



# Managing Aggressive Adults Policy

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<b>Date:</b>	
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<b>Ratified by:</b>	Date:
<b>On behalf of:</b>	Local Governing Body

Collaboration Curiosity Responsibility Resourcefulness Resilience Reflectiveness

## **Introduction**

As a general rule, our schools are orderly, safe places, where relationships between staff and visitors, especially parents, demonstrate mutual respect and a 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, the behaviour of a few parents can cause severe disruption or worse, resulting in abusive or aggressive behaviour towards staff and other members of the school community. Phoenix St Peter Academy is responsible for protecting the health and safety of its staff and pupils.

## **Aims of this policy**

This policy is about dealing with violence, threatening behaviour or abuse by parents and carers of a pupil in a school, including those cases where the parent has been asked not to come onto the premises. It may also apply to trespassers.

Violence, bad language, threatening behaviour and abuse against school staff or other members of the school community will not be tolerated. All members of the school community have a right to expect that their school is a safe place in which to work and learn. There is no place for violence, bad language, threatening behaviour or abuse in our schools. Where such behaviour does occur, The Limes will play a proactive role in taking all possible action to deal with it in the most appropriate way.

In certain circumstances, this may mean that Phoenix St Peter has to take the lead in initiating police action on the school's behalf with the school's support, and in other circumstances REAch2 will support the school in action that the school itself initiates.

At all times the purpose remains clear: to achieve zero tolerance of violence, threatening behaviour or abuse in our 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.

At Phoenix St Peter Academy, we understand that the safety of our pupils and members of staff is paramount to promoting their wellbeing, as well as a positive learning and teaching environment. This policy has been created with the aim of ensuring that all adults who have an 'implied licence' in terms of access to our premises do not engage in any inappropriate or harmful behaviour which may be damaging to the health and safety of pupils and staff. The school has zero tolerance towards violence and will therefore use this policy in order to prevent and effectively control any disturbances caused by inappropriate adult behaviour.

## **Permission to be on the premises**

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.

A parent of a child attending school normally has implied permission to be on the school's premises at certain times and for certain purposes but if the parent's behaviour is unreasonable this permission may be withdrawn and they will become a trespasser. The Headteacher has the right to decide who can come onto school premises. The letters in Appendixes B to G will be used by REAch2 Trustees or the Academy's Governing body to inform a parent or other person that they may not enter a school's premises and how to appeal against this decision. A person who nevertheless persists in entering the school premises and displaying unreasonable behaviour may be removed and prosecuted under section 547.

The Trustees or Governing body may take the lead in authorising the removal of a person believed to be causing or permitting a nuisance or disturbance. Serious cases will be discussed with our legal representatives, who may take action on behalf of REAch2 and bring proceedings against the person. Where the Headteacher wishes this to happen the Trustees or governing body will support this. Additionally, in all situations the police are authorised to remove someone from school premises and to bring proceedings for an offence under this section.

Parents are notified in writing of a ban from the school premises. The legal representatives for REAch2 will be contacted if action is to be taken against someone they believe has committed an offence under s547. If the police have been involved the school should 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.

### Risk Assessments

Assessment of risks to staff and others are prepared as required to protect staff from abusive or violent visitors. This involves raising a number of questions to which answers are required.

The risk assessment:

- identifies and assesses the risks;
- determines appropriate actions;
- implements the actions;
- monitors the results; and
- provides feedback.

It is good practice to ask staff directly about the extent of problems that they are aware of as part of the process of assessing risk. It is also helpful to consult school health and safety representatives about possible risks. This should identify **what** the risks are (eg. abuse, threatening behaviour, violence, and from whom), and **who** is likely to be at risk (eg. reception staff, teachers, caretaker). Identifying what the risks and who is at risk are the crucial initial steps before considering how to manage these risks and how they can be minimised. In some cases, potential violence can be reduced and even prevented if staff have the skills to spot conflict before it leads to aggression and to use techniques to reduce aggression before violence occurs. Staff may be offered personal safety training, which can help in:

- reducing violent attacks by parents and others;
- enabling staff to defuse aggression and prevent situations escalating;
- teaching staff to recognize verbal and nonverbal precursors to aggression and use techniques to calm a potential assailant;
- improving staff confidence in dealing with aggression and the resulting stress; and
- minimising the risk of an attack causing injury.

### Incident Report Form

A record of an incident 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 helpful. Any verbal abuse should be recorded as clear quotes, including bad language used. Recording details of incidents will also help in reviewing policy, and should ideally inform 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). See HSE guidance Reporting School Accidents. Staff should contact their Health and Safety officer for further information.

### **1. Legal framework**

- 1.1. This policy has due regard to the following legislation, including, but not limited to:
  - The Education Act 1996
- 1.2. This policy also has due regard to the following guidance:
  - DfE 'Advice on school security: Access to, and barring of individuals from, school premises' 2012
  - DfE 'Best Practice Advice for School Complaints Procedures 2016' 2016

### **2. Access to premises**

- 2.1. It is the responsibility of our school to devise the limitations for access to our premises by adults.
- 2.2. The school recognises that adults have an implied licence to come on to the school property. The only times adults shall access our premises is:
  - At the beginning of the school day.
  - At the end of the school day.
  - By appointment or invitation.
- 2.3. As our school is classed as private property, any adult who breaches these access limitations is deemed to be trespassing. Trespassing is a civil offence and may require the school to take legal action if persistent
- 2.4. Section 547 of The Education Act 1996 makes it clear that it is a criminal offence for a person who is on school premises without lawful authority to cause or permit a nuisance or disturbance; therefore, schools also have the power to take action in these cases.
- 2.5. The school may decide that certain behaviour conducted by adults, such as inappropriate language and aggressive or insulting behaviour, could pose a risk to pupils and staff and, as a result, may result in the individual being barred from our property.

### **3. Types of inappropriate behaviour**

- 3.1. The school takes instances of inappropriate behaviour very seriously and will not tolerate any circumstances which may make our pupils or members of staff feel threatened. A perceived threat, or any action which makes another individual feel threatened, can be enough to bar the adult from the premises.
- 3.2. The following are examples of inappropriate behaviour which may result in sanctions being issued against the individual:
  - Trespassing on school property without prior permission.
  - Causing intentional damage to school property.
  - Breaching the school's security procedures.
  - Verbal abuse: swearing, talking in an aggressive manner, using offensive language or raising their voice at another individual.
  - Making racist or sexual comments.
  - Using aggressive hand gestures: raising fists and fingers.
  - Physical violence: hitting, slapping, punching, kicking and pushing.
  - Physically intimidating an individual such as by standing in very close proximity to him/her.
  - Overly unnecessary physical contact with an individual.
  - Writing or emailing abusive comments regarding an individual, including on social media.

- Psychological harassment: displaying vexatious behaviour which is humiliating for the individual and is damaging to their self-esteem. This can be conducted through repeated instances of any of the above.

NB. This list is not exhaustive and displays only common examples of unacceptable behaviour. The school recognises there may be other examples of insulting behaviour which cause harm to an individual and these will be dealt with following the process outlined in this policy. *1 DfE (2012) 'Advice on school security: Access to, and barring of individuals from, school premises', p.3*

#### 4. Preventing inappropriate behaviour

- 4.1. The school understands that there are certain measures which can be taken to significantly reduce the potential harm to members of staff and pupils.
- 4.2. The headteacher will conduct a risk assessment involving evaluating the possible harm to others from abusive or violent visitors, and providing effective control measures.
- 4.3. All members of staff will be aware of how to keep themselves safe as part of their induction training, in order for them to be able to:
  - Recognise conflict before it leads to aggression.
  - Effectively manage and diffuse aggressive behaviour.
  - Recognise verbal and non-verbal indicators which may lead to aggression.
  - Develop their confidence in managing conflict and the resulting stress.
  - Minimise the risk of an individual experiencing harm due to aggression.

#### 5. Managing inappropriate behaviour

- 5.1. In the instance of inappropriate behaviour, the school will follow a number of procedures, depending on the severity of the situation.
- 5.2. In the first instance, the adult who is creating a nuisance or disturbance will be asked to leave the premises or will be invited into a separate room to calm down.
- 5.3. If the adult has been previously barred from the premises, or has exceeded their implied licence and is causing a disturbance, the school will contact the police in order for the individual to be removed from the premises.
- 5.4. The school will also contact the police in the event of any serious violence and assault, and in the event of any actual harm caused to an individual.
- 5.5. Instances of inappropriate behaviour will be recorded in writing by all members of staff involved using an Incident Reporting Form and will be given to the headteacher. (Appendix A)
- 5.6. The headteacher will invite the individual to attend a meeting in which to discuss their inappropriate behaviour and explain that further disturbance may result in the individual being barred from the premises.
- 5.7. If disturbance continues after meeting with the headteacher, or where there is a one-off extreme case of violence, the school has the power to bar the individual from entering the school property for a limited time, subject to review. (DfE, p.4)
- 5.8. Prior to barring an individual, the following process will be followed:
  - The headteacher will warn the individual in writing explaining why the incident was unacceptable, informing them that the governing body and LA will consider barring them and when this decision will be made.
  - The letter will also give the adult a chance to respond in writing and express their views. If necessary, the school's complaints procedure will be followed in accordance with the Complaints Policy.

- After receiving the parents' views, the decision will be reviewed by the governing body and LA, and a final decision will be made as to whether the adult will be barred from the premises.
- Following a bar, the headteacher will send a written letter informing the individual of this and the timescale during which they are prohibited from entering the premises.
- If a bar has been conducted due to a serious assault, a statement will also be given to the individual indicating that the local council and police have been informed.
- If necessary, the headteacher will clarify any arrangements for collecting, or delivering pupils to, the school gates. This will be communicated clearly to the individual.
- All bars will be reviewed by the headteacher, governing body and LA on a termly basis, and will take into account any subsequent patterns of behaviour.
- If the school decides to allow the adult back on to the premises, the individual will be informed of this in writing.
- Any adults wishing to complain about being barred can do so by letter or email to the headteacher or governing body, following the school's complaints procedure.
- If an adult wishes to lodge a further appeal, complaints cannot be escalated to the DfE; the only remaining avenue of appeal is through the Courts and therefore, independent legal advice must be sought.<sup>2</sup>
- Example letters are found in Appendices B to G.

5.9. The school understands that parents retain the right to an annual consultation about the educational progress of their child(ren); however, the headteacher will decide who will be present at this meeting and determine its location.

<sup>2</sup> DfE (2016) *'Best Practice Advice for School Complaints Procedures 2016'*, p.14

### **Monitoring and review**

This policy will be reviewed on a three yearly basis by the headteacher, who will make any necessary changes and communicate this to all staff.

## APPENDIX A

### 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): \_\_\_\_\_

Dept/Section/Class: \_\_\_\_\_

Age: \_\_\_\_\_ Sex: \_\_\_\_\_

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

\_\_\_\_\_

#### 4. Witness(es) if any

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Age (approx): \_\_\_\_\_ Sex: \_\_\_\_\_

**Other information**

Relationship between member of staff/pupil and trespasser/assailant, if any

**5. Details of incident**

a) **Type of incident** (eg. 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:** (eg. whether police called; whether trespasser was removed from premises under section 547; 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 YES/NO

\_\_\_\_\_

c) Give date and brief details of (b) if known

\_\_\_\_\_

d) Had any measures been taken to try to prevent an incident of this type occurring? If so, what? Could they be improved?

\_\_\_\_\_

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

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f) Name and contact details of police officer involved, and incident number or crime reference number, as appropriate

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g) Any other relevant information

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Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Please return as soon as possible to Headteacher/Principal

## APPENDIX B

### BAN LETTER-1

Letter to Parent with child/ren at the school

#### RECORDED DELIVERY

Dear Sir/Madam,

I have received a report from the Headteacher/Principal at *(insert name)* Academy about your conduct on *(enter date and time)*.

*[Add summary of the incident and of its effect on staff, pupils, other parents.]*

I must inform you that the West Herts. Academies Trust will not tolerate conduct of this nature on its premises and will act to defend its staff and pupils. On the advice of the Headteacher/Principal I am therefore instructing that for a temporary period you are not to reappear on the premises of the Academy. If you do not comply with this instruction I shall 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 child/children to 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. *(In the case of EYFS/KS1 children, also insert)* Arrangements have been made for your *(delete as appropriate)* son(s)/daughter(s) *(insert child/ren's names)* to be collected, and returned to you, at the school gate by a member of the Academy's staff.

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 Headteacher/Principal. 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, you will be supplied with details of how to pursue a review of the circumstances of your case.

Yours faithfully,

## APPENDIX C

BAN LETTER-1(a)

Letter to member of the public

### RECORDED DELIVERY

Dear Sir/Madam,

I have received a report from the Headteacher/Principal at *(insert name)* Academy about your conduct on *(enter date and time)*.

*[Add summary of the incident and of its effect on staff, pupils, other parents.]*

I must inform you that the West Herts. Academies Trust will not tolerate conduct of this nature on its premises and will act to defend its staff and pupils. On the advice of the Headteacher/Principal I am therefore instructing that you are not to reappear on the premises of the Academy. If you do not comply with this instruction I shall 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.

Yours faithfully,

## APPENDIX D

### BAN LETTER 2

Letter to parent with child/ren at the school

#### RECORDED DELIVERY

Dear Sir/Madam,

On *(give date)* I wrote to you informing you that on the advice of the Headteacher/Principal, I had withdrawn permission for you to come onto the premises of *(insert name)* Academy. To enable the West Herts. Academies Trust to determine whether to confirm this decision 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 / 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 further consideration of the Headteacher's report, I have determined that the decision to withdraw permission for you to come onto school premises should be confirmed. I am therefore instructing that until further notice you are not to come onto the premises of the Academy without the prior knowledge and approval of the Headteacher/Principal. If you do not comply with this instruction I shall 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 Headteacher/Principal and staff at *(insert name)* Academy remain committed to the education of your child/children *(delete as appropriate)*, who must continue to attend school as normal under the arrangements set out in my previous letter.

West Herts. Academies Trust will take steps to review the continuance of this decision on *(give date)*. When deciding whether it is necessary to extend the withdrawal of permission to come onto the Academy's premises, WHAT will take into account the extent of your compliance with the decision, any appropriate expressions of regret and assurance of future good conduct received from yourself and any evidence of your co-operation with the Academy 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 Headteacher/Principal to ensure that your complaint that *(give brief details)* is considered under the appropriate stage of the Academy's complaints 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 contacting the Chair of Governors.

Yours faithfully,

## APPENDIX E

### BAN LETTER 3

Letter to parent with child/ren at the school

#### RECORDED DELIVERY

Dear Sir/Madam,

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

I have now completed the review. However, after consultation with the Headteacher/Principal, 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)* Academy without the prior knowledge and approval of the Headteacher/Principal remains in place until further notice.

I shall undertake a further review of this decision on *(give date)*.

*[If the letter is from Governors]* If you are dissatisfied with this decision, you have a right to complain to the Trustees of WHAT.

*[If the letter is from WHAT]* If you are dissatisfied with this decision because you consider it to be unfair, or not to have been made in a correct way, or believe there has been a case of maladministration, you have a right to a further review by the Local Government Ombudsman. They can be contacted at:

21 Queen Anne's Gate  
London  
SW1H 9BU

Or alternatively on 020 7915 3210.

Yours faithfully,

## APPENDIX F

### UNBAN LETTER 1

#### RECORDED DELIVERY

Dear Sir/Madam,

On *(insert date)* I wrote to you informing you that, on the advice of the Headteacher, I had temporarily withdrawn permission for you to come onto the premises of *(insert name)* Academy. 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, and after consulting with the Headteacher, 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 again.

Yours sincerely,

## APPENDIX G

### UNBAN LETTER 2

#### RECORDED DELIVERY

Dear Sir/Madam,

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

I have now completed the review. After consultation with the Headteacher/Principal, 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 Academy 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 again.

Yours sincerely,

## APPENDIX H

### Procedures in the event of an aggressive incident

- If an incident arises
  - Remain calm
  - Ask the person to leave
  - If staff safety is not compromised, invite the person into a room away from other people
    - invite a senior member of staff to join you
    - staff will have a clear exit route from the room
- In case of an emergency at the school
  - Call for assistance
  - Telephone police on 999
- Record the incident and report the incident to the Headteacher (see Appendix A for model form)
- The Headteacher will discuss with Trustees/Governors what follow up action is necessary e.g. any legal action to be taken; whether a parent should be refused entry to the premises
- Headteacher will offer appropriate support to member of staff e.g. counselling, occupational health or legal support; and liaise with the police whenever necessary.