

FINHAM PARK MULTI ACADEMY TRUST



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FPMAT ABUSIVE PARENTS POLICY



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Introduction

AIMS:

- *The common purpose of this policy remains clear: to achieve zero tolerance of violence, threatening behaviour or abuse in schools, and to ensure all members of the school community, and all visitors to the school, can be confident that they are operating within a safe environment.*
 - *The main aim is to provide a safe environment for staff, students and visitors by minimising the risk of incidents of violence, threatening behaviour or abuse in schools (whether they involve students, parents or others) and enabling incidents which do occur to be quickly and effectively dealt with.*
1. Finham Park 2 is an orderly, safe place, where relationships between staff and visitors, especially parents, demonstrate mutual respect and recognition of shared responsibility for students' welfare and educational progress. Parental involvement is an important factor in educational success and in dealing with emerging problems at an early stage. However, occasionally, as in other schools, the behaviour of a small minority of parents / other 'visitors' to the site can cause severe disruption or worse, result in abusive or aggressive behaviour towards staff or students.
 2. The Local Governing Body is responsible for protecting the health and safety of all stakeholders involved with our school. The Department for Education (DfE) publication "Health & Safety: Responsibilities and Powers" gives more detailed information on the health and safety roles of governing bodies as employers of school staff (see Annex H).
 3. This document is mainly about dealing with violence, threatening behaviour or abuse by parents of a student in a school, including those cases where the parent has been asked not to come onto the premises. Some of the remedies listed are also applicable when dealing with other intruders on school premises.
 4. Violence, threatening behaviour and abuse against school staff or other members of the school community **will not be tolerated**. All members of the school community have a right to expect that their school is a safe place in which to work and learn. The police will become involved in particular incidents as is necessary.

Right to enter the school premises

5. Schools are not public places and anyone who enters without permission of the Headteacher (who has day to day management of the school) is trespassing, unless there is a recognised "right of way" across the school site. Some groups of people, such as parents, have an "implied right" to enter school premises.
6. A number of people may have good reason to be on the school premises and therefore possess an "implied right" i.e.
 - Registered students of the school during school hours or by agreement of the Headteacher e.g. after school clubs and sports. Students who have been excluded could, however, be trespassers.
 - Parents or guardians responsible for a student at the school.
 - Governors, Ofsted inspectors, Local Authority staff, contractors, those using facilities provided as part of a school "let" etc.



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7. Local Governing bodies may wish to consider posting signs up to indicate that access to the site is restricted and that all visitors should report to reception. The existence of good school security measures will also assist in minimising the incident of trespass. Examples of security measures include: appropriate signs, reception area, signing system, badges for visitors, access control and maintaining boundary fences in good order.
8. If a trespasser refuses to leave a school premises or enters after being required to leave or causes a disturbance, their behaviour may give rise to a criminal offence under Section 547 of the Education Act 1996. As a general rule, anything done by trespassers where it disrupts the routine of the school or the duties of its staff will be an offence. For example, if parents are aggressive, violent or create severe disruption in a school, then measures can be taken to prevent these individuals from entering school premises.
9. The Education Act of 1996 says that it is an offence for a trespasser on school premises to cause a nuisance or disturbance. The Local Governing Body is entitled to withdraw the implied right a parent has to enter the school if that parent is violent or aggressive.
10. If the parent then enters the premises, they are in breach of the law, and they can be prosecuted in the criminal courts. The penalty is a fine of up to £500.

Who can remove a person from the school site?

11. It is possible to remove from the school premises people who are suspected of committing an offence under Section 547. Police may do this or a person authorised by the Local Governing Body. Reasonable force may be used in removing people from the school site provided that it is appropriate and proportionate in the circumstances. Therefore, there should be reasonable course to suspect the person of committing, or having committed, an offence under Section 547. However, where reasonable force is considered necessary, the Police will be called in the first instance.

MAT policy for dealing with incidents of inappropriate behaviour on the school site

12. The following process will apply:

1. **STEP 1:** Where a person is acting inappropriately on the school site, the appropriate member of staff will ask the person to refrain from the conduct causing concern. In the vast majority of cases this should be sufficient to address the situation. Where a warning is given the Headteacher / Deputy Headteacher should be informed (this will be logged by the Headteacher's PA).
2. **STEP 2:** Where a person has been warned about their behaviour but continues to act inappropriately either to staff, parents, visitors or students, the appropriate member of staff will formally ask them to leave the premises. If they decline, the police will be called. The member of staff will report the incident to the Leadership Team on the Incident report Form (Annex A). Witnesses, if any, should also make signed and dated statements of what they said and heard.
3. **STEP 3:** Where a serious incident has occurred the Headteacher will consider the report from the member of staff and decide whether to formally ban the parent from the school premises. The Local Governing Body considers that a ban from the school premises may be appropriate in the following circumstances:



- (a) Where a child is subject to physical or verbal abuse by another parent(s);
- (b) Where a member of staff is subject to physical or verbal abuse by another parent(s);
- (c) Where a parent is subject to physical or verbal abuse by another parent(s);
- (d) Where a parent continues to refuse to respond to requests to leave the premises by a member of staff.

At this point the Headteacher may decide that a ban is not proportionate and instead will send a WARNING LETTER to the parent warning them about their future conduct on the premises.

- 4. **STEP 4:** Where the Headteacher decides that banning the parent from the premises is a proportionate response to the behaviour, they will write to the parent within 5 working days of the incident and advise the parent that they may be banned from the premises as a result of their conduct. The parent should be given the opportunity to respond to the accusation and/or apologise for their conduct. The parent should be given 5 working days in which to respond.
- 5. **STEP 5:** On receipt of the parent's response, the Headteacher will decide whether to confirm the ban or not. The ban should be for a duration which is proportionate to the circumstances of each incident and the previous conduct of the parent concerned.
- 6. **STEP 6:** Where the Headteacher decides to ban the parent from the site this should be confirmed in writing to the parent. Arrangements should be made by the school for escorting the child onto the school site where applicable and this should be clearly communicated to the parent.
- 7. **STEP 7:** The ban will be reviewed on a half-termly basis by the Headteacher and will remain in place so long as it is proportionate for it to do so. Where a parent is banned from the school premises, the Local Governing Body and MAT will be informed.
- 8. Where parents are written to, the school will ensure that the correspondence is sent via recorded delivery.

Further action which may be taken

- 9. In serious cases the Local Governing Body may also seek to use civil and criminal remedies against parents who enter the school site without permission. For example an injunction could be sought against a parent who was engaging in harassing behaviour under the Protection from Harassment Act 1997.



School Procedure for dealing with incidents

10. What to do if an incident arises - ask the person to leave, or invite them into a room away from other people;
11. Who to contact during an emergency- either the member of staff on call, another member of the leadership team, or the police depending on severity- professional judgement will need to be used;
12. How to record incidents and who to report the incident to (see Annex A for form)- all incidents should be written on the form in Annex A and copied to the Headteacher's PA for filing/ further action as appropriate;
13. What follow up action is necessary - any legal action to be taken will be decided upon by the Headteacher in liaison with the governors; decision on whether anyone should be refused entry to the premises should also be taken by the Headteacher in liaison with governors;
14. What support is available for the staff involved, - in consultation with the HR manager counselling, occupational health or legal support can be set up;
15. Liaison with the police whenever necessary- whoever is dealing with the incident i.e. leadership team on call/ member of leadership team etc, should liaise with police as necessary

13. Conducting a risk assessment

- 18.1 A **risk assessment** of all abusive or violent visitors towards staff should be drawn up. This simply involves raising a number of questions to which you want answers. A risk assessment should:
- identify and assess the risks- **what** the risks are (e.g. abuse, threatening behaviour, violence, and from whom), and **who** is likely to be at risk (e.g. reception staff, teachers, caretaker)
 - determine appropriate actions;
 - implement the actions;
 - monitor the results; and
 - provide feedback.
- 18.2 It is good practice to ask staff directly about the extent of problems that they are aware of as part of the process of assessing risk.

14. Reporting incidents- Model incident report form should be used (Annex A).

15. Example letters for use by Headteacher/ governors can be found in Annexes B-G.

The Headteacher has the right to decide who can come onto school premises but the letters should be sent by the Local Governing Body, on behalf of the Headteacher.



Incident report form (**Annex A**)

This includes trespass, nuisance or disturbance on school premises, verbal abuse, sexual or racial abuse, threats, aggression, physical violence and intentional damage to personal property.

This form should be completed as fully as possible (please use a continuation sheet if necessary). For an incident involving or witnessed by a student, a member of staff should complete the form on their behalf. However, any discussion between one witness and another should not precede completion of the form, as this might lead to allegations of collusion.

Date of incident _____ Day of week _____ Time _____

1. Member of staff reporting incident

Name _____

Work address (if different from school address) _____

Position _____

2. Personal details of person assaulted/verbally abused (if appropriate)

Name _____

Work address (if different from school address)/home address (if student) _____

Job/Position (if member of staff) _____

Age _____ Gender **M/F**

3. Details of trespasser/assailant(s) (if known) _____



4. Witness(es) if any

Name_____

Address_____

Age_____ (approx) Gender **M/F**

Other information

Relationship between member of staff/student and trespasser/assailant, if any

5. Details of incident

- a. Type of incident** (e.g. if trespass, was the trespasser causing a nuisance or disturbance and how; if assault, give details of any injury suffered, treatment received etc)
- b. Location of incident** (attach sketch if appropriate)
- c. Other details:** describe incident, including, where relevant, events leading up to it; relevant details of trespasser/assailant not given above; if a weapon was involved, who else was present



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Continue on another page if necessary.

6. **Outcome:** (e.g. whether police called; whether trespasser was removed from premises under section 547; whether parents were contacted; what happened after the incident; any legal action taken?)



7. Other information (to be completed as appropriate)

- a.** Possible contributory factors
- b.** Is trespasser/assailant known to have been involved in any previous incidents YES/NO (Give date and brief details if known)
- c.** Had any measures been taken to try to prevent an incident of this type occurring? If so, what? Could they be improved?
- d.** If no measures had been taken beforehand, could action now be taken? If so, what?
- e.** Name and contact details of police officer involved, and incident number or crime reference number, as appropriate
- f.** Any other relevant information

Signed _____

Date _____

Please return as soon as possible to member of Leadership Team investigated (copy to Headteacher’s PA for logging and filing):



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Annex B- Example BAN LETTER-1

Letter to Parent with child/ren at the school - request for information
by RECORDED DELIVERY

Dear (ADD PARENT /CARER NAME HERE)

Behaviour on School Site

It has been reported to me that you caused a disturbance at the school on (ADD DATE HERE) by
ADD DESCRIPTION HERE WITH AS MUCH DETAIL AS POSSIBLE.

This behaviour has upset a number of staff and the pupils who were present. Such behaviour is
totally unacceptable and may result in you being banned from the site. I would be grateful if you
could contact me by telephone or in writing by ADD DATE HERE – WITHIN 5 DAYS in order to
answer these allegations and provide any justification you may have for a ban being inappropriate.

I shall then consider what further action may be necessary including the possibility of imposing a
ban on your entry to the school premises.

Yours sincerely



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Annex C - Example BAN LETTER 2

Letter to parent with child/ren at the school- response to letter 1
By RECORDED DELIVERY

The following is an example of a letter to a parent imposing a ban after the warning letter has been issued and subject to any response from the parent.

Dear (ADD PARENT /CARER NAME HERE)

Further to my earlier letter of (ADD DATE HERE), which warned you that you may be banned from the site, I have considered your responses to the allegations and have decided that they are insufficient. On this occasion the safety and well-being of our staff and students has overridden the mitigating factors you provided in your response to my earlier letter.

I am therefore banning you from the school premises with immediate effect. This will be reviewed on _____ (it is recommended to limit a ban to no more than 1 term in the first instance)

A breach of this ban may result in an offence being committed under Section 547 of the Education Act 1996 and an action taken under that section to remove you from the premises or in an application being made to the court for an injunction.

Yours sincerely

** Headteachers are must contact Finham Park Multi Academy Trust before issuing a letter banning an individual from the premises*



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Written By Mark Bailie

January 2020

Revised by

Next review date

January 2022

Approved by Trustees:

Signed:

Signed:

MARK BAILIE

PETER BURNS MBE

Executive Headteacher

Chair of Board of Trustees

Date: 03/03/2020

Date: 03/03/2020