



# WILDGROUND FEDERATION

## Parental Behaviour Policy

UNCRC Article 19 - The right to be protected from being hurt and mistreated, in body or mind.

### Rationale:

Wildground Federation believes staff, parents and children are entitled to a safe and protective environment in which to work. Behaviour that will cause harassment, alarm or distress to users of the premises is contrary to the aims of the Federation.

### Aims:

All members of the federated community treat each other with respect.

### Expectation:

- Adults set a good example to children at all times, showing them how to interact with all members of the school and the wider community.
- No members of staff, parents or children are the victims of abusive behaviour or open to threats from other adults on the schools' premises.
- Physical attacks and threatening behaviour; abusive or insulting language, verbal or written, to staff, governors, parents, carers, children and other users of the premises will not be tolerated and will result in withdrawal of permission to be on the federation's premises.
- Any parent who is asked to leave the federation's premises will have the right to appeal the decision by writing to the Chair of Governors.

Please note that incidents of rudeness will be logged with the Chair of Governors.

Please see below for an illustration of types of behaviour that are considered serious and unacceptable and will not be tolerated towards any member of the Federation's community. This is not an exhaustive list but seeks to provide illustrations of such behaviour:

- Shouting, either in person or over the telephone
- Inappropriate posting on Social Networking sites
- Speaking in an aggressive/threatening tone
- Physically intimidating someone, e.g. standing very close
- The use of aggressive hand gestures/exaggerated movements
- Physical threats
- Shaking or holding a fist towards another person
- Swearing
- Pushing, hitting, slapping, punching or kicking
- Spitting
- Racist or sexist comments
- Covertly recording on the school premises

Unacceptable behaviour may result in the Police being informed.

The Federation reserves the right to take any necessary action to ensure that members of its community are not subjected to abuse.

Federation premises are private property and parents have been granted permission from the Federation to be on its premises. However, in case of abuse or threats to staff, pupils or other parents, the Federation may ban parents/carers from entering school.

It is an offence under section 547 of the Education Act 1997 for any person (including a parent/carer) to cause a nuisance or disturbance on Federation premises. The police may be called to assist in removing the person(s) concerned.

The Federation is not responsible for organising arrangements for children whose parents have been banned from the Federations premises. Parents/carers will need to provide alternative arrangements for bringing children into school.

Parents/carers have the right of appeal by writing to the Chair of Governors within ten days of a ban from Federation Premises.

### **The Banning Process**

A member of the Federation's Senior Leadership Team is required to collect the full facts before proceeding, making sure that all involved in any incident, or witnesses to the incident, make a full written statement as soon as possible.

Crucial elements:

- write to the person(s) involved to record in detail the incident and why it is unacceptable behaviour;
- explain that the Local Authority (LA)/governing body will consider banning the parent/carer, giving the parent/carer a period in which they may respond in writing, presenting their version of events and why they should not be banned;
- inform the parent/carer when a decision will be made.

### **The length of a ban**

The ban should be finite in length, as only the most serious misconduct would justify an indefinite ban.

The duration needs to be sufficient to convey a clear message about the seriousness of the associated misconduct, but should not be disproportionate. The aim should always to be to restore "normal" relations as soon as is reasonably practicable.

Even if a ban is permanent, it should be reviewed periodically, taking account of subsequently demonstrated patterns of behaviour.

### **What does a ban achieve?**

- It confirms to a parent/carer that the Federation will not tolerate unacceptable behaviour;
- Demonstrates the Federation takes health and safety of its staff, visitors and pupils seriously;
- It provides a key element in making it easier to use legal remedies to prevent repeated misconduct, including use of S547 of the 1996 Education Act. To enable Police removal and possible prosecution of those on Federation premises without permission;
- It may form the basis for an application of an injunction to curtail repeated instances of unacceptable behaviour.

### **Parental/Carer Rights**

Every attempt will be made to maintain normal communications with parents/carers, including giving them the opportunity to participate in elections for parent governors.

Even where a parent/carer has been banned from Federation premises, they retain their right to an annual consultation in relation to the educational progress of their child/ren. However, the Federation may determine who will be present at the meeting (e.g. a senior member of staff might accompany the class teacher) and its location (e.g. it could be arranged off site). The interests of the child/ren should continue to be paramount.

## **Model incident report form**

This is held by the Federation Business Manager. It will assist with the recording of any incident of abuse, threatening behaviour or violence against any members of the Federation community. An incident report will help in the collection of evidence where necessary, e.g. when proceedings are being brought against an alleged assailant. Available photographic evidence of any injuries or damage, or relevant CCTV footage, can also be beneficial. Recording details of incidents will also assist the Federation when reviewing the Federation's policy and should contribute towards future risk assessments.

If there is an injury to staff from an assault, the employer may need to report the injury to the Health and Safety Executive (HSE) under the requirements of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR), as amended in 2012.

## **Section 547, Education Act 1996**

This policy includes model letters suggesting how section 547 of the Education Act 1996 can be incorporated in letters that are sent to parents/carers.

Section 547 makes it an offence for a trespasser on federation premises to cause or permit a nuisance or disturbance, and allows for the removal and prosecution of any person believed to have committed an 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 federation school normally has implied permission (limited licence) to be on Federation premises at certain times and for certain purposes but if their behaviour is unreasonable this permission may be withdrawn.

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

The Federation 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. Should the Senior Leadership Team wish this to happen we would expect to involve the LA. Both in relation to authorisation and prosecution, the LA would first obtain the consent of the Federation's governing body.

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

The Federation will clarify who has been authorised to remove anyone causing a disturbance, and it will ensure they have received appropriate training.

The Federation will contact the LA as appropriate if it wishes action to be taken against someone they believe has committed an offence under section 547. If the police have been involved the Federation will 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.

## **Model letters**

The Federation Business Manager has examples of letters to parents/carers or other visitors to federation premises whose permission to be on the premises is to be, or has been, withdrawn by the governing body on behalf of the Federation. The letters show that where the person re-enters federation premises and causes a nuisance or disturbance, section 547 might be used.

The Senior Leadership Team has the right to decide who can come onto federation premises but the letters should be sent by the governing body, on behalf of the Senior Leadership Team.

Using powers under section 547 allows for action which the local authority or governing body can take on behalf of a school and which can be straightforward, quick and effective in removing violent, aggressive or abusive people from federation premises. Section 547 will not be the most appropriate remedy in every circumstance. Serious violence,

repeated harassment or racially aggravated behaviour for example, may warrant stronger criminal sanctions. The Federation will liaise with the LA in order to achieve this.

### **Procedures to be followed**

If a parent/carer behaves in an unacceptable way towards a member of the Federation's community, the Senior Leadership Team or appropriate senior staff will seek to resolve the situation through discussion and mediation. If necessary, the Federation's complaint's procedures should be followed. Where all procedures have been exhausted, and aggression or intimidation continue, or where there is an extreme act of violence, a parent or carer may be banned by the Senior Leadership Team from the federation premises for a period of time, subject to review.

In imposing a ban the following steps will be taken:

1. The parent/carer will be informed, in writing, that she/he is banned from the premises, subject to review, and what will happen if the ban is breached, e.g. that police involvement or an injunction application may follow
2. Where an assault has led to a ban, a statement indicating that the matter has been reported to the Local Authority and the police will be included
3. The Chair of Governors will be informed of the ban
4. Where appropriate, arrangements for pupils being delivered to, and collected from the school gate will be clarified.

### **Conclusion**

The Local Authority itself may take action where behaviour is unacceptable or there are serious breaches of the Federation's code of conduct or health and safety legislation. In implementing this policy, the Federation will, as appropriate, seek advice from the Local Authority's education, health and safety and legal departments, to ensure fairness and consistency.

### **Responsibilities:**

It is the responsibility of the Senior Leadership Team and Governors to monitor and review this policy.