must signal to all employees that the employer will:-

- ◆ recognise the risk faced by staff;
- ◆ appreciate the potential effects resulting from violence;
- ◆ regard all violence towards staff as unacceptable

This document applies to all employees in the Authority's schools.

B DEFINING VIOLENCE

Violence, in all its guises, is difficult to define, but the following categories will be recognised by all:-

1) LEGAL DEFINITION

- a) **Assault** Is conduct which puts another person in fear of immediate unlawful touching or actual unlawful touching, which is more than just trivial.

The display of force should be such that the victim believes that force is about to be used on him/her.

- b) **Battery** The intentional or reckless application of unlawful force on another.

- c) **Actual Bodily Harm Section 47 Offences Against The Person Act 1861**

An actual bodily injury which need not be extensive or of a permanent nature but interferes with the health or comfort of the victim in more than a trifling way.

- d) **Wounding Section 18 and Section 20 Offences Against the Persons Act 1861**

Both are similar in nature, both must have been as a result of an unlawful or malicious action.

Section 18 Wound or causing grievous bodily harm with intent by any means whatsoever.

Section 20 Wound or inflict grievous bodily harm with or without a weapon intent is not necessary.

d) **Aflonyddu / Adran 4 Deddf Trefn Gyhoeddus 1986 ymddygiad bygythiol**

- Defnyddio geiriau bygythiol, difriol a sarhaus neu ymddygiad sy'n debygol o achosi aflonyddu, braw neu ofid.
- **Deddf Gwarchod rhag Aflonyddu 1997** - yn ei gwneud yn drosedd ymddwyn mewn modd sy'n golygu aflonyddu ar berson arall. Rhaid i'r aflonyddu gynnwys o leiaf dwy weithred.
- **Adran 4(a) fel y'i diwygiwyd gan Ddeddf Cyfiawnder Troseddol 1994** - yn ei gwneud yn drosedd i ddefnyddio ymddygiad neu eiriau bygythiol, difriol a sarhaus sy'n debygol o achosi aflonyddu, braw neu ofid yn fwriadol.

dd) **Affrae** Defnyddio ymddygiad treisgar bygythiol ac anghyfreithlon tuag at rywun arall yn ddigonol i achosi iddo/iddi ofni am ei (d)diogelwch personol.

e) **Anhrefn Treisgar** Tri neu fwy o bersonau'n defnyddio neu'n bygwth trais anghyfreithlon.

f) **Tarfiad ar yr Heddwch** Gweithred sy'n niweidio rhywun arall neu ei eiddo neu sy'n debygol o achosi niwed o'r fath neu'n golygu bod rhywun yn ofni bod anaf yn mynd i'w achosi drwy ymosodiad neu darfiad difrifol.

2) **DIFFINIAD PWYLLGOR YMGYNGHOROL GWASANAETH ADDYSG Y GWEITHGOR IECHYD A DIOGELWCH**

Y diffiniad o drais/ymddygiad treisgar a ddefnyddir gan Bwyllgor Ymgynghorol Gwasanaeth Addysg y Gweithgor Iechyd a Diogelwch yw:-

'Unrhyw ddigwyddiad lle mae cyflogai'n cael ei gamdrin, ei fygwth neu ymosod arno gan fyfyrwr, disgybl neu aelod o'r cyhoedd mewn amgylchiadau sy'n deillio o'i gyflogaeth'.

Mae'r diffiniad bwriadol eang hwn wedi'i addasu o gyhoeddiadau cynharach y Gweithgor Iechyd a Diogelwch i gynnwys ymddygiad treisgar gan ddisgyblion neu fyfyrwyr.

Mae'r rhan fwyaf o bobl yn derbyn bod grym corfforol yn erbyn unigolyn yn enghraifft o ymddygiad treisgar, ond gall ymgorffori ei hun mewn nifer o ffurfiau eraill, yn cynnwys:

- a) bygythiadau a defnyddio iaith ddifriol ac anweddus (gyda neu heb arf);
- b) arwyddion anweddus - gwneud ensyniadau;
- c) aflonyddu rhywiol, hiliol neu homoffbig.

Lle nad oes anaf corfforol, mae'n parhau'n bosibl i gael strés emosïynol a seicolegol sylweddol; gall y bygythiadau gynnwys bygythiad o anaf gwirioneddol. Gall difrod maleisus i eiddo cyflogai achosi gofid hefyd yn ogystal a chreu ofn o ymosodiad corfforol yn y dyfodol.

Bydd pobl yn dirnad ymddygiad y maent yn ei ystyried yn fygythiol neu'n dramgwyddus yn wahanol, neu sy'n achosi gofid iddynt yn hytrach nag anniddigrwydd.

e) **Harassment/Section 4 Public Order Act 1986 threatening behaviour**

• Using threatening, abusive and insulting words or behaviour which is likely to cause harassment, alarm or distress.

• **Protection from Harassment Act 1997** makes it an offence to pursue a course of conduct which amounts to the harassment of another person. The harassment must consist of at least two acts.

• **Section 4(a) Amended by Criminal Justice Act 1994** makes it an offence to use threatening, abusive and insulting behaviour or words which is likely to cause harassment, alarm or distress with intent.

f) **Affray** Use of threatening and unlawful violence towards another sufficient to cause that person to fear for his/her personal safety.

g) **Violent Disorder** Three or more persons using or threatening unlawful violence.

h) **Breach of the Peace** An act which harms another or their property or is likely to cause such harm or puts a person in fear of harm being done by assault or serious disturbance.

2) **THE H.S.E. EDUCATION SERVICE ADVISORY COMMITTEE'S (ESAC) DEFINITION**

ESAC's working definition of violence is:-

'Any incident in which an employee is abused, threatened or assaulted by a student, pupil or member of the public in circumstances arising out of the course of his or her employment'.

This deliberately wide definition has been adapted from earlier HSE publications to include violence by pupils or students.

Most people accept that physical force against an individual is an example of violence, but violence can take many other forms, including:

- a) verbal abuse and threats (with or without a weapon);
- b) rude gestures - innuendoes;
- c) sexual, racial or homophobic harassment.

Where there is no physical injury, there can still be considerable emotional and psychological stress; threats may indicate a risk of actual injury. Malicious damage to an employee's property can also cause distress as well as fear of future physical attack.

Nodiadau

Notes

Mae'r Pwyllgor Ymgynghorol yn argymhell mabwysiadu diffiniad eang o ymddygiad treisgar er mwyn cynorthwyo i ddod â gwybodaeth ar bob agwedd ar y pwnc hwn ynghyd, fel y gellir datblygu cynlluniau gweithredu addas.

Cyflawnir amrediad eang o wasanaethau a swyddogaethau mewn addysg; gall rhai o'r rhain achosi perygl o ymddygiad treisgar tuag at staff. Gwelir rhai enghreifftiau o'r gweithgareddau hyn a'r staff a all fod yn wynebu risg yn y tabl.

Nid yw'r rhestr hon yn un gynhwysfawr. Bydd yn ofynnol i Benaethiaid/Rheolwyr edrych ar y tasgau a gyflawnir gan eu cyflogeion yn ofalus ac ystyried pa grwpiau a allai fod yn wynebu risg. Bydd rhai staff yn cyflawni nifer o weithgareddau, ac felly gallant wynebu risgiau o fwy nag un ffynhonnell.

Gweithgareddau	Staff
gofalu am yr eiddo	gofalwyr, porthorion, staff diogelwch
gweithio ar eu pennau eu hunain	staff glanhau, staff y llyfrgell, penaethiaid, athrawon education welfare officers,
ymweld â chartref	swyddogion lles addysg, gweithwyr cymdeithasol addysg
gwaith gyda'r nos	athrawon, staff y llyfrgell, staff glanhau, swyddogion lles addysg, gweithwyr ieuencid a chymuned, gofalwyr
cynnal bar trwyddedig mewn sefydliadau addysgol	staff y bar
gofalu am anifeiliaid / ymchwil gydag anifeiliaid	technegwyr anifeiliad, athrawon, gweithwyr ymchwil
gweithio gyda disgyblion ag anawsterau ymddygiad	athrawon, seicolegwyr addysg, cynorthwywyr gofal dydd
gofalu am arian	penaethiaid, ysgrifenyddesau ysgol, staff clericyddol
goruchwylio disgyblion / disgyblu disgyblion	penaethiaid, athrawon, goruchwylwyr ganol dydd
ymdrin â rhieni neu berthnasau dig	ysgrifenyddesau ysgol, staff y dderbynta, penaethiaid, athrawon, Gweithwyr Cymdeithasol Addysg

People will have different perceptions about behaviour they find threatening or offensive, or which cause them distress rather than simple annoyance.

ESAC recommends a broad definition of violence is adopted to help bring together information on all aspects of this topic, so that appropriate action plans can be developed.

A wide variety of services and jobs are performed in education; some of these can give rise to risk of violence to staff. Some examples of these activities and staff who may be at risk are tabulated.

This list is by no means complete. Headteachers/Managers will need to look carefully at tasks carried out by their employees and consider which occupational groups may be at risk. Some staff will carry out a number of activities, and may therefore face risks from more than one source.

Activities	Staff
caretaking, looking after premises	caretakers, porters, security staff
working alone	cleaning staff, library staff, headteachers, teachers
home visiting	education welfare officers, education social workers
evening work	teaching staff, library staff, cleaning staff, education welfare officers, youth and community workers, caretaking staff
running license premises in education establishments	bar staff
looking after animals/research with animals	animal house technicians, teaching staff, research workers
working with pupils with behavioural difficulties	teachers, educational psychologists, day care helpers
looking after money	headteachers, school secretaries, clerical staff
supervising pupils/discipling pupils	headteachers, teachers, midday supervisors
dealing with angry parents or relatives of pupils	school secretaries, receptions, headteachers, teachers, Education Social Workers

B2 NIWSANS NEU GYNNWRF AR SAFLE YSGOL

- ◆ Cyflwynodd Deddf Llywodraeth Leol 1982 drosedd newydd o 'greu niwsans neu gynnwrf ar safle ysgol'.
- ◆ Mae'r Awdurdodau Addysg Lleol wedi'u hymrymuso i erlyn troseddwy a gall awdurdodi cyflogaion i ddefnyddio grym rhesymol i gael gwared ar droseddwy'r ysgol.
- ◆ Rhaid ei gwneud yn glir nad yw'n ddyletswydd cytundebol ar staff ysgol i weithredu fel gorfodwyr y gyfraith.
- ◆ Cynghorir unrhyw aelod o staff ysgol sy'n dod wyneb yn wyneb â pherson sy'n ymddwyn yn ymosodol i gysylltu â'r Heddlu a'r AALI ar unwaith.
- ◆ Dylai staff ysgol sydd wedi dioddef ymosodiad hysbysu'r Pennaeth a'r Heddlu am y mater ac, os cawsant eu hanafu, dylent fynd at y meddyg neu i'r ysbyty er mwyn cael trin eu hanafiadau a dilysu i ba raddau y cawsant eu hanafu. Hefyd fe'i cynghorir i hysbysu eu Cynrychiolydd Undeb/Cymdeithas Broffesiynol ar unwaith.

C1 YMDYGIAD TREISGAR GAN RIENI/GWARCHIEDWAID TUAG AT STAFF YSGOL

- ◆ Rhaid hysbysu'r Heddlu ac Uned Iechyd a Diogelwch y Cyngor Sir am unrhyw fgythiad o drais gan riant neu oedolyn arall yn erbyn aelod o staff.
- ◆ Lle bo angen, gall aelod o staff ysgol ddefnyddio grym rhesymol* i amddiffyn eu hunain neu unrhyw un dan eu gofal, yn erbyn ymosodiad, cyn belled nad ydynt yn defnyddio grym gormodol neu anghyfrannol. Rhaid i'r cyflogai weithredu yn unol â fframwaith polisi'r ysgol benodol. Ystyrir grym rhesymol fel y dewis olaf pan fo strategaethau atal eraill yn aneffeithiol.

*nid yw grym rhesymol wedi'i gyflwyno mewn achos prawf ym maes Addysg.

- ◆ Mae'n drosedd i riant neu warcheidwad ymosod yn gorfforol ar staff ysgol. Os digwydd hyn, rhaid galw'r Heddlu a'r AALI ar unwaith.

B2 NUISANCE OR DISTURBANCE ON SCHOOL PREMISES

- ◆ The Local Government Act (1982) introduced a new criminal offence of 'creating a nuisance or disturbance on educational premises'.
- ◆ LEAs are empowered to prosecute offenders and may authorise employees to use reasonable force to evict offenders from school sites.
- ◆ It must be made clear that it is not a contractual responsibility of a school employee to act as a law enforcer.
- ◆ Any school employee confronted with an aggressive person is advised to contact the Police and contact the LEA immediately.
- ◆ School employees who have been assaulted should report the matter to their Head, and the Police, and, if injured, go to a doctor or to a hospital, so that their injuries can be treated and their extent verified. They are also advised to report the matter to their Trade Union, Professional Association representative immediately.

C1 VIOLENCE BY PARENTS / GUARDIANS TOWARDS SCHOOL EMPLOYEES

- ◆ Any threat of violence, by a parent or other adult onto a member of staff; must be reported to the Police and the County Council Health & Safety Unit.
- ◆ Where necessary a school employee may use reasonable force* to defend themselves or anyone under their protection, against attack, provided they do not use disproportionate degree of force. The school employee must act in accordance with the framework of the particular schools policy.

Reasonable force being regarded as a final option when other restraint strategies provide ineffective.

*reasonable force has not been a test case within Education.

- ◆ It is a criminal offence for a parent or guardian to physically assault a school employee. If this occurs, the Police and the LEA must be called immediately.

CH IAWNDAL CYFREITHIOL

- ◆ Byddai gan gyflogai'r hawl i wneud cŵyn i'r heddlu yn dilyn digwyddiad, ac yna byddai Gwasanaeth Erlyn y Goron yn penderfynu a ddylid bwrw ymlaen gydag erlyniad, yn dilyn casglu'r dystiolaeth berthnasol ynghyd gan yr Heddlu.
- ◆ Gall cyflogai ddwyn erlyniad preifat yn erbyn ymosodwr os nad yw Gwasanaeth Erlyn y Goron yn bwrw ymlaen gydag achos ar ran y Goron. Byddai hyn yn digwydd yn y Llys Ynadon. Pe penderfynid bod yr ymosodwr yn euog byddai'n cael ei ddedfrydu fel petai'r Goron wedi dwyn yr erlyniad. Byddai'n rhaid i'r aelod o staff gael cymorth ei undeb neu gyngor cyfreithiol annibynnol er mwyn bwrw ymlaen ag erlyniad o'r fath.
- ◆ Mae cais i'r Uned Iawndal am Anafiadau Troseddol yn debygol o gael ei wrthod os na hysbyswyd yr Heddlu am y digwyddiad. Os yw'r cais yn llwyddiannus, gellir dyfarnu iawndal yn unol â graddfa gyfrannol.
- ◆ Mewn rhai achosion byddai gan y cyflogai yr hawl i gyflwyno cais am iawndal am anaf personol drwy'r Llys Sirol. Byddai'n ofynnol i'r cyflogai sicrhau cyngor cyfreithiol annibynnol cyn gwneud hyn. Gall achos o'r fath fod yn gostus ac hyn yn oed os yw'n llwyddiannus, gall fod yn anodd sicrhau derbyn y dyfarniad.
- ◆ Rhaid cyflwyno cais am iawndal am anafiadau personol cyn pen 12 mis o ddyddiad darganfod yr anaf. Er mwyn bod mewn sefyllfa i geisio gorchymyn am gostau fel rhan o'r cais mae'n rhaid i werth yr anaf fod yn fwy na £1,000.

D LEGAL REDRESS

- ◆ The employee would have a right to make a complaint to the police following an incident, it would then be for the Crown Prosecution Service to consider a prosecution, following the collation of relevant evidence by the Police.
- ◆ An employee may bring a private prosecution against an assailant if the Crown Prosecution do not pursue an action on behalf of the Crown. This would be issued in the Magistrates' Court. If convicted the assailant would be sentenced as though the Crown had prosecuted themselves. The staff member would have to seek the assistance of the union or independent legal advice to pursue such a prosecution.
- ◆ A claim to the Criminal Injuries Compensation Unit is likely to be refused if not reported to the Police. If the claim is successful compensation may be awarded in accordance with a sliding scale.
- ◆ The employee in some cases would be entitled to pursue a claim for personal injury through the County Court. For this the employee would be required to seek independent legal advice. Such a claim can be costly and even if successful it may be difficult to enforce the award.
- ◆ Claims for personal injuries must be issued within 12 months from the date of discovery of the injury. In order to be in a position to pursue an order for costs within the claim the value of the injury must exceed £1,000.

C6 RÔL YR AALI A CHYRFF LLYWODRAETHOL

- Bydd yr AALI a Chyrff Llywodraethol yn cynnig cefnogaeth lawn i staff yr aflonyddwyd arnynt, yr ymosodwyd arnynt neu sydd wedi dioddef ymosodiad geiriol. Gellir galw ar yr Uned Iechyd, Diogelwch a Lles Galwedigaethol i gynorthwyo yn y broses hon.
- Bydd yr AALI a Llywodraethwyr yn ymchwilio i ddiwyddiadau o drais ac ymddygiad treisgar yr adroddir amdanynt. Gellir galw ar yr Uned Iechyd, Diogelwch a Lles Galwedigaethol i gynorthwyo yn y broses hon.

C7 POLISI'R CORFF LLYWODRAETHOL

- Mae gan Gorff Llywodraethol ysgol gyfrifoldeb tuag at eu cyflogeion, disgyblion a staff eraill i gymryd camau i atal a lleihau'r risg o ymddygiad treisgar/aflonyddu, a gyflawnir gan ddisgyblion, rhieni/gwarcheidwaid a/neu'r cyhoedd. Mae'n bwysig cymryd camau i sicrhau bod y polisi'n eglur i'r:
 - staff
 - disgyblion a'r rhieni/gwarcheidwaid
 - bobl sy'n ymweld â'r safle
- Dylai Corff Llywodraethol fabwysiadu'r papur arweiniad hwn fel craidd ei ddogfen bolisi ac efallai y bydd yn ofynnol ystyried camau eraill a allai atal/leihau'r risg o drais tuag at staff, yn cynnwys:-
 - systemau rheoli mynediad e.e.
 - a) pob ymwelydd i ddatgan ei bresenoldeb a llofnodi'r cofrestr ymwelwyr yn nerbynfaf'r ysgol a chael bathodyn ymwelydd
 - b) rheolaeth electronig ar y brif fynedfa;
 - y goleuadau ym mhob rhan o'r campws, goleuadau diogelwch a'r defnydd o systemau camerau teledu cylch cyfyng a systemau larwm;
 - darparu larymau personol neu fotymau larwm yn rhannau arunig yr ysgol;
 - system ffôn fewnol o fewn cyrraedd i'r athrawon yn yr ystafelloedd dosbarth.

DS Mae **'Diogelu'r Dyfodol'** - dogfen a gynhyrchwyd gan y Cyngor Sir, yn cynnig llawer o gyngor ynghylch y mater hwn.

C6 THE ROLE OF THE LEA AND GOVERNING BODIES

- The LEA and Governing Bodies will offer full support to staff who have been harassed, assaulted or suffered verbal abuse. The Occupational Health and the Health, Safety and Welfare Unit may be called upon to assist this process.
- The LEA and Governors will investigate reported incidents of violence and abusive behaviour. The Health, Safety and Welfare Unit may be called upon to assist in this matter.

C7 THE POLICY OF THE GOVERNING BODY

- The Governing Body of a school has a responsibility towards their school employees, pupils and other staff to take measures to prevent and minimise the risk of violence/harassment, perpetrated by pupils, parents/guardians and/or members of the public. It is important that all steps are taken to make their policy clear to:-
 - the staff
 - the pupils and parents/guardians
 - visiting members of the public
- Governing Bodies should adopt this guidance paper as the core of its policy document and may need to consider other action that can contribute to preventing/minimising the risk of violence towards staff, including:-
 - access control systems e.g.
 - a) all visitors must sign in at the school reception and display a visitor badge
 - b) electronic control at main entrance;
 - the level of lighting in all areas of the campus, security lighting and the use of CCTV and alarm systems;
 - the provision of personal alarms or panic buttons in isolated areas of the school;
 - internal telephone system within reach of teachers in the classrooms.

NB 'Securing the Future' - a document produced by the County Council offers much advice on this matter.

C2 YMDDYGIAD TREISGAR GAN DDISGYBL(ION) TUAG AT STAFF YSGOL

- Yn dilyn unrhyw ymddygiad treisgar yn erbyn aelod o staff gan ddisgyblion, dylid ystyried y dulliau gweithredu a ganlyn:
 - cyflwyno rhybudd ysgrifenedig ffurfiol ym mhresenoldeb y rhieni/gwarcheidwaid;
 - gwaharddiad cyfnod penodol neu barhaol o'r ysgol;
 - gall y mater fynd gerbron y llys os cyflawnwyd y trais gan berson ifanc sydd wedi cyrraedd oedran cyfrifoldeb troseddol.
 - Wedi unrhyw fygythiad o drais gan ddisgybl(ion) tuag at aelod y staff ysgol rhaid i'r Pennaeth hysbysu'r AALI ac Uned Iechyd a Diogelwch y Cyngor Sir ar unwaith gan ddefnyddio Ffurflen Hysbysu am Ddigwyddiad S2 cyn pen 5 diwrnod gwaith (gweler Atodiad 1).
 - Os yw disgybl yn dangos arwyddion o ymddygiad treisgar, ymosodol neu fygythiol tuag at aelod o staff, yna dylid cyflawni asesiad risg ar y disgybl hwnnw gan ddefnyddio'r ffurflen PRA1. Dylai'r Pennaeth lenwi'r ffurflen cyn pen 5 diwrnod gwaith (gweler Atodiad 2).

C3 RÔL Y PENNAETH

- Mae'n rhaid i'r Pennaeth sicrhau bod y Corff Llywodraethol wedi mabwysiadu polisi ysgol mewn perthynas â dogfen yr AALI 'Ymddygiad Treisgar tuag at Staff'.
- Rhaid i'r Pennaeth sicrhau y defnyddir trefniadau'r AALI ar gyfer cofnodi'r holl ddiwyddiadau o drais ac ymddygiad treisgar ac unrhyw anaf yn deillio o hynny.
- Rhaid i'r Pennaeth, mewn partneriaeth â'r AALI, sicrhau y darperir hyfforddiant mewn swydd yn ymwneud ag ymdrin â gwrthdaro.
- Rhaid i'r Pennaeth, mewn partneriaeth â'r AALI, sicrhau bod yr amrediad llawn o wasanaethau cefnogi, cynghori a chwmsela staff ar gael i'r aelod o staff yr ymosodwyd arno/arni. Dylai hyn fod ar gael yn union ar ôl y digwyddiad a/neu am gyfnod yn dilyn y digwyddiad. Rhaid cael trefniadau yn eu lle i sicrhau bod cefnogaeth ar gael ar unwaith.
- Dylai'r Pennaeth ofyn am yr holl ddogfennau/gwybodaeth berthnasol (yn cynnwys Ffurflen Asesiad Risg PRA1) cyn derbyn unrhyw ddisgybl i'r ysgol. Rhaid i wybodaeth ynghylch ymddygiad treisgar ac ymosodol presennol gael ei gynnwys yn y dogfennau derbyn.

C2 VIOLENCE BY PUPIL(S) TOWARDS SCHOOL EMPLOYEES

- Following any violence on a member of staff by pupils, the following courses should be considered:
 - a formal written warning given in the presence of parents/guardians;
 - fixed term or permanent exclusion from the school;
 - criminal proceedings may ensue should the violence be perpetrated by a young person who has achieved the age of criminal responsibility.
- Any threat of violence by a pupil(s) towards a school employee must be reported by the Headteacher to the LEA and the County Council Health & Safety Unit immediately using Incident Report Form S2 within 5 working days. (See Appendix 1).
- If a pupil displays acts of violence, aggression or other threatening behaviour towards a member of staff, then a risk assessment should be carried out on that pupil using form PRA1 and completed by the Headteacher within 5 working days (See Appendix 2).

C3 ROLE OF THE HEAD

- The Head must ensure that the Governing Body has adopted a School Policy in relation to the LEA's "Violence Towards School Employees".
- The Head must ensure that LEA procedures are used for recording all incidents of violence and abusive behaviour and of injury arising there from.
- The Head, in partnership with the LEA, must ensure that inservice training is provided in dealing with conflict.
- The Head, in partnership with the LEA, must ensure that the full range of school support, counselling and advice is made available to the assaulted staff member. This will need to be available immediately after the incident and/or for a period following the incident. Procedures must be in place to ensure that immediate support is available.
- The Head should request all relevant documents/information (including Risk Assessment Form PRA1) prior to any pupil's admission to the school. Information regarding already established aggressive and violent behaviour must be included in admission documents.

C4 RÔL YR ATHRO/ATHRAWES

- Mae gan athro/athrawes yr hawl i ddisgwyl i'r AALI ddarparu hyfforddiant ynghylch strategaethau ar sut i ymdrin â disgyblion sy'n ymddwyn yn dreisgar ac ymosodol.
- Gall athro/athrawes neu grŵp o athrawon ystyried ei bod yn afresymol gofyn iddynt barhau i addysgu disgybl sydd wedi arddangos ymddygiad treisgar neu y mae ei rieni wedi arddangos agwedd ymosodol tebyg. Mae'n ofynnol, mewn amgylchiadau o'r fath, i'r athro /athrawes/ athrawon geisio cyngor gan eu cymdeithas broffesiynol / undeb cyn gweithredu yn y fath fodd. Dylid hysbysu'r Pennaeth yn ysgrifenedig gan undeb/cymdeithas broffesiynol yr athro / athrawes / athrawon ynghylch y penderfyniad i wrthod ag addysgu plentyn penodol neu grŵp o blant.

C5 RÔL YR AALL/CYNGOR SIR

- Mae gan Gyngor Sir Ddinbych gyfrifoldeb yn ôl cyfraith gyffredin ac o dan Ddeddfwriaeth Iechyd, Diogelwch a Lles i ddarparu amodau gwaith diogel. Mae'n amhosibl i'r cyflogwr roi gwarant llwyr na wnaiff ymosodiadau ddigwydd, heb greu amodau gwarchae yn yr ysgolion.
- Bydd y Pennaeth Gwasanaethau Addysg a'r Pennaeth Gwasanaethau Cyfreithiol yn cynorthwyo'r ysgol drwy ysgrifennu llythyrau priodol at rieni/personau eraill sydd wedi tramgwyddo o ran digwyddiadau ar safle'r ysgol yn union ar ôl iddynt gael eu hysbysu gan Bennaeth yr ysgol.
- Bydd unrhyw riant/warcheidwad sy'n bygwth trais yn cael ei hysbysu drwy lythyr fod mynediad i safle'r ysgol yn cael ei wrthod. Yna, os yw'r riant/gwarcheidwad yn dod ar y safle, gellir ei (h)erlyn am dresmasu. Bydd Pennaeth y Gwasanaethau Cyfreithiol yn cynorthwyo'r ysgol gyda'r mater hwn.
- Nid oes gan yr AALI yr hawl, drwy gyfrwng cytundeb cyflogaeth, i'w gwneud yn ofynnol i athro/athrawes dderbyn risg gwirioneddol o gael eu hanafu.

C4 THE ROLE OF THE TEACHER

- A teacher has the right to expect the LEA to provide training in strategies in dealing with aggressive and violent pupils.
- A teacher or a group of teachers may consider it unreasonable to be asked to continue to teach a pupil who has shown violent behaviour or whose parents have displayed similar aggression. It is necessary in such circumstances for a teacher(s) to seek union/association advice before taking such action. The Head should be informed in writing by the teacher(s) union/association of the decision to refuse to teach a child or group of children.

C5 ROLE OF THE LEA/COUNTY COUNCIL

- Denbighshire County Council has responsibility in common law and under Health, Safety & Welfare Legislation to provide safe working conditions. It is impossible for the employer to give a total guarantee that assaults will not occur short of creating siege conditions in its schools.
- The Head of Education and the Head of Legal Services will assist the school by writing appropriate letters to offending parents/persons regarding incidents on school premises immediately that they are informed by the Head of the school.
- Any parent/guardian who threatens violence will be informed by letter that they have been refused access to the school site. If a parent/guardian then comes on site, he/she may be prosecuted for trespass. The Head of Legal Services will assist the school in this matter.
- The LEA has no right to require a teacher by virtue of the contract of employment, to accept real risk of injury.

CYNNAL DIODDEFWYR

- Yn dilyn digwyddiad, mae'n bwysig bod y cyflogai yn dychwelyd i fywyd bob dydd arferol ar fyrder.
- Er mwyn gwneud hyn, mae'n bosibl y bydd arno/arni angen cefnogaeth ffurfiol/anffurfiol gan un neu fwy o'r canlynol:-
 - Pennaeth yr ysgol
 - Y Corff Llywodraethol
 - Cyfarwyddwr Corfforaethol Dysgu Gydol Oes a swyddogion eraill
 - Y Meddyg Iechyd Galwedigaethol
 - Arbenigwyr cwnsela sy'n cael eu cyflogi'n uniongyrchol neu'n anuniongyrchol gan yr AALI
 - Y Meddyg Teulu
 - Cyngor oddi wrth swyddog Undeb/Cymdeithas Broffesiynol
- Bydd cefnogaeth Swyddogion yr AALI yn amhrisiadwy i'r ysgolion wrth ymchwilio i ddigwyddiad.
- Bydd cefnogaeth y Meddyg Iechyd Galwedigaethol yn werthfawr iawn wrth gynorthwyo cyflogai i dychwelyd i'r gwaith. Sicrheir parchu cyfrinachedd bob amser wrth ddarparu'r gwasanaeth hwn.
- Mae'r AALI yn cynnig gwasanaeth cynghori a chwmsela i gynorthwyo'r unigolyn i ddychwelyd i'w (g)waith.
- Os derbynir cais gan y Pennaeth drwy'r Pennaeth Gwasanaethau Addysg, bydd Pennaeth y Gwasanaethau Cyfreithiol yn anfon llythyrau rhybudd/gwaharddiad ffurfiol i'r bobl sy'n gyfrifol am wneud y bygythiadau neu achosi niwed geiriol i staff ar safle'r ysgol, gynted ag y bo modd. Bydd y llythyr yn rhybuddio y gellir cymryd camau cyfreithiol os ceir unrhyw achos o dorri'r gyfraith.
- Darperir copïau o'r llythyr i'r Pennaeth ac i'r dioddefwr.
- Mae'r AALI wedi paratoi ffurflenni ar gyfer adrodd am a chofnodi digwyddiadau treisgar (Ffurflen Hysbysu am Anaf S1/Ffurflen Hysbysu am Ddigwyddiad Treisgar S2). Dylai staff hysbysu'r Pennaeth am unrhyw ddigwyddiad ar unwaith, a bydd ef/hi'n hysbysu'r Uned Iechyd, Diogelwch a Lles a'r Pennaeth Gwasanaethau Addysg.
- Ni fydd adrodd am ddigwyddiadau o drais/afonyddu yn cael ei ystyried fel adlewyrchiad andwyol ar allu'r athro/athrawes i gyflawni ei (d)dyletswyddau'n foddhaol. Yn wir, anogir staff i nodi digwyddiadau o drais neu ymddygiad annerbyniol ar Ffurflen Hysbysu am Ddigwyddiad S2 (Atodiad 1).
- Bydd yr AALI yn cefnogi/darparu hyfforddiant i'r holl staff ysgol o ran y materion hyn.

VICTIM SUPPORT

- After an incident, it is important that the employee makes a speedy return to everyday life.
- To do this, he/she may need the informal/formal support of one or more of the following:-
 - The Head of the school
 - The Governing Body
 - The Corporate Director of Lifelong Learning and other Officers
 - The Occupational Health Physician
 - Counsellors employed directly or indirectly by the LEA
 - The GP
 - Advice from Unions'/Associations' Officers
- The support of LEA Officers in investigating an incident will be invaluable to the schools.
- The support of the Occupational Health Physician will be invaluable in assisting an employee in returning to work. This service is provided on a confidential basis.
- The LEA offers counselling to assist the individual's return to work.
- The Head of Legal Services will, on request by the Head via the Head of Education, send formal letters of warning/exclusion to people making threats or giving staff verbal abuse on school premises, as soon as possible. The letter will warn that legal action may be taken if a breach of the law occurs.
- Copies of the letter will be provided for the Headteacher and for the victim of the incident.
- The LEA has prepared forms for the reporting and recording of violent incidents (S1 Injury Report Form/S2 Incident Report Form). Staff should report incidents to the Head, who will inform the Health, Safety Welfare Unit and Head of Education.
- The reporting of incidents of violence/harassment will not be viewed as an adverse reflection on the teacher's ability to perform his/her duties satisfactorily. Indeed, staff are encouraged to report incidents of violence and unacceptable behaviour on the Incident Report Form S2 (Appendix.)
- The LEA will support/provide training for all school employees in these issues.