



ASPIRE
Academies Trust

**MANAGING AGGRESSIVE
BEHAVIOUR FROM
PARENTS/CARERS AND
VISITOR'S POLICY.**

Reviewed: Spring 2021

Review Frequency: Every 3 Years

Approved by: Board of Trustees

Policy on Managing Aggressive Behaviour from Parents/Carers and Visitors

Rationale taken from the DfE

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 pupils' 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 the behaviour of a few parents can cause severe disruption or worse, resulting in abusive or aggressive behaviour towards staff.

1. Statement of intent

Aspire Academies Trust encourages close links with parents and the community. We believe that pupils benefit when the relationship between home and school is a positive one. We wish to keep the school a happy and safe place for both staff, visitors and children to work and learn.

The vast majority of parents, carers and other visitors to our school are keen to work with us and are supportive of the school. However, on the rare occasions when a negative attitude towards the school is expressed, this can result in aggression including verbal or physical abuse towards school staff or other members of the school community.

Our school expects and requires its staff to behave professionally in these difficult situations and attempt to defuse the situation where possible, informing a member of the senior team and seeking the involvement of other colleagues as appropriate.

We expect parents/carers and other visitors to behave in a reasonable way. If parents/carers are unhappy about any aspect of their child's education they can arrange a meeting with the class teacher initially and escalate to the Principal if they do not feel the matter has been resolved.

Violence, threatening behaviour and abuse against school staff or other members of the school community will not be tolerated and all have the right to expect that their school is a safe environment in which to work and learn without fear.

The Trust is responsible for protecting the health and safety of their staff, pupils and visitors; this policy outlines the steps that will be taken where behaviour is unacceptable.

2. Behaviour

Some examples of behaviour towards school staff or other members of the school community that are considered serious and unacceptable and will not be tolerated:

Definition of Abusive, Threatening and Violent Behaviour

- a) Unreasonable behaviour and aggressive language
 - Shouting, either in person or over the telephone
 - Physically intimidating e.g. standing very close to her/him
 - The use of aggressive hand gestures
 - Threatening
 - Shaking or holding a fist towards another person
 - Swearing
 - Pushing
 - Hitting e.g. slapping, punching and kicking
 - Spitting
 - Racist, homophobic, sexist or derogatory religious comments

b) Common Assault

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

c) 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)

d) Grievous Bodily Harm

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

There is also a racially aggravated form of assault, where there is a racial element to the offence, which carries higher maximum penalties.

e) Harassment

- 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. In extreme cases, the behaviour of the parent/carer may constitute an offence under the protection from Harassment Act 1997.

Unacceptable behaviour will result in Aspire Academies Trust and the Police being informed of the incident.

3. Procedure

This policy will detail how our school will deal with violence, threatening behaviour or abuse by visitors, parents/carers of a child.

The school's measures to avoid, prevent and minimise incidents

1. The Principal and Senior Leadership Team are responsible to ensure that the staff are protected. Staff are advised, however, in the event of an incident, to:

- Speak calmly and without raising the voice
- Be assertive but not aggressive
- Be polite but firm
- Seek assistance
- Think about an escape route, should the need arise
- Walk away.

2. In the event of an emergency, staff should request assistance from a member of the Senior Leadership Team, if available, otherwise the nearest member(s) of staff.

3. The member of Senior Leadership will request that the person causing offence leave the premises.

4. Should the person not leave the premises then the member of Senior Management will call the police.

5. The incident will be reported to Aspire Academies Trust.

Dealing with abusive, threatening or violent behaviour

When a parent/carer or member of the public behaves in an unacceptable way towards a member of the school staff the

Principal or senior staff member will seek to resolve the situation through discussion and mediation. If necessary, the school's complaints procedure should be followed. Where all procedures have been exhausted, and aggression or intimidation continue, or where there is an extreme act of violence, a visitor, parent or carer may be banned by the Principal from the school premises for a period of time, subject to review. A parent/carer of a child attending a school has implied permission to be on the school's premises at certain times and for certain purposes but if the parent/carer's behaviour is unreasonable this permission will be withdrawn and they will become a trespasser.

Section 547 of the Education Act 1996 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.

Prior to being banned the following steps will be taken:

1. The parent/carer will be informed, in writing, that they are banned from the premises, subject to review, and what will happen if the ban is breached, e.g. that an injunction application may follow.

2. Where an assault has led to a ban, a statement indicating that the matter has been reported to Aspire Academies Trust and the Police will be included.
3. The Chair of the Local Advisory Body and Executive Principal will be informed of the ban.
4. Where appropriate, arrangements for pupils being delivered to, and collected from the school gate will be clarified.

It is important for clear and concise detailed records of events to be maintained at every stage.

Statutory and Non Statutory measures

Non-statutory Measures

Following an incident, and an appropriate risk assessment, the following strategies may also be used:

- If appropriate, parents/carers will be invited to make an appointment to speak to their child's class teacher should an issue arise that they wish to discuss, a member of the Senior Leadership Team will be present at this meeting and the discussion will be recorded.
- A class teacher may refuse to speak to a parent if the level of aggression increases during the meeting and is deemed to be unacceptable. In this case the meeting will be closed and the parent asked to leave the site.
- The Principal /member of the Senior Leadership Team may request an appointment with the parent in place of the class teacher to discuss the incident. It is advisable to have a witness present at this meeting.
- Any member of staff has the right to call 999 and seek assistance should they be confronted by verbal abuse or the threat of physical assault against them

Statutory Measures

Aspire Academies Trust would take the lead in giving consent for proceedings against a parent/carer.

The School may also decide to use the following legal measures:

- Section 222 Local Government Act 1972
- Anti Social Behaviour Orders
- Protection from Harassment Act 1997
- Criminal Damage Act 1971
- Section 39 of Criminal Justice Act 1988
- Section 47 of the Offences against the Persons Act 1861
- Offences against the Public Order Act 1986
- Section 31 of the Crime and Disorder Act 1998
- Criminal Justice Act 1988

4. Conclusion

Aspire Academies Trust will take action where behaviour is unacceptable or serious and breaches our home-school agreement or health and safety legislation.

In implementing this policy, the school will always seek advice from our legal advisors to ensure fairness and consistency.

Appendix 1

Risk assessment

In the event of a visitor/parent/carer behaving in an inappropriate manner on the school site, each situation will need to be considered individually. However, it is suggested that the following factors are taken into account as a risk assessment before deciding the most appropriate course of action.

- Has the adult been verbally aggressive/threatening/intimidating?
- Has the adult been physically aggressive/threatening/intimidating?
- What evidence is there; what do witnesses say happened?
- Does the adult have a known previous history of aggression? (Information can only be sought from the police once an official complaint has been made.)
- Do members of the school community feel intimidated by the adult's behaviour?
- Have pupils witnessed aggressive behaviour from the adult?
- Have pupils been approached inappropriately by the adult?
- Has the adult been abusive to school staff, pupils or visitors?
- Has the adult been persistently abusive to school staff, pupils or visitors?
- Was the adult provoked in any way prior to their behaviour and/or do they claim to have been provoked?
- Is there evidence of provocation?
- How frequently have behaviours occurred?
- How strong is the possibility of the behaviour being repeated?

Options for Principals

After evaluating the above and any other relevant factors, the action which the Principal may wish to take can include:

- An invitation to a meeting to discuss events
- Clarification to the adult about what is considered acceptable behaviour by the school
- Forming strategies to manage situations of potential conflict
- Withdrawal of permission for the adult to enter the school sit
- Calling for Police assistance

Appendix 2

Incident report form

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 pupil, 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 pupil) _____

Job/Position (if member of staff) _____

Class/age (if pupil) _____

Sex _____

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

4. Witnesses if any

Name _____

Address _____

Age (approx) _____

Sex _____

Relationship between member of staff/pupil 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

6. Outcome

(e.g. whether police called; whether trespasser was removed from premises under section 547 of the Education Act 1996; whether parents contacted; what happened after the incident; any legal action)

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? Give date and brief details if known

c) What measures had been taken to try to prevent an incident of this type occurring? How could they have been improved?

d) If no measures had been taken beforehand, what action could now be taken?

e) Name and contact details of police officer involved with incident number or crime reference number if appropriate

Signed _____

Date _____

Please return as soon as possible to: Principal/Deputy Principal

Appendix 3

Letter of warning from Principal to be sent recorded delivery

Dear.....

The Trustees of Aspire Academies Trust have a duty to provide a safe and healthy environment for both its pupils and those members of staff employed on the site. Your conduct on *(Date.....)* compromised this responsibility and was contrary to the School's aims in providing an environment in which the pupils and staff feel safe. On *(Date.....)* you *(Description of behaviour....)*. The purpose of this letter is to formally warn you of the consequence of the continuation of such behaviour.

I must inform you that should a further incident of a similar nature occur in the future, I would have no alternative other than to ban you from the premises of *(insert name of school)*.

You may wish to make representations on the incident, in which case I refer you to the attached copy of the Schools' Complaints Procedure, which sets out the process which you should follow in making your response.

I am sorry that the school has had to take this step as we value contact with you, and other parents, and know that this plays an important part in the educational progress of a child. The school has always maintained that a child's education should be a partnership between the school and parents.

I would hope we could put this behind us and work together in the future.

Yours sincerely

Principal

Section 547 of the Education Act 1996 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.

Appendix 4

Sample banning letter (to be sent recorded delivery)

Dear.....

You will recall that I wrote to you on(*date of 1st Letter*) in connection with your conduct on (*date of 1st incident*). I stated in the letter my concerns about your behaviour at school and that should a further incident of a similar nature occur, the Trustees would have no alternative other than to consider banning you from the school premises.

As a result of an incident on where you (*Describe behaviour*....) I must tell you that you are no longer allowed on the premises of (*Insert school name*).

The decision does not alter the school's legal obligation to keep you informed of your child's educational progress. School reports will be forwarded to you and if you have any queries regarding your child's educational progress, you should telephone the school to speak with me.

As your permission to enter the school premises has been withdrawn, to enter the premises would constitute trespass. Under section 547 of the Education Act 1996, it is a criminal offence to trespass upon the school premises and to cause a nuisance or disturbance. On conviction, you could be subject to a fine of up to £500.

You may wish to make representations upon the action taken by the school as a result of your behaviour. If you wish to do so, please refer to the attached copy of the School's Complaints Procedure, which sets out the process for your response.

Your ban will be reconsidered by myself and the Trustees (at the end of term or a subsequent date).

I am sorry that the school has had to take this step.

Yours sincerely

Principal

APPENDIX 5

Sample serious conduct letter (to be sent only after consultation with Aspire Academies Trust legal team)

Dear.....

The Trustees of Aspire Academies Trust have a duty to provide a safe and healthy environment for both its pupils and those members of staff employed on the site. Your conduct on *(Date.....)* compromised this responsibility and was contrary to the School's aims in providing an environment in which the pupils and staff feel safe.

As a result of an incident on *(Date.....)* where you *(Describe behaviour....)* I must tell you that you are no longer allowed on the premises of *(Insert name of school)*.

The decision does not alter the school's legal obligation to keep you informed of your child's educational progress. School reports will be forwarded to you and if you have any queries regarding your child's educational progress, you should telephone the school to speak with me.

As your permission to enter the school premises has been withdrawn, to enter the premises would constitute trespass. Under section 547 of the Education Act 1996, it is a criminal offence to trespass upon the school premises and to cause a nuisance or disturbance. On conviction, you could be subject to a fine of up to £500.

You may wish to make representations upon the action taken by the school as a result of your behaviour. If you wish to do so, please refer to the attached copy of the School's Complaints Procedure, which sets out the process for your response.

Your ban will be reconsidered by myself and the Governors *(at the end of term or a subsequent date)*.

I am sorry that the school have had to take this step.

Yours sincerely

Principal

APPENDIX 6

Letter of review from Principal to be sent recorded delivery

Dear

I wrote to you on (Insert date) informing you that I had withdrawn permission for you to come onto the school site until further notice. In that letter I also advised you that I would take steps to review this decision.

I have now completed the review and after consultation with the Trustees I have decided to restore to you the permission to come onto the school site with immediate effect.

I trust that you can now be relied upon to act in full co-operation with the school and that there will be no further incidences. I should point out that if there is a repetition of your behaviour, I shall not hesitate to withdraw permission again.

Yours sincerely,

Principal

Section 547 of the Education Act 1996 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.