

Behaviour Policy (Adults)

LAST REVIEW DATE	October 2016	REVIEW PERIOD	3 years
NEXT REVIEW DATE	October 2019	OWNER	L Ellis
TYPE OF POLICY	Non-statutory	APPROVAL LEVEL	ELT

Background

This policy was written to give staff, parents/carers and any adult that has cause to come onto our school sites clear directions when school staff deal with difficult adults

Very few people would ever be considered 'difficult' but in the event such a situation occurs, this policy is in place to provide staff with a management strategy to help in achieving outcomes that are effective for both adult and PLT staff.

In applying administrative controls to deal with difficult adults, the policy identifies response protocols in circumstances where it is appropriate to restrict, withhold or withdraw the provision of rights that other adults may reasonably be expected to hold e.g. the right to come on site, the right to request meetings with staff, the right to have their letters responded to. (Furthermore termed as 'the provision of services')

Before implementing the appropriate response protocol to restrict, withhold or withdraw the provision of services, senior team will consider two important aspects:

1. It must be established that the complaints procedure has been correctly implemented so far as possible to a given point and that no material element of the enquiry/complaint has been overlooked or inadequately addressed
2. It must be determined that the behaviour of the person has become so habitual, obsessive or intimidating that it constitutes an unreasonable demand on the Trust's resources.

These important aspects would be made by the Principal / Executive Principal and thereafter, the administrative controls provided in the policy would be applied in accordance with the Executive Principal's direction.

This policy needs to be read in conjunction with the following:

Complaints Policy

Behaviour Policy

National Guidance from DfE (December 2012) 'Advice on school security: Access to, and barring of individuals from, school premises – for LA, school leaders and school staff'

NAHT G104 – Managing Violent and Abusive Visitors to Schools

Responding to Freedom of Information requests

Home school agreement

Contents

Policy Statement

The Parallel Learning Trust is committed to:

- Ensuring that all difficult adults are treated fairly and reasonably
- Providing guidance, education and training as appropriate for staff in dealing with difficult adults
- Ensuring that the Trust's resources are used efficiently and effectively when dealing with difficult adults

Scope

This policy relates to all dealings with difficult adults by Federation staff and in particular those difficult adults who:

- Cannot be satisfied
- Make unreasonable demands
- Constantly raise the same issue with different staff
- Are rude, abusive or aggressive

Variation and review

The Trust reserves the right to review, vary or revoke this policy. It will be reviewed when is needed but at least every 3 years.

Service Commitment

Parallel Learning Trust staff will strive to meet the needs of our difficult adults in a professional and ethical manner with courteous and efficient service. All staff shall:

- Treat all difficult adults with respect and courtesy
- Listen to what difficult adults have to say
- Respond to enquiries as promptly and efficiently as possible
- Act with integrity and honesty when liaising with difficult adults
- Consult difficult adults about service needs (usually through the annual parent questionnaire)

VEXATIOUS COMPLAINTS

Whilst it is entirely the right of any adult within the Trusts' communities to express their views and ask questions, it is essential that this is done in an appropriate way following positive constructive and open communication channels. Any attempt to undermine this process and bring the school/Trust into disrepute through the use of social media or contacting the press may well result in us considering whether or not you will be site banned. We do not seek to suppress the views of any individual however, we take seriously any attempt to create hysteria and/or unnecessary emotional harm/anxiety to other parents and/or their children.

Examples of actions or behaviours by unreasonably persistent complainants are set out below. It is by no means an exhaustive list and local factors will vary, but they are examples that have come to our attention.

- Persistently refusing to specify the precise grounds of a complaint, despite offers of assistance with this from the Trust
- Refusing to co-operate with the complaints investigation process while still wishing their complaint to be resolved – this includes cases where there is a 'scattergun' approach across different communication channels
- Refusing to accept that certain issues are not within the remit of a complaints procedure (e.g. challenging free school meal thresholds) despite having been provided with full information about the procedure's scope

- Insisting on the complaint being dealt with in ways which are incompatible with the published complaints procedure or with good practice
- Making what appear to be groundless complaints about the staff dealing with the complaint
- Changing the basis of the complaint as the investigation proceeds and/or denying statements made at an earlier stage
- Introducing trivial or irrelevant new information which the complainant expects to be taken into account and commented on, or raising large numbers of detailed but unimportant questions and insisting they are all fully answered
- Making unnecessarily excessive demands on the time and resources of staff whilst a complaint is being looked into, for example by excessive telephoning or sending emails to numerous Trust staff, or writing lengthy complex letters every few days and expecting immediate responses
- Submitting repeat complaints, after investigations has been completed, essentially about the same issues but with additions/variations which the complainant insists make them 'new' complaints which should be put through the full complaints procedure.
- Refusing to accept the decision – repeatedly arguing the point and complaining about the decision.
- Combinations of some or all of these

Difficult adults who cannot be satisfied

Difficult adults who cannot be satisfied do not accept that The Parallel Learning Trust is unable to assist them, provide any further assistance or level of service that has been provided already and/or disagree with the action The Trust has taken in relation to their complaint or concern.

If, in the opinion of The Parallel Learning Trust, an adult cannot be satisfied and all appropriate avenues of internal review or appeal have been exhausted and the adult continues to write, telephone, email or fax and or visit any of the Trust sites, the following action may be taken:

The Executive Principal may write to the person restating the Trust's position on the matter and advising that if he/she continues to contact the Trust regarding the matter, the Trust may:

- Not accept any further phone calls
- Not grant any further reviews
- Require all further communication to be put in writing
- Continue to receive, read and file correspondence but only acknowledge or otherwise respond to it if:
 - i. The person provides significant new information relating to their complaint or concern; or
 - ii. The person raises new issues which in the Executive Principal's opinion warrant fresh action.

- a. The Executive Principal shall advise staff of a person who is deemed to be 'a difficult adult who cannot be satisfied' the concerns and any proposed management strategy of that person by Trust staff.
- b. The difficult adult shall be given the opportunity to make representations about the Executive Principal's proposed course of action
- c. If the difficult adult continues to contact the Trust after being advised of the proposed course of action, the Executive Principal may, after considering any representations from that person, advise him/her that any or all of the points (bulleted above) will now apply.

People who make unreasonable demands

Difficult adults who make unreasonable demands include those whose demands on the Parallel Learning Trust start to significantly and unreasonably divert resources away from core functions, or create an inequitable allocation of resources to other adults. Such demands may result from the amount of information requested, the nature or scale or services sought or the number of approaches seeking information assistance or service. Such difficult adults will engage in what is called 'vexatious complaining'

If, in the opinion of the Executive Principal, a person is making unreasonable demands (vexatious complaints) on the Trust and they continue to write telephone and/or visit any Trust site, the following actions may be taken:

- a. The Executive Principal may write to the person advising them of the Trust's concern and requesting that they limit and focus their request and that if they continue to place unreasonable demands on the Trust, the Trust may:
 - Not respond to any future correspondence and only take action where, in the opinion of the Executive Principal, the correspondence raises substantial and serious issues or;
 - Only respond to a certain number of requests in a given period
- b. The person shall be given the opportunity to make representations about the Executive Headteacher's proposed course of action
- c. If the person continues to contact the Trust after being advised of the proposed course of action, the Executive Principal may, after considering any representations from the difficult adult, advise that person that any or all of the points (bulleted above) will now apply.

Not all response protocols will be identical; it will depend on the characteristics of the difficult adult and the nature of their complaints and issues.

Difficult adults who constantly raise the same issue with different staff

If, in the opinion of the Executive Principal, a person is constantly raising the same issues with different staff, the following actions may be taken:

- a. The Executive Principal may notify the difficult adult that:
 - Only a nominated staff member will deal with them in the future
 - They must make an appointment with that person if they wish to discuss their matter or

- All future contact with the Parallel Learning Trust must be in writing
- b. The difficult adult shall be given the opportunity to make representations about the Executive Principal's proposed course of action
- c. If the difficult adult continues to contact the Trust after being advised of the proposed course of action, the Executive Principal may, after considering any representations from the customer, advise the customer that any or all of the points (bulleted above) will now apply.

The Parallel Learning Trust reserves the right to seek legal advice and representation over all or any of the issues raised above.

ANGRY ADULTS

Occasionally an adult's behaviour falls short of the normal standard we experience in the Trust. Do not take this personally; there are probably other reasons why the adult is angry and stressed. What may appear to be a minor issue or incident to you, will appear to be very serious to the person who is angry.

1. Calm the conversation

Listen to the person carefully and try to find the cause of their anger and complaint

Validate and understand how they are feeling – e.g. I can see/hear you are upset and I would like to help you

Let the person finish speaking and 'saying their piece'

Keep calm yourself and do not rise to their aggression

If the person continues to behave unacceptably, even after you have tried the above techniques, you can ask someone else to come and support you.

If you fear for your safety, you can leave the counter/hatch/playground/road and fetch assistance immediately. This could be the police.

If the person continues to swear or be rude and abusive you can terminate the conversation (see below – dealing with adults who are rude, abusive and aggressive)

2. Progress the conversation

If the person believes a mistake has been made, accept what they say and resolve to carry out an investigation. (Once an investigation has been carried out – we can inform the customer of the findings)

You are entitled to correct clearly wrong statements and allegations in a calm and reassuring manner – NEVER use sarcasm or be aggressive in your response

Only make realistic promises and ensure that you do follow it up

Try to end on a positive and constructive note

3. After the conversation

Record the conversation as soon as you are able to on a yellow form in case the adult misunderstands or misrepresents what you said, or comes to another member of staff who needs the background.

If the adult makes a personal threat to you inform senior team immediately who will decide if further action is needed.

Make any investigations that you need to regarding the issue raised by the adult.

People who are rude, abusive or aggressive

Rude, abusive or aggressive behaviour may include rude or otherwise vulgar noises, expressions or gestures, verbal abuse of a personal or general nature, threatening or offensive behaviour, and physical violence against property or person

If in the opinion of any staff member rude, abusive or aggressive comments or statements are made in telephone conversations or interviews, the staff member may:

- a. Warn the customer that if the behaviour continues or occurs again at any time the conversation or interview will be terminated and
- b. Terminate the conversation or interview thereafter if the rude, abusive or aggressive behaviour continues or occurs again at any time after a warning has been given.

Where a conversation or interview has been terminated in such a way, the staff member must notify the senior member of staff on site (usually the Principal or Deputy Principal) of the details as soon as possible. The staff member **MUST** make a written statement as soon as possible about the incident, and if there were witnesses to the behaviour, they **MUST** make statements too.

If, in the opinion of the Executive Principal any correspondence to the Trust contains personal abuse, inflammatory statement or material clearly intended to intimidate, it will be returned to sender and not otherwise acted upon unless it is regarded by the Executive Principal as being serious enough to warrant forwarding to another authority e.g. Police.

Please read appendix 1 Suggestions for what to say to difficult adults

AGGRESSIVE SITUATIONS ON SITE - SITE BANS

A parent of a child attending The Parallel Learning Trust normally has implied permission to be on the school's premises at certain times and for certain purposes but if the adult's behaviour is unreasonable this permission may be withdrawn and they will become a trespasser. The Trust reserves the right to refuse entry to any adult that behaves inappropriately on site – we can enforce this under section 547 of the Education Act 1996. The MAT Board is responsible for protecting the health and safety of their staff and pupils in the communities of our schools, and this part of the policy is about dealing with violence, threatening behaviour or abuse by parents of a

pupil at the Parallel Learning Trust, and they have been asked not to come onto the premises.

Violence, 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 there is a safe place in which to work and learn. There is no place for violence, threatening behaviour or abuse in schools. Where such behaviour does occur we will take all possible action to deal with it in conjunction with the local authority.

Appendix 2 outlines the kinds of behaviours that the Trust has experienced from parents/carers and other members of the school community, and the kinds of actions that the Trust will take in order to deal with those behaviours. Of course this outline is not exclusive or exhaustive and the Trust will judge each case on its merits.

Our staff is trained in how to deal with aggressive situations, and our first priority is to the safety of the children within our Trust. If safety is in question we WILL act with the full weight of the law behind us.

What to do in an aggressive situation on site

- Depending on the seriousness of the situation – call 999
- Inform a member of senior team immediately
- Attempt to calm the situation and move the parties away from each other
- If the situation is not able to be calmed ask the people concerned to leave the site
- If they refuse to leave – walk away and ensure that the police are called.

UNDER NO CIRCUMSTANCES PUT YOURSELF IN DANGER – IF YOU FEEL THREATENED MOVE AWAY FROM THE SITUATION IMMEDIATELY

After the aggressive situation has occurred

Senior staff will gather witness statements where appropriate and write down what happened in as much detail as possible as soon as possible after the event.

Senior staff will then decide if a site ban is necessary. A site ban will be issued in all cases where safety and emotional well being of children has been called into question.

The Parallel Learning Trust will call the police, if it is deemed necessary, to report serious incidences of public order, threats and intimidation or actual/grievous bodily harm and assault.

How does a site ban work?

1. The Principal will write a letter to the parent using the format in appendix three explaining the reason for the site ban and giving a timescale for them to make representations or to make an apology. This time scale is three weeks
2. Once the evidence has been gathered and the representations made, the senior team will decide whether or not to uphold the site ban or to lift it. Appendix 2 details the kinds of actions that warrant a site ban and how long

that site ban should be for. We take each case on its merit and this is only a guideline.

3. Once the time period of the site ban is up, the Principal will review again and conduct a risk assessment, then lift the ban. The letter will follow the format of appendix 4

General

In all of the situations referred to in this policy, adequate documentary records must be made and maintained on the appropriate Federation file.

Where the Executive Principal determines to limit a person's access to the Parallel Learning Trust in any of the ways specified in this policy, the Executive Principal will advise staff as soon as possible of the relevant circumstances and the action taken, and any such relevant person on the MAT Board including the CEO

The Parallel Learning Trust reserves the right to seek legal advice on any or all of the issues stated above.

Appendix 1 – What to say to angry difficult adults

What to say to the **shouting or swearing person.**

- “I’m trying to help you, but if you continue to shout and swear I am going to ask that you call back/revisit the site at another time.”
- “I’m sorry. It isn’t possible to help while listening to that language. If it stops, I can help.”
- “If a few minutes helps you calm down before we continue, that would be fine. You can certainly call me back/ sit in the foyer.”
- “I want to help you, yet the language is getting in the way.”

Note: *Your tone is critically important with the above statements. You must come across calm, neutral, and non-threatening.*

What to say to the person who wants to speak to a **member of senior team**

- “I’m sorry you feel you need to speak with someone else, but that’s the reason I’m here. I have been given full authority to help resolve your concerns. May I have the opportunity to resolve this first?”
- “Please give me an opportunity to try and resolve this for you. That’s why I’m here.”

What to say to the **rambler or storytelling person**

- “Before we hang up I want to be sure to tell you/ that you are clear/that you understand...” This statement psychologically leads the adult towards the end of the conversation.
- “I don’t want to take up anymore of your time so let me give you...” You can make this statement even when the customer has called you.
- “*One last thing I need to tell you....*”
- “I have all the information I need so I’ll now....”

What to say when you need to **convey empathy**

- “The problem you experienced is no more acceptable to us than it was to you.”
- “It must have been very frustrating for you to come here to pay dinner money only to find that this is the wrong time.”
- “It must seem like these things take forever.”

What to say when you need a **graceful exit**

- “We see this differently and I am going to have to put more thought into the perspective you have shared with me. It’s helpful for me to understand how you see things. In the meantime, here is what I can do to solve the immediate problem.”

- “I’m sorry that I have not been able to help you. If you don’t object, I would like to let a colleague of mine attempt to better meet your needs.”

What to say when you want to “safely” apologise

- “Please accept my sincere apology for any frustration this may have caused you.”
- “I am sorry for any misunderstanding you may have experienced.”

Appendix 2 – Table to show the progression in seriousness of incidences on site and the conduct of adults, and the actions open to us as a Trust

Incident	Action that could be taken
<p>Stage 1 Repeated walking into class uninvited to talk to your child (at least twice in 2 weeks). This includes shouting across the classroom at your child</p>	<p>Year leader/DP to talk to that parent and remind them of what to do if they need to speak to their child in the school day.</p>
<p>Ignoring school staff several times – but then apologising and complying when asked to</p>	<p>Member of school staff to remind adult of the procedure/policy/rule that has been broken and suggest other ways of dealing with their request or need.</p>
<p>Bringing a dog onto school property</p>	<p>Usually dealt with by senior team – ask the parent to take the dog off school property</p>
<p>Making unreasonable requests to Trust staff – e.g. trying to pay dinner money out of normal times, asking staff not to record lateness of their child and anything else that requires Trust staff to make an exception in their case. Includes repeated offences.</p>	<p>Member of school staff dealing with that adult will explain calmly the policy and the reasons why this is the way things are done. For repeated offences a letter from member of senior team to explain the policy and procedure</p>
<p>Disrespect to school staff – includes vulgar noises, kissing teeth, finger pointing, cutting eyes, inappropriate and rude comments</p>	<p>Member of staff dealing with the adult will explain calmly what it is that they find unacceptable – e.g. please don't point your finger at me as I am finding that rude. Ask them to stop. Once they have done continue to deal with the issue in the usual way</p>
<p>Using a mobile phone on school property in a way that causes a nuisance or disturbance to Trust staff</p>	<p>Adult to be asked politely to refrain from using their mobile phone and the reasons why explained – i.e. staff may want to talk to you about your child, you may inadvertently stand in the doorway or obstruct an exit whilst talking, we encourage conversation between adults and children, it is polite to give those around you your full attention when picking up or dropping off your child.</p>
<p>Smoking/littering on Trust property</p>	<p>Adult to be asked to politely refrain from smoking/littering on school property as it sets a bad example to children. Asked to pick up the litter.</p>
<p>Smoking directly outside Trust sites in full</p>	<p>Politely discourage the parents from</p>

<p>view of children that attend i.e. when picking up or dropping off</p> <p>Parking illegally outside Trust sites i.e. on the yellow lines, in the disabled bay or on the zig zags</p> <p>Cycling or riding a scooter on Trust property</p> <p>Writing rude, intimidating, sarcastic, inappropriate comments on Trust letters or on social media e.g. (don't you people look, I'm not answering this, how ridiculous)</p>	<p>doing this and explain reasons why but understand that on public footpaths it is not illegal to smoke. Rudeness to Trust staff upon being asked to stop – can be dealt with as a separate issue.</p> <p>Politely request the adult move and explain reasons why. Warn repeat offenders will have their registration numbers reported to the traffic police.</p> <p>Ask person to refrain from this and explain it is a health and safety issue</p> <p>Phone call to adult asking them if there is anything further the school can do to help and to better understand the reason for the inappropriate comment</p>
<p>Stage 2 Repeated stage 1 incidences and...</p> <p>Shouting in the building to no-one in particular but calming down immediately (no swearing/offensive elements included)</p> <p>As above but to members of staff or the school community (no swearing/offensive elements included)</p> <p>Incidences of entering Trust sites with the express purpose of challenging school decisions or behaviour policy in an inappropriate way e.g. seeking out the teacher/senior team/teaching assistant. To express your dislike at how a situation was handled</p> <p>Trying to get the attention of school staff inappropriately e.g. shouting, tutting, sighing, repeated holding of buzzer, banging on windows, pulling at doors.</p> <p>Bringing a dog onto school site and refusing to take it away.</p>	<p>Member of staff dealing with the adult to ask them to calm down and explain why we don't shout in the building. Letter written by member of senior team to explain policy and give a warning</p> <p>As above</p> <p>Get a member of senior team, ask parent to calm down and arrange a meeting to discuss further. Warn them verbally about inappropriate behaviour. Letter confirming date and time of meeting and warn again in writing about conduct</p> <p>Person dealing with the adult to calm the adult down and attempt to deal with the issue. After the adults' query has been dealt with explain that their behaviour was unacceptable.</p> <p>Member of senior team to write a letter detailing why conduct was unacceptable. Warn that repeat offences will result in a site ban</p>

<p>Stage 3 Swearing of ANY kind towards members of Trust staff</p> <p>Intimidating staff or members of the school community either verbally, physically or electronically</p> <p>Circulating rumours and gossip about members of Trust staff on Trust property</p> <p>Approaching other people's children <u>on Trust sites</u>, independently of the school to tell them off for incidences that happened in or out of school time</p> <p>Approaching other parents, independently of the Trust, <u>on Trust sites</u> to air a grievance about an incident that occurred on/off Trust sites, in/out of school time</p> <p>Urinating on school property</p> <p>Being drunk/intoxicated on school property but not posing a physical threat to anyone.</p> <p>Bringing a dog onto Trust property and allowing it to defecate/urinate – showing no concern or cause for children's health and safety</p>	<p>Immediate site ban of at least 1 month – dealt with by senior team</p> <p>Immediate site ban of 1 month whilst an investigation is carried out.</p> <p>Adult called in for a meeting to explain what the issue is and warned that if it continues there will be a site ban</p> <p>Adult called in for a meeting to explain that this is not the correct course of action and to reassure that we do deal with incidence ourselves in school – possible site ban if repeat offence and also depending on the level of threat and intimidation towards that child</p> <p>As above</p> <p>Immediate site ban 1month</p> <p>Call to social services</p> <p>Immediate site ban of 1 month – and being asked to clear up the mess themselves. If the request is refused – report to the police</p>
<p>Stage 4 Anyone who is engaged in vexatious complaining - including approaching the press, having not exhausted appropriate communication channels and protocols.</p> <p>Racial/homophobic (hate crime) abuse of any kind of school site</p> <p>Racial/homophobic (hate crime) abuse of any kind towards any member of our school community</p> <p>Anyone engaged in overtly promoting extremist material / viewpoints on parallel Learning Trust sites</p>	<p>All of these examples are ones where we would involve the police or seek legal advice as we see fit. Actions open to us within the law include:</p> <p>Section 222 Local Government Act 1972 – Empowers LA to prosecute an abusive parents or to bring civil proceedings against a parent</p> <p>Anti social behaviour orders – imposed under the Crime and Disorder Act 1998 – Prohibits people from doing anything described in that order. If breached there is a penalty of up to £5,000 and/or a prison sentence of up to 6 months.</p> <p>Protection from Harassment Act 1997 – this could prevent a parent from coming within a certain distance of a school or from making phone calls to the federation or a teacher's home. Section 4 of this act covers</p>

Trespassing on Trust sites – including refusal to leave when asked

Re-entering the Trust sites after a site ban has been issued

Physical fighting and aggression

Verbal aggression, including a combination of shouting, swearing, intimidating body language

Anyone engaged in harassing Trust staff

Threats of violence towards any member of our school community either verbally electronically or physically

Actual bodily violence towards any member of our Parallel Learning Trust community

Vandalism of Trust or staff property

Theft of any kind from Trust sites at the hands of an adult

Defamation – libel/slander towards any member of Trust staff.

Carrying a weapon of any kind onto Trust property - includes any article made or adapted for use causing injury and any article which has a blade or is sharply pointed.

threat of violence, and also the racial element

Criminal Damage Act 1971 – Adult destroys property belonging to the Federation or a teacher. Severe penalties including a fine of up to £5,000 and 6 months in prison, or if the damage was with intent to harm or endanger life – unlimited fine and life imprisonment

Common Assault – in accordance with section 39 of the Criminal Justice Act 1988.

Offences Against the Persons Act 1861 – section 47 covers assault occasioning ABH

Public Order Act 1986 – once incident alone is sufficient to constitute a public order offence.
Section 5 – lower level – parent/carer causes a disturbance in or outside the school and causes alarm harassment or distress
Section 4a – creates an intentional form of this offence
Section 4 – is more serious where there is fear or provocation of violence (racially aggravated section 31 of Crime and Disorder Act 1998)
Section 3 – Affray – a person uses or threatens unlawful violence such as would cause a reasonable person to fear for safety.

Criminal Justice Act 1988 – section 139A this includes any article made or adapted for use causing injury and any article which has a blade or is sharply pointed.

Any of the above carry with them a **minimum** site ban of 3 months and a **maximum** of 18 months

Appendix 3 – initial site ban letter

Appendix 4 – Reviewing the site ban

- Confirming the site ban
- Lifting the site ban