



Dealing with abusive parents and carers policy

Date: March 2019

Review date: September 2020

Statement of principles

This policy has been written taking into account the DfE Guidance 'Advice on school security: access to, and barring individuals from school premises' December 2012 as well as NAHT guidance on dealing with abusive parents/carers which in itself is underpinned by; Section 547, Education Act 1996.

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. The penalty for a person convicted of the offence is a fine of up to £500.

A parent/carer of a child attending a school normally has implied permission (limited licence) to be on the school's premises at certain times and for certain purposes, but if their behaviour is unreasonable this permission may be withdrawn and they will become a trespasser.

A person who nevertheless persists in entering the school premises and displaying unreasonable behaviour may be removed and prosecuted under section 547.

The Governing Board of Bushbury Lane Academy may take the lead in authorising the removal of a person believed to be causing or permitting a nuisance or disturbance and may bring proceedings against them and may also authorise a person to bring proceedings against that individual.

Additionally, in all situations the police are authorised to remove someone from school premises and to bring proceedings for an offence under this section.

This will usually be done in writing. However, all members of Senior Leadership Team (SLT) are authorised to remove anyone causing a disturbance and should call the police if threatened.

Schools wishing action to be taken against someone they believe has committed an offence under s547 should contact their LA as appropriate. If the police have been involved the school should clarify whether the police intend to summons or charge and whether the Crown Prosecution Service has decided that there is sufficient evidence to prosecute. In most cases it will be in the public interest to prosecute if there is sufficient evidence to support a prosecution.

At Bushbury Lane Academy, we value the positive relationships forged with parents/carers and visitors to the school. We encourage close links with parents/carers and the community and believe that pupils 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 for pupils the behaviour we teach and expect. In general, we place a high importance on good manners, positive communication and mutual respect.

Almost all parents, carers and visitors to Bushbury Lane Academy are keen to work with us and are supportive of the school. However, on very rare occasions the behaviour of a small number of parents/carers falls short of what we expect. This sometimes manifests itself in aggression or abuse

towards members of the school community. This can be in written communication (including social media), on the telephone or in face-to-face incidents.

In these situations we expect members of staff to behave professionally, attempting to defuse the situation where possible and seeking the involvement as appropriate of other colleagues. Staff who face these situations have licence to end any conversation (face to face or on the telephone). They should then refer the incident to a member of the SLT who will take appropriate action or invoke the provisions of this policy.

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

The progress and well-being of the parent/carer's child(ren) will be fully considered. Actions taken against the parent/carer will be reasonable and proportionate. The parent/carer will have the opportunity to put their views forward at every stage. In the case of the imposition of conditions or a ban from school, robust review processes involving the Chair of Governors and then the governing board are in place to ensure fairness.

Definition of unacceptable behaviour

We consider that aggressive, abusive or insulting behaviour or language from a parent/carer presents a risk to staff or pupils. Unacceptable behaviour is such that makes a member of staff or pupil feel threatened.

This can 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 behaviour:

- any kind of insult as an attempt to demean, embarrass or undermine;
- any kind of threat;
- raising of voice so as to be intimidating, shouting at members of the school staff, either in person or over the telephone;
- physical intimidation, e.g. by standing very close to him/her or the use of aggressive hand gestures;
- threatening behaviour;
- threatening language or swearing;
- any kind of physical abuse;
- pushing;
- hitting, e.g. slapping, punching and kicking;
- spitting;
- breaching the school's security procedures;
- allegations that turn out to be vexatious or malicious.

The school's approach to dealing with incidents

If a parent/carer/visitor behaves in an unacceptable way towards a member of the school community, the Headteacher or appropriate senior staff will assess the level of risk

before deciding on a future course of action. The course of action will be reasonable and commensurate with the assessed level of risk.

Risk Assessment

The Headteacher or senior leader will carry out a risk assessment in order to help make a decision about the level of response. In all cases the response will be reasonable and proportionate. The senior leader will consider the following questions:

- What form did the abuse 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 parent/carer'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

Staff/pupils subject to abuse and witnesses will make written statements about incident(s), which will be kept in a file with subsequent letters. The Headteacher will keep this file. Depending on an assessment of the risk of retaliation to witnesses or individuals, statements made by adults these may be made available to the parent/carer if they request it.

The School's response

Following the completion of the risk assessment, the Headteacher will decide the level of action to be taken. Actions will include the following:

1. Clarify to the parent/carer what is considered acceptable behaviour by the school

In some instances it may be appropriate simply to ensure the parent/carer is clear about behaviour standards expected by the school. This could be explained by letter from the Headteacher. This letter may contain a warning about further action if there are further incidents. The parent/carer will be invited to write to the Headteacher with his/her version of events within 10 working days. Depending on the parent/carer's response a meeting may then be held to discuss the situation and how this can be avoided in future.

2. Invite the parent/carer 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 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.

3. Impose conditions on the parent/carer's contact with the school and its staff

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Parents/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. Parents/carers exceeding this would be trespassing. Depending on the type, level or frequency of the unacceptable behaviour, the school may consider imposing conditions on the parent/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 SLT;
- restricting contact by telephone to named members of 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 SLT;
- any other restriction as deemed reasonable and proportionate by the Headteacher.

In this case the parent/carer will be informed by letter from the Headteacher the details of the conditions that are being imposed. The parent/carer 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 be communicated to the parent/carer in writing within 10 working days of the date of the parent/carer's letter.

If the decision is to confirm the conditions imposed, this decision 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 maintain, extend or remove the conditions. The decision of the review will be communicated to the parent/carer by the clerk to the governors 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's compliance with the conditions, any appropriate expressions of regret and assurance of future good conduct received from him/her and any evidence of the parent/carer's co-operation with the school in other respects.

4. Imposing a ban

Where other procedures have been exhausted and aggression or intimidation continues OR where there is an extreme act of violence then the school may consider banning the individual from school premises. This will include banning a parent/carer from accessing school staff by written communication 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 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 in writing within 10 working days of the receipt of their letter. If the Chair's decision is to confirm the ban, parents/carers 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's access to the school. The decision of the review will be communicated to the parent/carer the clerk to the governors 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 him/her and any evidence of the parent/carer's co-operation with the school in other respects.

5. Removal from school

Parents/carers who have been banned from the school premises and continue to cause a nuisance will be deemed to have committed a section 547 offence. They will be considered as trespassers. In these circumstances the offender may be removed from school. This may be carried out by a police officer or person authorised by the governing board. Legal proceedings may be brought against the parent/carer.

Complaints policy

Any complaint that arises from incidents of abusive behaviour will be dealt with under the complaints policy which can be found on the school website.

Appendices

- Model letter 1: Initial letter from the Headteacher to ensure the parent/carer is clear about behaviour standards expected by the school. This letter contains a warning about further action if there are other incidents. The letter invites a written response and suggests a meeting.
- Model letter 2: Letter from the Headteacher informing parents/carers of the school's decision to impose conditions on the parent/carer's attendance at school events.
- Model letter 3: Letter from the Chair of Governors informing parent/carer of the decision to confirm or overturn the Headteacher's decision to impose conditions.
- Model letter 4: Letter from Headteacher informing parents/carers 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 of her decision to confirm or remove ban.
- Model Letter 6: Letter from clerk to governors requesting statement from parents/carers 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.

All letters will be sent to parents/carers by recorded delivery.

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 Bushbury Lane Academy. (Add factual summary of the incident and of its effect on staff, pupils, and other parents/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 abusive parents/carers 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 onat (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 parents/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/carer 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 - parents/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 parents 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 parents' 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