

SOKE EDUCATION TRUST

Banning Persons from School Premises

Approved via Governorhub

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Banning Persons from School Premises

Aim

The purpose of this guidance is to set out the expected conduct from our parents, carers and visitors so that anybody on our school site is respected and feels safe. It also sets out what to do if a person's conduct is abusive or aggressive. We ask that all members of the community follow these principles:

- We all respect the caring ethos of our school
- All adults need to work together for the benefit of the pupils.
- All members of the school community should be treated with respect and, therefore, we must all set a good example in our own speech and behaviour.

Legislation and Guidance

In 2002 the Government set out a Toolkit for schools to support them in dealing with harassment, bullying or violent visitors. The toolkit refers to Section 547 of the Education Act 1996, Section 222 of The Local Government Act 1972: This gives the local authority the power to prosecute an abusive parent by way of criminal proceedings or alternatively to bring civil proceedings against the parents, Protection from Harassment Act 1997: Criminal Damages Act 1971: Under this, if the person destroys or damages property belonging to the school, or to a teacher, he or she can be prosecuted for causing criminal damage. Common assault: Where a member of staff is assaulted by a parent and minor injuries caused, the charge of common assault in accordance with Section 39 of the Criminal Justice Act 1988 can be brought. Where the assault occasions actual bodily harm, the offence is brought under Section 47 (or for increasing severity, Sections 20 and 18) of the Offences Against the Person Act 1861. Offences under the Public Order Act 1986, Criminal Justice Act 1988: Section 139a of the Act makes it an offence to carry an offensive weapon or knife on school premises. Under section 139b a police officer may enter a school and search for a weapon. A person who has a weapon on school premises will be guilty of an offence, unless he can prove a statutory defence.

The Education Act 2011: This gives new stop and search powers within schools and colleges. A Headteacher already has the power to search pupils, but this Act further extends powers of search and increases the authority of teachers to search pupils without their consent.

Introduction

We aim to build good relationships with all our stakeholders and wish to resolve concerns promptly. The trust recognises that the school has parents from different backgrounds, different cultures and different beliefs and as such we consider a wide range of views in developing our policy and practice.

We establish our policy and plans based on legal requirements, academically researched methodology and the publicised ethos of our school. Therefore, we may not be able to align our practice with your wishes but we are committed to working with you.

We are unable to discuss the plans, provision or differentiation used with any child other than your own. We are happy to make time, by appointment to discuss and resolve anything relating to your child's needs. We are happy to listen and consider parents' views and very much value parental input into plans, provision or differentiation used with your child or children. We actively seek your collaboration and involvement, however, in a very small minority of cases, the behaviour of a few adults can cause disruption, resulting in abusive or aggressive behaviour towards staff.

This will **not be tolerated**. All members of the school community have a right to expect that their school is a safe place.

If the parent's behaviour is unreasonable, permission for them to be on the school premises may be withdrawn and they will become a trespasser.

There are also other exceptional circumstances when a parent/carer may be banned from the school premises; these include if an adult is a registered sex offender (for sexual offenses against children) or if an adult has been prosecuted for harming children.

Visitors Code of Conduct

We expect visitors to:

- Understand that both teachers and parents/carers need to work together for the benefit of their children.
- Demonstrate that all members of the school community should be treated with respect and therefore set a good example in their own speech and behaviour.
- Seek to clarify a child's version of events with the school's view in order to bring about a peaceful solution to any issue.
- Correct their own child's behaviour especially in public where it could otherwise lead to conflict, aggressive behaviour or unsafe behaviour.
- Approach the school to help resolve any issues of concern.
- Avoid using staff as threats to admonish children's behaviour.

Types of unacceptable behaviour

In order to support a peaceful and safe school environment the school cannot tolerate parents, carers and visitors exhibiting the following:

- Disruptive behaviour or disorderly conduct which interferes or threatens to interfere with the operation of a classroom, office or any other area of the school grounds.
- Using loud/or offensive language, shouting, swearing, cursing, using profane language, attempting to physically intimidate, use of aggressive hand gestures or displaying temper.
- Threatening to harm a member of school staff, visitor, fellow parent/carer or pupil regardless of whether or not the behaviour constitutes a criminal offence.
- Damaging or destroying school property.
- Sending abusive or threatening e-mails or text/voicemail/phone messages or other written communications.
- Harassment of staff through persistent unacceptable behaviour
- Defamation of the school or staff character on Facebook or other social networking sites.
- The use of physical aggression towards another adult or child. This includes physical punishment against your own child on school premises.
- Approaching someone else's child in order to discuss or chastise them because of their actions towards your own children.
- Smoking and consumption of alcohol or illegal drugs on school premises.
- Dogs being brought on to school premises with the exception of assistance dogs.

Risk Assessment:

A risk assessment has been prepared to protect staff by ensuring:

- On home visits, two members of staff will attend together.

- That two members of staff will see a parent together when it is thought that the consultation could be difficult.
- There are procedures in place for any staff who may complete home visits

Procedures:

If an incident arises, the member of staff should follow these procedures:

- Ask the person to leave or invite them to a room away from a crowded area or classroom.
- Ask the Headteacher (or Deputy Headteacher/Assistant Headteacher in their absence) for support.
- In the event of violence or aggression, contact the police using 999.

After the Incident

The Headteacher will;

- Ask the people who witnessed the incident to make witness reports in writing as soon as possible after the incident.
- Reports must be signed and dated.
- Make it clear that the reports may be disclosed to the perpetrator and the witness should say whether or not they are prepared for this to happen.
- Consider whether the person should be banned or given a warning letter.
- The Headteacher will discuss this with the Chair of Trustees and keep them informed.
- If a letter is thought appropriate, it will be sent to the parent/carer.
- If a ban is appropriate, the Headteacher will give the parent an opportunity to make representations about this before finalising the ban. If the Headteacher considers it unwise to allow the parent/carer back on the premises at this time, they will impose a temporary ban for a week, to give the parent/carer an opportunity to make representations in writing (See Model Letters). As soon as this happens the Headteacher will write to the parent/carer informing him/her of the decision to extend the ban or not to renew it after the initial week has elapsed. (See Model Letters).
- If a ban is renewed after the initial week, the Headteacher will impose any further ban for a fixed period of time and explain that they will review the ban at the end of that period.

Police Assistance

In the event of a parent/carer (or other person) becoming aggressive or violent, the school **will not hesitate to contact the police using 999**. When the situation does not require immediate Police response, but there is prior knowledge of likely trouble, the Headteacher may contact the local Police Station or the school's Community Officer for advice.

Example Letter Template 1 – warning letter from Headteacher

Dear

Re: Your conduct on school premises on (insert date)

I refer to the incident that took place on the school premises today (or insert relevant day) when you (insert details of the incident).

If the Headteacher did not witness the incident they may wish to use the following text: I have considered the witness accounts of the incident, (if relevant: including your own), and it would appear (insert details of incident).

Your behaviour falls short of the standard of conduct expected of those visiting the school. I must therefore warn you that if you are involved in a similar incident again, you will leave me with no alternative other than to ban you from coming onto the school site without my written permission.

I do hope that this will not be necessary and that I can rely on your cooperation in this matter.

Yours sincerely

Headteacher

Example Letter Template 2 – Ban from centre premises for one week (or more) whilst obtaining the parent’s account and views from Headteacher

Dear

Your conduct on school premises on (insert date)

I refer to the incident that took place on school premises today (or insert relevant day) when you (insert details of the incident).

If the Headteacher did not witness the incident, the following text may be used: I have considered the witness accounts of the incident, (if relevant: including your own), and it would appear (insert details of incident).

Your behaviour falls short of the standard of conduct expected of those visiting the school. (Omit if this is a first incident – As you will remember, I have previously warned you about your behaviour when I wrote to you on (date)). I have considered the matter very carefully and have decided that you should not be allowed on to the school premises from now until (insert date). During that time I will review the situation.

Before I make a final decision you may, if you wish, write to me to give me any further information you want me to take into consideration. You have until (insert date) to write to me.

If you need to speak to me or a member of staff about any matter, please telephone and I will make the necessary arrangements and confirm them to you in writing. You will not be allowed to come onto the school site unless you have a letter from me giving you authorisation.

If you do not comply with this ban, you will be guilty of causing a nuisance or disturbance on educational premises. This is a criminal offence under section 547 of the Education Act 1996. If you were to commit this offence, you would be liable to prosecution in the magistrates’ court. If you were to be convicted, you would be liable to a fine and a criminal conviction.

I regret that I have had to take this action and hope that I can rely on your cooperation.

Yours sincerely

Headteacher

Example Letter Template 3 – Ban from school premises for specified period from Headteacher

Dear

Your conduct on school premises (insert date)

I refer to the incident that took place on school premises on (insert relevant day) when you (insert details of the incident). In my letter dated (insert date), I referred to my intention to ban you from the premises and I invited you to make representations to me about this.

I have considered the points you have made to me and I have decided to proceed with the ban for a period of (insert number of weeks or an indefinite period), until (insert date), after which the ban will be reviewed by the Chair of Governors and myself. I will write to you again when this review is going to take place so that you may make written representations, which we will take into account. When we have made our decision, I shall write to you to inform you of it together with our reasons. If you need to speak to me or a member of staff about any matter, please telephone and I will make the necessary arrangements and confirm them to you in writing. You will not be allowed to come onto the school site unless you have a letter from me giving you authorisation.

If you do not comply with this ban, you will be guilty of causing a nuisance or disturbance on educational premises. This is a criminal offence under section 547 of the Education Act 1996. If you were to commit this offence, you would be liable to prosecution in the magistrates' court. If you were to be convicted, you would be liable to a fine and a criminal conviction.

I regret that I have had to take this action and hope that I can rely on your cooperation.

Yours sincerely

Headteacher

Letter Template 4 – ban from school premises from Headteacher

Dear

Your conduct on school premises on (insert date)

On (insert date) I wrote to you informing you that I had temporarily withdrawn permission for you to come onto the school premises. To enable me to determine whether to confirm this decision for a longer period, I gave you the opportunity to let me have your written comments on this incident by (insert date).

I have not received a written response from you/I have now received a letter from you dated (insert date), the contents of which I have noted. (Delete either sentence as appropriate). (However) in the circumstances, (insert detail) I have decided to restore to you the permission to come onto the school premises, with immediate effect.

Nevertheless I remain very concerned at the incident which occurred on (insert date), and I must warn you that if there is any repetition of your behaviour on that occasion, I shall not hesitate to withdraw permission for you to come onto the premises again.

Yours sincerely

Headteacher.