



Managing Abusive Encounters with visitors

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Staff Responsibility: Stephen Hoult-Allen

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Changes since last version:

Section	Details of change
3 The Federations approach to dealing with incidents	3.3 see appendix 1 added 3.4 letters removed and Level 1, Level 2 etc added
4 Section 547, Education Act 1996	Whole new section added
5 Model Letters	Whole new section added
Appendix 1	Added - Incident Report Form
Appendix 2	Added - Warning letter from the Head of School: to parent/carer with child/ren at the school
Appendix 3	Added - Banning Letter from the Governing Body: to parent/carer with child/ren at the school
Appendix 4	Added - Banning Letter from the Governing Body: to member of the public
Appendix 5	Added - Letter updating a banning letter from the Governing Body, confirming ban: to parent/carer with child/ren at the school
Appendix 6	Added - Letter updating a banning letter from the Governing Body, withdrawing ban: to parent/carer with child/ren at the school
Appendix 7	Added - Letter from the Governing Body, following formal review of a banning letter, extending ban: to parent/carer with child/ren at the school
Appendix 8	Added - Letter from the Governing Body following formal review of a banning letter, ending ban: to parent/carer with child/ren at the school

1. Statement of principles

- 1.1 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, The Education Act (1996), as well as other guidance on dealing with abusive from members of the public in schools.
- 1.2 At The Blue Tangerine Federation, we value the positive relationships forged with parents and visitors to the school. We encourage close links with parents and the community and believe that students benefit when the relationship between home and school is a positive one. We also strive to make our schools a place where as adults we model for students the behaviour we teach and expect. In general, we place a high importance on good manners, positive communication and mutual respect.
- 1.3 Almost all parents, carers and visitors to The Blue Tangerine Federation of schools are keen to work with us and are supportive of the schools. However, on very rare occasions the behaviour of a small number of visitors falls short of what we expect. This sometimes manifests itself in aggression or abuse towards members of the Federation's community. This can be in written communication (including social media), on the telephone or in face-to-face incidents.
- 1.4 In these situations, the governing body expects and requires its 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 the Executive Head or Head of School who will take appropriate action or invoke the provisions of this policy.
- 1.5 The overriding principle is, however, that all members of the federation's communities have the right to work or be in school without fear of aggression or abuse from parents/carers/visitors. Aggression and abuse can be physical or implied. The governing body has a requirement to protect staff and students from such aggression.
- 1.6 The progress and well-being of the specific child(ren) where relevant will be fully considered. Actions taken against the parent/carer/visitor will be reasonable and proportionate. The parent/carer/visitor 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 body are in place to ensure fairness.

2. Definition of unacceptable behaviour

- 2.1 We consider that aggressive, abusive or insulting behaviour or language from a parent/carer/visitor presents a risk to staff or students. Unacceptable behaviour is such that makes a member of staff or student 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;

- Physical intimidation, e.g. by standing very close to him/her or the use of aggressive hand gestures;
- Use of foul or abusive language;
- Any kind of physical abuse;
- Allegations, which turn out to be vexatious or malicious.

3. The Federation's approach to dealing with incidents

3.1 If a parent/carer/visitor behaves in an unacceptable way towards a member of the Federation's community, the Executive Head, Heads of School or appropriate member of 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.

3.2 Risk Assessment

The Executive Head or Heads of School 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 Executive Head or Heads of School 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/students feel intimidated by the parent's behaviour?
- Is there any evidence of provocation?
- Is there a risk that a similar incident will be repeated or that there will be retaliation to the school's action? (low, medium, high).

3.3 Recording of Incidents

Staff, students subject to the abuse and witnesses will be asked to make a written statement about the incident(s), this information will be kept on file with subsequent letters. Depending on an assessment of the risk of retaliation to witnesses or individuals, statements made by adults may be made available to the parent/carer/visitor if they request it (see Appendix 1).

3.4 The Federation's response

Following the completion of the risk assessment, the Executive Head or Head of School will decide the level of action required. The actions that could be taken include the following:

Level 1 - Clarify to the parent/carer/visitor what is considered acceptable behaviour by the school

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

Level 2 - Invite the parent/carer/visitor to an informal meeting to discuss events

This could be helpful to discuss and diffuse the situation. The safety and wellbeing of those attending such a meeting must be carefully considered. Federation staff members 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 a potentially aggressive attendee cannot block the exit. The main points of discussion and any agreed actions should be noted, and a follow-up letter or email sent to confirm the school's expectations and any agreed actions. The police may be invited to the meeting.

Level 3 - Impose conditions on the parent/carer/visitor 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 students have an 'implied licence' to come onto Federation premises at certain stated times. It is for the Federation 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 Federation may consider imposing conditions on the parent's/carers contact with the Federation. These conditions may include (but are not exclusive):

- Being accompanied to any meeting with a member of Federation staff by a more senior member of staff;
- Restricting contact by telephone to named members staff agreed by the Head of School;
- Restricting written communications to named members staff as agreed with the Head of School;
- Inviting the police to attend meetings;
- Restricting attendance at Federation events to those where the parent/carer will be accompanied by an agreed member of staff from the Federation.
- Any other restriction as deemed reasonable and proportionate by the Executive Head or Head of School.

In any case, the parent/carer will be informed by letter from the Executive Head or Head of School 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 would then decide whether to uphold the school's conditions. This outcome will be communicated to the parent/carer in writing within 10 working days of the date of the decision.

If the decision is to confirm the conditions imposed, this decision will be reviewed by the governing body 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 Executive Head or Head of School will be considered at a meeting of the full governing body. 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's/carers compliance with the conditions to date, any appropriate expressions of regret and assurance of future good conduct received from him/her and any evidence of the parent's/carers co-operation with the Federation in other respects.

Level 4 - Imposing a ban

Where other procedures have been exhausted and aggression or intimidation continues, then the Federation may consider banning the individual from Federation premises. This will include banning a parent/carer from accessing Federation staff by written communication or telephone.

Should there be any act of violence the police will be contacted immediately.

In these circumstances, the individual will be advised in writing by the Executive Head or Head of School that a provisional ban is being imposed. The parent/carer will 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 uphold or remove the ban. This outcome will be communicated to the parent in writing within 10 working days of the receipt of their letter.

If the Chair's decision is to uphold the ban, parents/carers in these circumstances will be offered an annual meeting about their child's progress (where relevant), usually with the Executive Head or Head of School.

A decision to impose a ban will be reviewed by the governing body 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 Executive Head or Head of School will be considered at a meeting of the full governing body. Governors may decide to remove the ban, extend the ban or impose conditions on parent's/carers access to the Federation. The outcome 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.

In deciding whether to remove or extend the ban or impose conditions, governors will give consideration to the extent of the parent's/carers compliance with the ban to date, any appropriate expressions of regret and assurance of future good conduct received from him/her and any evidence of the parent/carers co-operation with the Federation in other respects.

Level 5 - Removal from the Federation premises

Parents/carers/visitors who have been banned from the Federation premises and continue to cause a nuisance will be deemed to have committed a section 547 offence (The 1996 Education Act). They will be considered as trespassers. In these circumstances, the offender may be removed from school by a police officer or person authorised by the governing body. In addition, legal proceedings may be brought against them.

4. Section 547, Education Act 1996

The model letters illustrated in the appendix suggest how the school might use section 547 of the 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.

In the case of our schools, the Governing Body can independently authorise the removal of someone from the premises 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.

5. Model Letters

In the appendix there are three examples of letters to parents/carers or other visitors to school premises whose permission to be on the premises is to be, or has been, withdrawn by the Governing Body on behalf of the school. The letters show that where such a parent re-enters school premises and causes a nuisance or disturbance, section 547 might be used.

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

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 school premises. In practice, it is amongst the most widely used remedies.

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.

6. Complaints Policy

Any parental/carer/visitors complaint that arises from incidents of abusive behaviour will be dealt with under the complaints policy.

7. Conclusion

The local authority itself may take action where behaviour is unacceptable or there are serious breaches of the Federations home-school 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.

8. Monitoring by the Governing Board This policy is reviewed by the school's Governing Board every two years or earlier, as necessary. All actions taken under this policy are also monitored by the Governing Board. Details of incidents are reported to the Governors as part of the Headteacher's Report to Governing Board meetings.



All meetings will be conducted respectfully, regardless of the content.

Parents can expect:

- To be treated with respect at all times
- To be spoken to in a calm voice
- To not experience any threatening behaviour or body language

Staff expect:

- To be treated with respect
- To be spoken to in a calm voice
- To not experience any threatening behaviour or body language

It is expected that should any parent or member of staff feel uncomfortable with the manner of the other party that the meeting should be immediately stopped and authority informed.

Should threatening behaviour be experienced it will be...

- Investigated
- Recorded
- May be passed on to an appropriate authority such

Appendix 1

Incident Report Form Relevant incidents include trespass, nuisance or disturbance on school premises, verbal abuse, sexual or racial abuse, threats, aggression, physical violence and intentional damage to property.

Where possible, the form should be completed before any discussion between witnesses is possible, as this might lead to allegations of collusion.

This form should be completed as fully as possible please, using a continuation sheet, if necessary. For any incident involving or witnessed by a student or parent/carer/visitor, a member of staff should complete the form on their behalf.

The completed form should be passed to the Head of School, for appropriate action and recording.

Date of incident:	
Time of incident:	
Name of person reporting incident:	
Date incident reported:	
Member of staff recording incident:	
Date incident recorded:	
Name(s) of person(s) causing incident:	
Status(es): (parents/carers/visitors/trespassers)	

Where name(s) is/are unknown, provide other details of which may allow their identification:

Full description of incident (e.g. names of persons involved; location; nature of any injuries; attendance of emergency services):

Appendix 2

Warning letter from the Head of School: to parent/carer with child/ren at the school
Recorded delivery

Dear

I have received a report about your conduct at the school on (enter date and time).

(Add factual summary of the incident and of its effect on staff, students, and other parents.)

I must inform you that the Governing Body will not tolerate conduct of this nature on its premises and will act to protect its staff and students. Therefore if, in the future, I receive any further reports of conduct of this nature I will be forced to consider removing your licence to enter the school grounds and buildings.

If you do not comply with that instruction I will be able to arrange for you to be removed from the premises and prosecuted under Section 547 of the Education Act 1996. If convicted under this section, you are liable to a fine of up to £500.

Nevertheless, 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. These comments may include any expressions of regret on your part and any assurances you are prepared to give about your future good conduct.

To enable me to take a decision on this matter at an early point, you are asked to send me any written comments you wish to make by (state date ten working days from the date of letter).

Yours sincerely

Head of School

Appendix 3

Banning Letter from the Governing Body: to parent/carer with child/ren at the school

Recorded delivery

Dear

I have received a report from the Head of School at (insert name of school) about your conduct on (enter date and time).

(Add factual summary of the incident and of its effect on staff, students, and other parents.)

I must inform you that the Governing Body will not tolerate conduct of this nature on its premises and will act to protect its staff and students. On the advice of the Head of School I am therefore instructing that until (add date) you are not to reappear on the premises of the school. If you do not comply with this instruction I may arrange for you to be removed from the premises and prosecuted under Section 547 of the Education Act 1996. If convicted under this section, you are liable to a fine of up to £500.

For the duration of this decision you may bring your son(s)/daughter(s) (complete as appropriate) to the school and collect them/him/her (delete as appropriate) at the end of the school day, but you must not go beyond the school gate.

The withdrawal of permission for you to enter the school premises takes effect straightaway. However, I still need to decide whether it is appropriate to confirm this decision. Before I do so, 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 from the Head of School.

These comments may include any expressions of regret on your part and any assurances you are prepared to give about your future good conduct. To enable me to take a decision on this matter at an early point, you are asked to send me any written comments you wish to make by (state date ten working days from the date of letter).

If on receipt of your comments I consider that my decision should be confirmed, or extended, you will be supplied with details of how to pursue a review of the circumstances of your case. In any event, the decision to withdraw your licence to enter the school premises will be reviewed by (complete as appropriate). That review will take account of any representations that you may have made and of your subsequent conduct.

Yours sincerely

Chair of Governor

Appendix 4 Banning

Letter from the Governing Body: to member of the public

Recorded delivery

Dear

I have received a report from the Head of School at (insert name of school) about your conduct on (enter date and time).

(Add factual summary of the incident and of its effect on staff, students, and other parents.)

I must inform you that the Governing Body will not tolerate conduct of this nature on its premises and will act to protect its staff and students. On the advice of the Head of School I am therefore instructing that you are not to reappear on school premises.

If you do not comply with this instruction I may arrange for you to be removed from the premises and prosecuted under Section 547 of the Education Act. If convicted, you are liable for a fine of up to £500.

Yours sincerely

Chair of Governors

Appendix 5

Letter updating a banning letter from the Governing Body, confirming ban: to parent/carer with child/ren at the school

Recorded delivery

Dear

On (give date) I wrote to you informing you that on the advice of the Head of School, I had withdrawn permission for you to come onto the premises of (insert name of school) until (insert date).

To enable the Governing Body to determine whether to confirm this decision, or to impose it for a longer period, I gave you the opportunity to give your written comments on the incident concerned by (give date).

I have not received a written response from you OR I have now received a letter from you dated (insert the date), the contents of which I have noted (**delete either sentence as appropriate**). In the circumstances, and after further consideration of the Head of School's report, I have determined that the decision to withdraw permission for you to come onto school premises should be confirmed/extended (delete as appropriate).

I am therefore instructing that until (insert date) you are not to come onto the premises of the school without the prior knowledge and approval of the Head of School. If you do not comply with this instruction I may arrange for you to be removed from the premises and prosecuted under Section 547 of the Education Act 1996. If convicted, you are liable to a fine of up to £500.

Notwithstanding this decision the Head of School and staff at (insert name of school) remain committed to the education of your child/children (delete as appropriate), who must continue to attend school as normal (insert in the case of a primary phase: under the arrangements set out in my previous letter.)

The Governing Body will take steps to review the continuance of this decision by (give date). When deciding whether it is necessary to extend the withdrawal of permission to come onto the school premises, the Governing Body will take into account the extent of your compliance with the decision, any appropriate expressions of regret and assurances of future good conduct received from yourself and any evidence of your co-operation with the school in other respects.

(Include where the incident has arisen within the context of a parental complaint against the school)

Finally I would advise you that I have asked the Head of School to ensure that your complaint (give brief details) is considered under the appropriate school procedure. You will be contacted about this by the school in due course.

If you wish to pursue the matter further, you have a right to a review of the circumstances of this case by the Governing Body.

Yours sincerely

Chair of Governors

Appendix 6

Letter updating a banning letter from the Governing Body, withdrawing ban: to parent/carer with child/ren at the school

Recorded delivery

Dear

On (insert date) I wrote to you informing you that, on the advice of the Head of School, I had temporarily withdrawn permission for you to come onto the premises of (insert name).

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 OR I have now received a letter from you dated (insert date), the contents of which I have noted. **(delete either sentence as appropriate)** In the circumstances, and after consulting with the Head of School, I have decided that it is not necessary to confirm the decision, and I am therefore restoring 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.

Yours sincerely

Chair of Governors

Appendix 7

Letter from the Governing Body, following formal review of a banning letter, extending ban: to parent/carer with child/ren at the school

Recorded delivery

Dear

I wrote to you on (insert date) withdrawing permission for you to come onto the premises of (insert name of school) until (**insert date**). In that letter I also advised you that I would take steps to review this decision by (**insert date**).

I have now completed the review. However, after consultation with the Head of School, I have determined that it is not yet appropriate for me to withdraw my decision. (**Give a brief summary of reasons**) I therefore advise that the instruction that you are not to come onto the premises of (insert name of school) without the prior knowledge and approval of the Head of School remains in place until (**insert date**).

I shall undertake a further review of this decision on (**insert date**). If you are dissatisfied with this decision, you have a right to request a review of the decision by the Governing Body.

Yours sincerely

Chair of Governors

Appendix 8

Letter from the Governing Body following formal review of a banning letter, ending ban: to parent/carer with child/ren at the school

Recorded delivery

Dear

I wrote to you on **(insert date)** informing you that I had withdrawn permission for you to come onto the premises of **(insert name of school)** until **(insert date)**. In that letter I also advised you that I would take steps to review this decision by **(insert date)**.

I have now completed the review. After consultation with the Head of School, I have decided that it is now appropriate to change that decision and I am therefore restoring to you the permission to come onto the school premises, 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 difficulties of the kind which made it necessary for me to prevent you entering the premises.

I should point out that if there is any repetition of your behaviour, I shall not hesitate to withdraw permission for you to come onto the premises once more.

Yours sincerely

Chair of Governors