

## **Sandwell Metropolitan Borough Council**

### **Maintained schools**

#### **Guidance**

#### **Access to school Premises**

##### 1. Introduction

a) Sandwell MBC maintained schools work with parents and carers to develop and maintain strong relationships to support the role of schools to educate pupils and act in loco parentis to pupils, whilst they are at school.

b) We seek to develop relationships, where parents and carers can raise issues in school and for issues to be dealt with openly and constructively to encourage early resolution and prevent matters becoming more serious.

c) This guidance applies where relationships are not constructive or there is a one-off incident of unacceptable behaviour.

##### 2. Right of access – Permission to be on School premises

a) There is no general right of access to school premises. Schools and school grounds are private places. Any person entering without valid permission is a trespasser.

b) The law recognises valid reasons for being on school premises - an implied right of access or license to enter school premises lawfully for that purpose.

c) When there is an implied right of access/license: -

i) ii) Registered pupils entering school during school hours.

Parents and carers responsible for a pupil at the school, entering the school at certain times. This includes the right to deliver and collect their child at the start and end of the school day or at other arranged times e.g. medical appointments.

iii) Other legitimate reasons. This could include access for appointments with the Headteacher, acting as a volunteer in class or for extracurricular activities. These would normally be pre-arranged in advance.

d) It is for schools to define the extent of access to school premises. Each school will need to have a Parent/Carer/Visitor kept under review annually..

e) When there is **no** implied right of access/license: -

i) The public has no automatic right of entry onto school

ii) iii) premises.

Access is outside/exceeds the terms of the implied license

e.g. parents/carers on school premises outside school hours.

Where right of access has been withdrawn e.g., if a parent or carer is using abusive or insulting language, behaving in any other manner that presents a risk to staff or pupils. It is enough for staff to feel threatened by this behaviour.

f) Parent / carers access

a) Parents have an implied license to enter school premises.

Those rights should not be withdrawn unless

i) Notice of intention to withdraw has been given, and

ii) Opportunity given to make representations about proposed withdrawal / restriction.

iii) Matter considered by the Governors.