

Orchard Junior School

Growing together. **Branching out.**



Policy Statement: Unacceptable Conduct By Parents/Carers Or Visitors

Issue Date:	March 2020
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Reviewing Committee:	Full Governors

Signed:	
Authorised by:	Nikki Brigg (Chair of Governors)

Hampshire ref (if applicable)	
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Policy Addressing Unacceptable Conduct by Parents/Carers or Visitors

Purpose and Scope

At Orchard Junior School we value the positive relationships forged with parents/carers and other visitors (i.e. siblings, grandparents, volunteers) to the school. We encourage close links with parents/carers and the wider community and believe that pupils can only benefit when the relationship between home and school is a positive one. We also strive to make our school a place where, as adults, we model the behaviour we teach and expect from our pupils. In general, we place a high importance on good manners, positive communication and mutual respect.

As with any diverse community there are very rare occasions that the behaviour of parents/carers or visitors falls short of what we expect. This can manifest itself in aggression or abuse towards members of the school community. This can be physical, in written communication (including social media), on the telephone or in face-to-face incidents.

The overriding principle is that all members of the school community have the right to work or be in school without fear of aggression or abuse from parent/carers or other visitors. The board of governors has a requirement to protect staff and pupils from such aggression.

This policy sets out clear guidance for the management of such incidents so that all parties are aware of the expectations of the school and the process the school will follow should such incidents occur. This policy has been created in conjunction with the Department for Education guidance 'Advice on school security: access to, and barring individuals from school premises' December 2012 as well as National Association of Head Teachers guidance on dealing with abusive parents and carers. All guidance is underpinned by Section 547 of the Education Act 1996.

Background and Statutory Basis

Parents/carers of a child attending the school ordinarily have an implied permission (limited licence) to be within the school grounds at certain times and for certain purposes. Should their behaviour be, or become, unreasonable this permission may be withdrawn **immediately**, and they will become a trespasser. The Headteacher (or any teacher deputising in the absence of the Head) has the authority of the Board of Governors to ask any individual to leave the school grounds. They will remain a trespasser until such a time as they receive confirmation from the Head Teacher that they may re-enter the school grounds.

Section 547 makes it an offence for a trespasser on school premises to cause or permit a nuisance or disturbance and allows for the removal and prosecution of any person believed to have committed the offence. A person who nevertheless persists in entering the school premises and displaying unreasonable behaviour may be removed and prosecuted under section 547, the penalty for a person convicted of the offence is a fine of up to £500. If an offence is more serious the Police will be immediately involved, and the school will support any appropriate criminal prosecution.

Definition of Unacceptable Conduct

The Governing Body considers any aggressive, abusive or insulting behaviour, conduct or language presents a risk to the school community.

Such conduct may be through face-to-face contact, on the telephone or in written communication (including social media). The following is not an exhaustive list but seeks to provide illustrations of such unacceptable behaviour:

- any kind of insult (whether intended or otherwise) which is demeaning, embarrassing or undermining.
- any kind of threat or threatening behaviour.
- raising of voice so as to be intimidating, shouting at members of the school community, either in person or over the telephone.
- physical intimidation, e.g. by standing very close to a person or the use of aggressive hand gestures or body language.
- swearing.
- any kind of physical abuse or violence, including (but not limited to) pushing; hitting, slapping, punching, kicking, spitting or using/throwing any object.
- breaching the school's security procedures.
- allegations which turn out to be vexatious or malicious (even if thought to be true when made).
- Written communication that has (but not limited to) insulting, demeaning, undermining, embarrassing, abusive or threatening wording. Physically published on paper, in email or on social media channels.

For the avoidance of doubt the unacceptable behaviour need not occur within the school grounds for it to fall within this policy; unacceptable behaviour occurring "at the school gate", at the home of the parent/carer/visitor or at any other location concerning the school community or school's activities may need to be considered.

The School's Approach to Dealing with Incidents

The vast majority of parent/carers and visitors to Orchard Junior School are keen to work with us and are supportive of the school.

In the unlikely event that a parent/carer or visitor behaves in an unacceptable way towards a member of the school community we expect members of staff to behave professionally, attempting to defuse the situation where possible and seeking the involvement of colleagues if appropriate. Staff who face these situations have licence to end any conversation (face to face or on the telephone) and should then refer the incident to a member of the Senior Leadership Team (SLT) who will take appropriate action with reference to this policy.

If an incident involves a parent/carer the impact upon their child(ren) will be fully considered. Every effort will be made to ensure that any action taken against the parent/carer will be reasonable, consistent, impartial and proportionate. The parent/carer/carer will have the opportunity to put their views forward. In the case of the imposition of conditions, or a ban from school grounds, robust review processes involving the Chair of Governors and then the governing board are in place to ensure fairness.

Risk Assessment

The Headteacher or senior leader will carry out a risk assessment in order to help make a decision about the appropriate level of response. The following questions may be considered:

- What form did the conduct take?
- What evidence is there?
- What do witnesses say happened?
- Are there previous incidents to take into consideration?
- Do members of staff/pupils feel intimidated by the adult's behaviour?
- Is there any evidence of provocation?
- How high is the assessed risk that this will be repeated or there will be retaliation at the school's action? (low, medium, high).

Recording of Incidents

Where deemed necessary by the Headteacher or senior leader, statements will be taken from staff, other adults, or children who witnessed the incident and retained on file together with any correspondence or other documentation produced in connection with the incident. Such statements will not ordinarily be disclosed to the individual concerned and the Headteacher will consult with the Governing Board should such a request be received. All data will be recorded in line with current Data Protection legislation and will be subject to retention no longer than the period of attendance, at the school, of directly related pupils.

The School's Response

Following completion of the risk assessment, the Headteacher will decide the appropriate action to be taken. Depending upon the severity of the incident, actions may include the following:

Clarify to the parent/carer/visitor what is considered acceptable behaviour by the school:

In some instances, it may be appropriate simply to ensure the parent/carer/visitor is clear about behaviour standards expected by the school. This could be explained informally or by a letter from the Headteacher. A letter may contain a warning about further action if there are further incidents. The parent/carer/visitor will be invited to provide the Headteacher with their version of events within 10 working days. Depending upon the response a meeting may be appropriate to discuss the incident and how this can be avoided in future.

Invite the parent/carer/visitor to an informal meeting to discuss events:

This could be helpful to discuss and diffuse the situation. The safety and well-being of those attending such a meeting must be carefully considered. Members of school staff will always be accompanied by at least one other colleague at any such meeting. Consideration should be given to the seating arrangements, and care taken to ensure exits cannot be blocked by a parent/carer/visitor who could potentially become aggressive. The main points of discussion and any agreed actions should be noted, and a follow-up letter or e-mail sent to confirm the school's expectations and any agreed actions.

Impose conditions on the parent/carer/visitor's contact with the school and its staff:

Although fulfilling a public function, schools are private places. As set out above parents and carers of enrolled pupils have an 'implied licence' to come onto school premises at certain stated times. It is for schools to define and set out the extent of such access. Depending of the type, level or frequency of the unacceptable behaviour, the school may consider imposing conditions on the parent/carer/carer's contact with the school. These conditions may include (but are not exclusively):

- being accompanied to any meeting with a member of school staff by a member of the SLT;
- restricting contact by telephone to named members of the SLT;
- restricting written communications to named members of SLT;
- restricting attendance at school events to those where the parent/carer will be accompanied by a member of the SLT;

- any other restriction as deemed reasonable and proportionate by the Headteacher.

In this case the parent/carer/visitor will be informed by letter from the Headteacher the details of the conditions that are being imposed. The parent/carer/visitor will then be given 10 working days from the date of that letter to make representations in writing about the conditions to the Chair of Governors.

The Chair of Governors will then decide whether to confirm or remove the conditions. This would ordinarily be communicated to the parent/carer/visitor in writing within 10 working days of the date of the parent/carer/visitor's letter.

If the decision is to confirm the conditions imposed the decision will be reviewed by the governing board after approximately six months (and every six months after that, if appropriate). The parent/carer/visitor will be invited to make written representation to the governors. This and the evidence from the Headteacher will be considered at a meeting of the full governing board. Governors may decide to maintain, extend or remove the conditions. The decision of the review will be communicated to the parent/carer/visitor within 10 days of the date of the meeting.

When deciding whether it will be necessary to maintain, extend or remove the conditions, governors will give consideration to the extent of the parent/carer/visitor's compliance with the conditions, any appropriate expressions of regret and assurance of future good conduct received from them and any evidence of the parent/carer's co-operation with the school in other respects.

Imposing a Ban

Where other procedures have been exhausted and unacceptable behaviour continues, or where there is an act of violence, the school is very likely to ban the individual from school premises. This may also include banning a parent/carer from contacting school staff by written communication (inc. social media) or telephone.

In these circumstances, the individual would be advised in writing by the Headteacher that a provisional ban is being imposed. The parent/carer/visitor would then be given 10 working days from the date of that letter to make representations about the ban in writing to the Chair of Governors. The Chair of Governors would then decide whether to confirm or remove the ban. This would be communicated to the parent/carer/visitor in writing within 10 working days of the receipt of their letter. If the Chair's decision is to confirm the ban, parents/carers/visitors in these circumstances will be offered an annual meeting about their child's progress, usually with a member of senior staff.

A decision to impose a ban will be reviewed by the governing board after approximately six months (and every six months after that, if appropriate). The parent/carer will be invited to make written representation to the governors; this and the evidence from the Headteacher will be considered at a meeting of the full governing board. Governors may decide to remove the ban, extend the ban or impose conditions on parent/carer/visitor's access to the school. The decision of the review will be communicated to the parent/carer/visitor within 10 days of the date of the meeting.

In deciding whether to remove or extend the ban or impose conditions, governors will give consideration to the extent of the parent/carer's compliance with the ban, any appropriate expressions of regret and assurance of future good conduct received from the individual and any evidence of the parent/carer's co-operation with the school in other respects.

Removal from School

Parent/carers/visitors who enter the school grounds despite having been banned will be deemed to have committed a Section 547 offence (and potentially other criminal offences). In these circumstances the offender will be removed from school. This may be carried out by a police officer or person authorised by the governing board. Civil or Criminal proceedings may be brought against the parent/carer/visitor.

Pre-Emptive Action/Ban

There may be scenarios when a ban is imposed against an individual or group without any of the above behaviour types occurring or being witnessed within the school grounds or locality, in order to maintain the safety of the school community (such as when an individual is arrested or charged with a violent offence, or released from prison for the same). Should such a situation arise the Headteacher or SLT has the authority of the Governing Body to impose an immediate ban until the decision can be discussed with the Governing Body and any further appropriate action taken.

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Model letter 2: Letter from the Headteacher informing parent/carer/visitor of the school's decision to impose conditions on the parent/carer/visitor's attendance at school events.

Model letter 3: Letter from the Chair of Governors informing parent/carer/visitor of the decision to confirm or overturn the Headteacher's decision to impose conditions.

Model letter 4: Letter from Headteacher informing parent/carer/visitors of the school's intention to impose a ban on their attendance at school premises, pending review by the Chair of Governors.

Model letter 5: Letter from the Chair of Governors informing parent/carer/visitor of her decision to confirm or remove ban.

Model Letter 6: Letter from clerk to governors requesting statement from parent/carer/visitors to governing board for review of decision.

Model letter 7: Letter from clerk to the governors to confirm the outcome of further reviews of decisions where the imposition of conditions/ban has been extended or removed.

Model letter 1: Warning

Dear

I have received a report about your conduct at the school on (enter date and time or details).

This appears to fall far short of that we would expect of a parent/carer of a pupil at Orchard Junior School. (Add factual summary of the incident and of its effect on staff, pupils, and other parent/carers.)

I must inform you that the governing board will not tolerate aggression towards members of the school community and will act to protect its staff and pupils from any form of abuse or intimidation. I should warn you that any future conduct of this nature could result in the school imposing conditions restricting your access to the school or banning you from contacting or attending the school altogether.

I wish to give you an opportunity to give me in writing any comments or observations of your own in relation to the report which I have received about your conduct. Please do so within 10 working days of the date of this letter. These comments may include any assurances you are prepared to give about your future good conduct. There is then an option for us to meet to discuss the situation and how it can be avoided in the future.

Details of our policy on dealing with unacceptable conduct from parents/carers/visitors can be found on our website.

Yours sincerely

Headteacher

cc: Chair of Governors

Model letter 2: Imposing conditions on the parent/carer's attendance at school events

Dear

I have received a report from the (name of staff) about your conduct on at (add summary of incident and its effect on staff and pupils).

You will recollect that I have already written to you about a previous incident on (date) warning you of the consequence of any further insulting or aggressive behaviour on your part.

I must inform you that the governors, in line with our policy, will not tolerate conduct of this nature on the school premises and will act to defend school staff and pupils. I am therefore writing to inform you that I am imposing conditions on the contact you may have with school. These are as follows: (delete as appropriate)

- You must be accompanied to any meeting with a member of school staff.
- You may not contact by telephone or in writing any member of staff. You may contact either myself or the Chair of the Governing Board.
- You may not attend any events for parent/carers except those where you will be accompanied by a member of the senior leadership of the school.
- Other as are reasonable and proportionate.

The restrictions above are provisional until they have been reviewed by the Chair of Governors. Please consider them to be in force until you receive her confirmation.

The Chair of Governors will need to decide whether it is appropriate to confirm or overturn this decision. You may, if you wish, send her in writing any comments or observations of your own within 10 working days of the date of this letter. These comments may be to challenge or explain the facts of the incident, to express regret and give assurances about your future good conduct. They will then write to you with the outcome of her decision.

If on receipt of your comments, the Chair of Governors considers that my decision should be confirmed, you will be supplied with details of how the conditions will be reviewed by the governing board.

Yours sincerely

Headteacher

cc: Chair of Governors

Model letter 3: Imposing a ban

Dear

The Headteacher wrote to you on (date) to detail concerns about an incident when your behaviour towards (name) fell short of what we would expect as a school. You will be aware that they have written to you previously about your behaviour towards staff.

I have not received a written response from you/I have received a letter from you dated, the contents of which I have considered carefully.

In the circumstances, and after further consideration of the Headteacher's report and your letter, I have determined that the decision to impose conditions on your contact with school should be confirmed. The conditions are as follows: (Copy conditions from HT's letter)

This decision will be reviewed by the governing board in approximately six months' time. The Clerk to the Governors will write to you in advance of the meeting to ask you to provide a written statement for their consideration. When deciding whether it will be necessary to extend the application of conditions to attend school premises, consideration will be given to the extent of your compliance with the decision, any appropriate expressions of regret and assurance of future good conduct received from you; and any evidence of your co-operation with the school in other respects.

OR

In the circumstances, and after further consideration of the Headteacher's report and your letter, I have determined that the decision to impose conditions on you should be overturned. You may hence attend school events as normal. However, should there be a repeat of inappropriate behaviour towards staff all of the above sanctions may be applied.

Yours sincerely

Chair of Governors

cc: Headteacher

Model letter 4: Reviewing the decision to impose conditions or impose a ban

Dear

I have received a report from the (name of staff) about your conduct on at (add summary of incident and its effect on staff and pupils).

You will recollect that I have already written to you about a previous incident on (date) warning you of the consequence of any further insulting or aggressive behaviour on your part. I must inform you that the governors, in line with our policy, will not tolerate conduct of this nature on the school premises and will act to defend school staff and pupils.

I am therefore writing to inform you that I am recommending imposing a ban on you attending or contacting the school. This means you may not attend school for any reason whatsoever. You must not make contact with any member of staff by telephone or e-mail. You do, however, have the right to attend one meeting per year to discuss your child's progress. This meeting will be with me. I will contact you to arrange this.

The restrictions above are provisional until they have been reviewed by the Chair of Governors. Please consider them to be in force until you receive her confirmation.

The Chair of Governors, will need to decide whether it is appropriate to confirm or overturn this decision. Please send them, in writing, any comments or observations of your own within 10 working days of the date of this letter. These comments may be to challenge or explain the facts of the incident, to express regret and give assurances about your future good conduct.

If on receipt of your comments, the Chair of Governors considers that my decision should be confirmed, you will be supplied with details of how this ban will be reviewed by the governing board.

Yours sincerely

Headteacher

cc: Chair of Governors

Model Letter 5: Letter to confirm or overturn Headteacher's decision to impose a ban

Dear

The Headteacher wrote to you on (date) to detail concerns about an incident when your behaviour towards (name) fell far short of what we would expect as a school. You will be aware that she has written to you previously about your behaviour towards staff.

I have not received a written response from you/I have received a letter from you dated, the contents of which I have considered carefully.

In the circumstances, and after further consideration of the Headteacher's report and your letter, I have determined that the decision to impose a ban on you should be confirmed. This means you may not attend school for any reason whatsoever. You must not make contact with any member of staff by telephone or e-mail. You do, however, have the right to attend one meeting per year to discuss your child's progress. This meeting will be with the Headteacher or a member of the senior leadership team.

This decision will be reviewed in six months' time by the governing board. The Clerk to the Governors will write to you in advance of the meeting of the governing board to ask you to provide a written statement for their consideration. When deciding whether it will be necessary to extend the application of conditions to attend school premises, consideration will be given to the extent of your compliance with the decision, any appropriate expressions of regret and assurance of future good conduct received from you and any evidence of your co-operation with the school in other respects.

OR

In the circumstances, and after further consideration of the Headteacher's report and your letter, I have determined that the decision to impose a ban should be overturned. You may hence attend school events as normal. However, should there be a repeat of inappropriate behaviour towards staff all of the above sanctions may be applied.

Yours sincerely

Chair of Governors

cc: Headteacher

Model Letter 6: Letter from clerk to the governors requesting parent/carers' statement for review by Governing Board

Dear

The Headteacher wrote to you on (date) to detail concerns about your behaviour towards school staff/pupils fell short of what we would expect as a school. As a result of this incident, conditions were imposed on you/a ban was imposed.

This decision will be reviewed by the governing board at their next meeting on (date).

I am writing to ask whether you would like to make a written statement to governors for their consideration in making the decision whether to remove the restriction or extend it.

If you should wish to make a written statement, please can you e-mail it to me at (address) by (date – parent/carers should be given 10 days to respond).

Yours sincerely

Clerk to Governors

cc: Headteacher

Model Letter 7: Letter from Clerk detailing outcome of governing board's review

Dear

I wrote to you on (date) to request a statement to enable governors to review the school's decision to impose conditions/ban you from attending school premises.

I have not received a written response from you/I have received a letter from you dated

....., the contents of which were considered carefully by the governors at their meeting on (date).

In the circumstances, and after further consideration of the Headteacher's report (and your letter), governors have determined that the decision to impose conditions/ban you from attending or contacting school attend should be confirmed. The conditions of your attendance on site are as follows:

- You must be accompanied to any meeting with a member of school staff.
- You may not contact by telephone or in writing any member of staff. You may contact either the Headteacher or the Chair of Governors.
- You may not attend any events for parent/carers except those where you will be accompanied by a member of the senior leadership of the school.
- Any other condition imposed

OR

- You must not attend any event in school except for an annual meeting about your child's progress. This meeting will be conducted by
- You may not contact by telephone or in writing any member of staff.

This decision will be reviewed again in six months' time. When deciding whether it will be necessary to extend the application of conditions to attend school premises, consideration will be given to the extent of your compliance with the decision, any appropriate expressions of regret and assurance of future good conduct received from you; and any evidence of your co-operation with the school in other respects.

OR

In the circumstances, and after further consideration of the Headteacher's report and your letter, governors have determined that you should once again be allowed to attend parent/carers' events as usual. All

conditions have been removed. However, should there be a repeat of inappropriate behaviour towards staff this decision may be revoked.

Yours sincerely

Clerk to Governors

cc: Headteacher