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HOSTILE PERSON POLICY

# PURPOSE OF THIS POLICY

The purpose of this policy and procedure is to protect students, staff and others who engage with activities convened and managed by Balance Foundation Ltd. from aggressive behaviour. It outlines the steps to be taken should a person display aggression another person.

# SCOPE

This Policy applies to all persons engaged in activities convened and managed by Balance Foundation Ltd.

# RESPONSIBILITY

All students, staff, bone fide visitors, parents and guardians reporting to the Board of Directors.

# LEGISLATION & REFERENCES

[*Education (General Provisions) Act 2006 (Qld)*](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2006-039)[*Work Health and Safety Act and Regulation 2011*](https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/W/WorkHSA11.pdf)

# POLICY STATEMENT

Balance Foundation Ltd. is committed to taking all reasonable steps to provide a safe environment for students, staff, volunteers, parents, and visitors. We educate our students to respect and value the dignity of others and expect all visitors to role model this with their own speech and behaviour.

On the rare occasion, a ‘hostile person’ may display aggressive, threatening behaviour including verbal and/or physical abuse towards a person/s. Examples of this unacceptable behaviour include:

* Shouting, either in person or over the telephone
* Speaking in an aggressive/ threatening tone
* Physically intimidating, e.g., standing very close to another
* The use of aggressive hand gestures/exaggerated movements
* Physical threats
* Shaking or holding a fist towards a person
* Swearing
* Pushing
* Hitting, e.g., slapping, punching, or kicking
* Spitting
* Discriminatory comments
* Breaking or destroying property

Balance Foundation Ltd. expects and requires all persons to behave professionally in these difficult situations, and to attempt to defuse the situation where possible, seeking the involvement of an Instructor or the Master where appropriate.

The instructor or member of the Board or the Directors shall contact Queensland Police immediately if the behaviour of a person is of a serious nature, such as if there is a threat of physical danger and request the police to remove the person from the event venue in accordance with police powers. In some circumstances, and only when necessary, physical intervention may be required if there is a genuine threat to a safe school environment.

# RESPONSIBILITIES

The Board of Directors have overall responsibility for the management of good order. However, every person engaged in an activity with Balance Foundation Ltd., is expected to work to de-escalate hostile exchanges and to report the incident as soon as practicable to the most senior instructor present for their handling of the matter.

Students, instructors, and visitors to Balance Foundation Ltd. events are expected to observe the principles contained in the Code of Behaviour regarding respect for the dignity of others and for their property, and of mutual cooperation.

# IMPLEMENTATION

Balance Foundation Ltd. has considered the steps it will take to address hostilities, including the following:

* + **Increase Awareness** – The Board and instructors shall clearly support and promote this policy all persons engaged with Balance Foundation Ltd. and associated events.
  + **Training** – The Board and instructors will encourage reporting of hostile incidents as acceptable and responsible behaviour.
  + **Compliance** – The Board and instructors will utilise the *Complaints Handling Policy and Procedure* and issue a good behaviour direction and/or longer-term engagement ban as appropriate.

# COMPLIANCE AND MONITORING

The Board and instructors must keep records of all directions issued during the training year (i.e., 24-hour ban, good behaviour direction and/or longer-term ban).

All ‘hostile person’ incidences will be recorded on an incident report from. All reports will be investigated and acted upon, with appropriate support and consequences implemented.

Records should include:

* + Details of incident
  + Dates and names of parties concerned (name of person given the direction)
  + Student bystanders and staff witnesses
  + Action taken by The Board and instructors (reason for issuing a direction)

# RESPONSE PROCEDURES FOR A ‘HOSTILE PERSON’

When a visitor to a Balance Foundation Ltd. event displays aggression towards another person/s The Board and instructors will be notified and attempts will be made to resolve the situation through discussion and mediation, utilising the *Complaints Handling Policy* where relevant. When a visitor behaves in an unacceptable way during a telephone conversation, each person has the right to terminate the call. All incidences of hostility should be reported to the Board and instructors and recorded on an Incident Report form.

Where aggression or intimidation continues, or where there is an act of violence, the discussion will be terminated, and the visitor will be asked to leave the area immediately for 24 hours. The police will be called if necessary

After a person has been given a 24-hour ban, the Balance Foundation Ltd. Board shall consider legal options and develop a plan for the future presence of the at Balance Foundation Ltd. events. The Board may issue in writing a 30 day ‘good behaviour’ direction to address the person’s conduct and movements at events.

If the Board considers that the 24-hour ban and/or a ‘good behaviour’ direction are not sufficient to manage the behaviour of the person, it may consider issuing a ban for up to 60 days. If, after a 60-day ban, further action is necessary, the Board can consider a ban of between 60 days and one year.

**REASONS FOR ISSUING A DIRECTION**

24 Hour Ban: The instructor reasonably suspects a person;

* Has committed, or is about to commit, an offence at the premises
* Has used, or is about to use, threatening, abusive or insulting language towards another person at the premises
* Has engaged, or is about to engage, in threatening or violent behaviour towards another person at the event
* Has otherwise disrupted, or is about to disrupt, good order at the event
* Does not have a good and lawful reason to be at the premises

30 Day Good Behaviour Direction: The Board or instructors are reasonably satisfied that it is necessary to give the direction;

* To ensure the safety or wellbeing of other persons lawfully at events
* To prevent or minimise damage to the premises or to property at events
* To maintain good order
* For the proper management of Balance Foundation Ltd. events.

Up to 60 Days Ban: The Board or instructors is reasonably satisfied that unless the direction is given, the person is likely;

* To cause physical harm to, or apprehension or fear of physical harm in, another person when the other person is at events
* To damage the premises or property at events
* To disrupt the good order or management of Balance Foundation Ltd.

Between 60 Days & 1 Year Ban: The Board is reasonably satisfied that unless the direction is given, the person is likely;

* To cause physical harm to, or apprehension or fear of physical harm in, another person when the other person is at events
* To damage the premises or property at events
* To disrupt the good order or management of the organisation