



Harriers Banbury Academy



Unacceptable Behaviour Policy and Guidance

For parents, carers or visitors to the academy

Date of last review: September 2020

Date of next review: September 2022



Unacceptable Behaviour Policy and Guidance

Introduction

Harriers Banbury Academy encourages close links with parents and the community.

It believes that pupils benefit when the relationship between home and school is a positive one. The vast majority of parents, carers and others visiting 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, verbal and or physical abuse towards members of school staff or the wider school community.

The academy expects and requires its members of staff to behave professionally in these difficult situations and attempt to defuse the situation where possible, seeking the involvement as appropriate of other colleagues. However, all members of staff have the right to work without fear of violence and abuse, and the right, in an extreme case, of appropriate self-defense.

We expect parents and other visitors to behave in a reasonable way towards members of school staff. This policy outlines the steps that will be taken where behaviour is unacceptable. At all times the common purpose remains clear: to achieve zero tolerance of violence, threatening behaviour or abuse in schools, and to ensure all members of the school community, and all visitors to the school, can be confident that they are operating within a safe environment.

Types of behaviour that are considered serious and unacceptable and will not be tolerated:

- Shouting at members of the school staff, either in person or over the telephone
- Using an aggressive, threatening or intimidating tone
- Physically intimidating a member of staff, e.g. standing very close to her/him
- The use of aggressive hand gestures
- Shaking or holding a fist or finger towards another person
- Swearing
- Pushing
- Hitting, e.g. slapping, punching and kicking
- Spitting
- Racist or sexist comments
- Breaching the school's security procedures
- Aggressive and threatening phone calls or emails.
- Aggressive or threatening behaviour towards staff or their families via social media.

This is not an exhaustive list but seeks to provide illustrations of such behaviour.

Unacceptable behaviour may result in the academy trust, local authority and police being informed of the incident.

Procedure to be followed

Where a concern is communicated to the Principal that a parent/carers or other visitor has acted in an unacceptable way towards a member of school staff the Principal shall review the matter with the member of staff concerned with a view to identifying appropriate next steps. As appropriate, an investigation may be considered necessary. If deemed necessary, an investigating officer (a SLT member not directly involved or other

senior manager of the Aspirations Academies Trust) should be commissioned to investigate the incident(s). The investigating officer will explore the incident and make their recommendations to the Principal. The recommendation may involve limiting or removing permission for a parent, carer or visitor to access the school premises for a period of time, subject to review.

In imposing restrictions on access to the school premises the following steps will be taken:

1. The parent/carer will be informed, in writing, of the restrictions being imposed, subject to review, and what will happen if the restrictions are breached, e.g. that police involvement or an injunction application may follow.
2. Where an assault has led to restrictions being imposed, a statement indicating that the matter has been reported to the local authority and the police will be included.
3. The Trust's Regional CEP will be informed of the restrictions.
4. Where appropriate, arrangements for pupils being delivered to and collected from the school gate will be clarified.

The length of imposed restrictions

The imposed restrictions should be finite in length, as only the most serious misconduct would justify an indefinite restriction. The duration needs to be sufficient to convey a clear message about the seriousness of the associated misconduct, but not so long as to be disproportionate. The aim should always be to restore "normal" relations as soon as is reasonably practicable.

Even if a restriction is imposed on an open-ended basis, it should be reviewed periodically, taking account of subsequently demonstrated patterns of behaviour.

What does an imposed restriction achieve?

- It confirms to a parent that the school will not tolerate unacceptable behaviour.
- Shows the school 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 school premises without permission.
- It may form the basis for an application for an injunction to curtail repeated instances of unacceptable behaviour.

Parental Rights

Every attempt should be made to maintain normal communications with parents/carers. Even where a parent/carer has been restricted from the school premises, they retain their right to an annual consultation in relation to the educational progress of their child/ren. The school 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 may be arranged off site).

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Options for the Principal

After evaluating all available information, and any other relevant factors, there are several actions the Principal may wish to take. These can include:

Inviting the parent to a meeting to discuss events

This could be helpful where a planned and structured meeting has either not been held before or has previously been productive. Skilled facilitators may need to be used. A full restorative meeting may be considered, but if it is not safe to bring all the parties together at a meeting, a restorative process can still take place through the exchange of information. The safety and well-being of those attending such a meeting must be carefully considered. It is strongly recommended that members of school staff should 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 who could potentially become aggressive. The main points of discussion and any agreed actions should be noted, and a follow-up letter sent to confirm the school's expectations and any agreed actions. Some parents may covertly record meetings and then seek to use the information obtained to support their case, and therefore schools should state explicitly that information obtained without permission will not be permissible.

Clarifying to the parent what is considered acceptable behaviour by the school

In some instances it may be appropriate simply to ensure the parent is clear about behaviour standards expected by the school. This could be explained at a meeting, or by letter, however any verbal explanation should be followed by a written confirmation of the discussion and the standards of behaviour outlined.

Forming strategies to manage future situations of potential conflict

It is sometimes possible to identify situations of potential conflict and to plan for these in a way that minimises potential risks. For example, where a parent persistently engages in arguments with staff outside at the beginning or end of the school day, the parent could be informed that any discussions with school staff must be held by prior appointment. Alternatively, the parent may be asked not to approach the class teacher, but should instead arrange to meet the Principal (or other member of the senior leadership team), who will deal with their concerns. In more serious cases a further option may be to advise the parent that in future their concerns should be dealt with by written communication. Any such arrangements should be confirmed in writing to the parent.

Withdrawing permission for the parent to enter the school site and/or buildings

The Principal may need to consider whether it is safe for the parent to continue to come onto the school site or enter the buildings. Cases of actual assault should be also reported to the Police.

Calling for police assistance

In an emergency, police assistance should be sought. In cases where a ban is in place but is ignored and the person comes onto the school site, the police should be notified immediately. (Staff will need to be aware of the ban and have agreed procedures in place should the person come onto the school site). In situations where there is no immediate threat to staff, pupils, other members of the school community or the school's property, the Principal may still wish to make their local community police officer (PCSO) aware of the situation. The police could give consideration to warning the offender of formal action, which may include legal proceedings.

Legal proceedings

Where individuals persist in coming onto the school site even when permission to do so has been withdrawn, it is possible for legal proceedings to be pursued. The options include: **Prosecution under section 547 of the Education Act 1996** This requires substantial evidence to be gathered and presented by the police. Clearly it is

not a quick process, and whilst in most cases the threat may prove to be a sufficient deterrent, prosecution can only be seen in the last resort as a punitive measure.

Appropriate behaviour contracts

These are voluntary agreements made between people involved in anti-social behaviour and the agency/school concerned. They are flexible in terms of content and format, and can be an effective means of encouraging young adults, children and parents to take responsibility for unacceptable behaviour. The person named does not always agree with the contract, but it can be used as evidence at a later stage for an application for an anti-social behaviour order. Conditions can be put on the contract, e.g. not to enter school grounds.

Anti-social behaviour orders (Crime and Disorder Act 1998)

These are most likely to be used where the offender (aged over 10) has acted in a manner which causes harassment, alarm or distress, and is needed to protect others in the same area from similar behaviour. Anti-social behaviour orders (ASBOs) may be sought by the local authority or the chief officer of police. ASBOs are designed to deal with persistent bad behaviour, and the police will need to show that other options have been tried, or are unsuitable.

Restraining orders (Protection from Harassment Act 1997)

Section 2 of the Protection from Harassment Act 1997 provides for criminal or civil prosecution, for cases where someone causes alarm or distress to another person on more than two occasions. Section four provides for criminal or civil prosecution where people have been put in fear of violence on at least two occasions. In each case the sanctions include both criminal penalties (fines, imprisonment or community sentences) and a restraining order. These orders are generally quicker and easier to obtain, but are part of a criminal conviction.

Prosecution for criminal damage/assault

Prosecutions for causing deliberate damage or injury may occasionally be the most appropriate course of action. If the police are called, the option to make criminal allegations is readily available, and they may arrest suspected offenders there and then. Official allegations should only be made if there is no intention of later withdrawing the complaint. Criminal proceedings can be initiated at a later date. All possible steps should be taken to prevent the loss of evidence. In particular witnesses should be asked to make a record of exactly what they saw and heard at the earliest opportunity. Legal advice is available under the legal buy back scheme for schools that are members, or can be arranged at an hourly fee for schools that are not. Whilst the emphasis will usually be on ensuring safety and security of persons and property, and therefore the injunction route is likely to be the most effective deterrent legal action, it does not necessarily guarantee against the behaviour of the more persistent offender.

Record keeping

Details should be retained of matters raised under this policy including any witness statements (where appropriate), notes of any subsequent meetings held to discuss the events and related correspondence. Notes should be signed and dated.

It is also advisable to ensure that in every case, even where a formal letter is not required, parents receive a written confirmation of the events and the Principal's response. If the police are asked to deal with an incident as a criminal investigation, there are a number of actions that may thwart this process. Witness details should not be made known to suspected offenders or their families. Groups of witnesses or suspects should not be left together, or allowed to discuss what happened, before the police interview them. If in doubt, always seek the advice of the police officer first.

Support for employees

If a member of staff is unfortunate enough to be one of the small minority subject to serious physical and/or verbal abuse, there are a variety of sources of potential support available to them, including occupational health.

In such circumstances, the immediate and ongoing support of colleagues will be invaluable. Support will also be available from an employee's trade union.

Trust action

The Aspirations Academies Trust itself may take action where behaviour is unacceptable or there are serious breaches of code of conduct or health and safety legislation.

In implementing this policy, the academy will, as appropriate, seek advice from the Aspirations Academies Trust's education, health and safety and legal representatives, to ensure fairness and consistency.

This Policy and Guidance is based on the NAHT Model Policy and guidance and will be reviewed bi-annually.