Yew Tree Primary School

UNACCEPTABLE BEHAVIOUR BY PARENTS, CARERS AND VISITORS POLICY

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<th>Committee with oversight for this Policy</th>
<th>Safeguarding</th>
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<td>Policy last reviewed by the Committee</td>
<td>Summer 2017</td>
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<td>Policy ratified and adopted by Full Governing Body</td>
<td>Summer 2017</td>
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<td>Review frequency</td>
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<td>Summer 2019</td>
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POLICY FOR DEALING WITH
UNACCEPTABLE BEHAVIOUR BY PARENTS/CARERS
AND VISITORS ON SCHOOL PREMISES

1. Introduction

1.1. At Yew Tree Primary School we value the positive relationships forged with our parents/carers and visitors to our school. Our Parent/Carer Code of Conduct Mission Statement (Appendix 1) has been written in consultation with our parents and carers and it our expectation that all within our community behave according to the principles within it. The Code of Conduct is shared with all current parents and carers annually and all new parents and carers when they enrol at Yew Tree school.

1.2. As a general rule, schools are orderly, safe places, where relationships between staff and visitors, especially parents, demonstrate mutual respect and recognition of shared responsibility for pupil’s welfare and educational progress. Parental involvement is an important factor in educational success and in dealing with emerging problems at an early stage.

1.3. However, occasionally, the behaviour of a few adults can cause severe disruption or worse, resulting in abusive or aggressive behaviour towards pupils or staff.

1.4. The Governing Body is responsible for protecting the health and safety of their staff and pupils.

1.5. The school community is clear about actions which will be taken if instances of unacceptable behaviour occur, including verbal or physical threats or assaults to staff.

2. Abusive, Threatening and Violent Behaviour

2.1. All school staff, and pupils, have a right to expect that their school is a safe place in which to work and that prompt and appropriate action will be taken on their behalf if they are subjected to abuse, threats or violence by parents/carers and other adults on school premises.
2.2. The most common example of unreasonable behaviour is abusive and aggressive language for which the most widely used remedy, where informal action is not considered to be appropriate or has proved to be ineffective, is the withdrawal of permission to be on school premises.

2.3. Where a person recklessly or intentionally applies unlawful force on another or puts another in fear of an immediate attack, it is an offence in law which constitutes an assault. The Governing Body would normally expect the Police to be contacted immediately in such cases.

2.4. There are three categories of assault, based on the severity of the injury to the victim:

(a) Common Assault - Involving the threat of immediate violence or causing minor injury (such as a graze, reddening of the skin or minor bruise).

(b) Actual Bodily Harm - causing an injury which interferes with the health or comfort of the victim (such as multiple bruising, broken tooth or temporary sensory loss).

(b) Grievous Bodily Harm - causing serious injury (such as a broken bone or an injury requiring lengthy treatment).

3. Police Powers and Assistance

3.1. Individual circumstances will influence the decision as to whether a particular incident should be reported to the Police. The Police would expect to be involved where there is a clear injury (whether physical or emotional) and acknowledge that other factors may need to be taken into account such as the previous behaviour of the offender and the likelihood of a repetition if action is not taken to prevent it.

3.2. The Police would normally expect incidents of abuse, threatening behaviour and common assault carried out on a member of staff by a pupil to be dealt with by the Headteacher in accordance with the school’s behaviour policy and LEA’s guidance on pupil restraint and control.

3.3. The Police have discretion to deal with incidents and offences in the light of individual circumstances. This includes, in most instances of assault, the power of arrest. It does not mean, however, that the involvement of the Police will automatically lead to a criminal charge and court proceedings.
4. **Banning Parents and Other Visitors From School Premises**

4.1. Section 206 of the Education Act 2002 makes it a criminal offence punishable with a fine of up to £500 for a person to trespass on school premises and cause a nuisance or disturbance.

4.2. Parents and some other visitors normally have implied permission to be on school premises at certain times and for certain purposes and they will not therefore be trespassers unless the implied permission is withdrawn.

4.3. If a parent or other person behaves unreasonably on school premises a letter should be sent to them withdrawing the implied permission for them to be there. The letter should be sent by the Headteacher unless he or she has been personally involved in an incident and would prefer the letter to be sent by the Chair of Governors.

4.4. If a person who has been banned subsequently trespasses and causes a nuisance or disturbance the matter should then be referred to the Chair of Governors who will write a warning letter.

4.5. Further breaches may lead to prosecution of the person concerned by the Police.

4.6. It is important throughout this process that full records are kept of each incident, including details of any person(s) who witnessed the behaviour of the trespasser(s) since evidence will need to be provided to the court.

4.7. Anyone dissatisfied with the ban and wishes to object against it should be referred to the school’s Complaints Procedure.

5. **Dealing with an Incident**

5.1 The Governing Body would normally expect all cases of assault, and all but the most minor of other incidents, to be regarded as serious
matters which should be reported to the Police and followed up with due care, attention and rigour.

5.2. All parties involved should take into account the needs, views, feelings and wishes of the victim at every stage. The school needs to ensure that sympathetic and practical help, support and counselling are made available to the victim both at the time of the incident and subsequently.

6. Harassment

6.1. Situations can arise where staff find themselves subjected to a pattern of persistent and unreasonable behaviour from individual parents which is not abusive or overtly aggressive but which can be perceived as intimidating and oppressive. In these circumstances staff may be faced with a barrage of constant demands or criticisms (on an almost daily basis) which, whilst not particularly taxing or serious when viewed in isolation, can have the cumulative effect over time of undermining their confidence, well-being and health. Such criticism on social media sites is also considered harassment. In extreme cases, the behaviour may constitute an offence under the Protection from Harassment Act 1997. If so the Police have powers to take action against the offender.

6.2. Such situations are comparatively rare but, when they do arise, they can have a damaging effect on school staff and be difficult to resolve. If the actions of a parent appear to be heading in this direction, the Headteacher should contact the Local Authority for advice and support. An action at this stage, for example, would be the banning of the parent from the school premises. Where harassment has occurred via social media sites legal advice will be taken and actioned. Governor intervention will be requested by the Head Teacher.

6.3. Where the parent’s behaviour merits it, the Headteacher, with another member of staff present, should inform the parent clearly but sensitively that staff feel unduly harassed and are considering making a complaint to the Police if the behaviour does not desist or improve. The parent should be left in no doubt about the gravity of the situation. Governor intervention will be requested by the Head Teacher.
6.3.1 The Headteacher might wish to consider in such circumstances advising the parent to make a formal complaint against the school through the school’s Complaints Procedure. If the investigation comes to the conclusion that the parent’s expectations and demands are unreasonable, and that they are having a detrimental effect on staff, the findings can strengthen the Headteacher’s position in further discussion with the parent and subsequently, if necessary with the Police.