

St Peter's Church of England Junior School

Aggressive Behaviour Policy

Name of Policy	Aggressive Behaviour Policy
Governors Review	October 2022
Governors Next Review	October 2024
LGB to Ratify	Mary-Jane Tinsley

Policy on managing aggressive behaviour from parents and visitors to our school

Statement of Principles

The governing body of St Peter's Church of England Junior School 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 governing body 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-defence.

We expect parents and other visitors to behave in a reasonable way towards members of school staff and other parents/carers. This policy outlines the steps that will be taken where behaviour is unacceptable.

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
- Physically intimidating a member of staff/parents, e.g. standing very close to her/him
- The use of aggressive hand gestures and swearing
- Threatening or coercive behaviour including gaslighting
- Pushing/ Hitting, e.g. slapping, punching and kicking
- Spitting
- Racist, sexist, homophobic, transphobic or any other hate crime related comments
- Breaching the school's security procedures
- Aggressive or threatening behaviour towards staff or their families online or via social media

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

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

Procedure to be followed

1. If a parent/carer behaves in an unacceptable way towards a member of the school community, the headteacher or appropriate senior member of staff will seek to resolve the situation through discussion and mediation. If necessary, the school's complaints procedures should be followed.
2. Where all procedures have been exhausted, and aggression or intimidation continue, or where there is an extreme act of violence, a parent or carer may be banned by the headteacher from the school premises for a period of time, subject to review.

All aggressive incidents with parents will be logged on the form below and then entered onto our online reporting system - CPOMS and reported to DEMAT.

In imposing a ban the following steps will be taken:

1. The parent/carer will be informed, in writing, that she/he is banned from the premises, subject to review, and what will happen if the ban is breached, e.g. that police involvement or an injunction application may follow
2. Where an assault has led to a ban, a statement indicating that the matter has been reported to the local authority and the police will be included
3. The chair of governors/DEMAT will be informed of the ban
4. Where appropriate, arrangements for pupils being delivered to, and collected from the school gate will be clarified

Conclusion

DEMAT may take action where behaviour is unacceptable or there are serious breaches of our home-school code of conduct or health and safety legislation.

In implementing this policy, the school will, as appropriate, seek advice from DEMAT's education, health and safety and legal departments, to ensure fairness and consistency.

Further information:

Appendix 1

Incident Reporting form

Appendix 2

- Warning letter from the headteacher/chair of governors to parent/carer with child(ren) at the school
- Banning letter from DEMAT or governing body to parent/carer with child(ren) at the school
- Banning letter from DEMAT or governing body to a member of the public
- Letter updating a banning letter, from DEMAT or governing body, confirming ban: to parent/carer with child/ren at the school
- Letter updating a banning letter, from DEMAT or governing body, withdrawing ban: to parent/carer with child/ren at the school
- Letter updating a banning letter, from DEMAT or governing body, withdrawing ban: to parent/carer with child/ren at the school
- Letter updating a banning letter, from DEMAT or governing body, following formal review, extending ban: to parent/carer with child/ren at the school
- Letter updating a banning letter, from DEMAT or governing body, following formal review, ending ban: to parent/carer with child/ren at the school

Appendix 3

Some legal remedies, for violence or abuse against members of a school community – please take advice for further

Appendix 1 – Managing Violent and Abusive Visitors to Schools

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 pupil or parent/carer/visitor, a member of staff should complete the form on their behalf. The completed form should be passed to the head teacher, 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 (where name(s) is/are unknown, provide other details of which may allow their identification):

Status(es) (parents/carers/visitors/trespassers):

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

Names of any witnesses:	Statuses:

Initial action/outcome (e.g. informal conciliation; police intervention; warning or banning letter issued):

Summary of subsequent actions taken by the school, including risk assessments:

Linked incidents (if any):

**Appendix 2 – Managing Violent and Abusive Visitors to Schools Mediation, from the Headteacher: to
parent / carer with child/ren at the school**

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, pupils, other parents).

I must inform you that the school and governing body will not tolerate conduct of this nature on its premises and will act to protect all its stakeholders.

I wish to give you an opportunity to come into school to discuss the issue to resolve the situation in an independent manner. If you wish to take up this opportunity, please do so within ten days of receiving this letter (DATE)

Nevertheless if, in the future, I receive any reports of conduct of this nature I will be forced to consider removing your license 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.

Yours sincerely,

Headteacher

Banning Letter with opportunity to respond, from DEMAT or Governing Body: to parent/carer with child/ren at the school

Recorded delivery

Dear

I have received a report from the headteacher at St Peter's C of E Junior School about your conduct on **(enter date and time)**.

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

I must inform you that DEMAT/governing body **(delete as appropriate)** will not tolerate conduct of this nature on its premises and will act to protect its staff and pupils. On the advice of the headteacher 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. {Any person who without lawful authority is present on premises to which this section applies and causes or permits nuisance or disturbance to the annoyance of persons who lawfully use those premises (whether or not any such persons are present at the time) is guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale – S547, Ed Act 1996}

For the duration of this decision you may bring your son(s)/daughter(s) **(complete as appropriate)** 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.

The withdrawal of permission for you to enter the school premises takes effect straight away. 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. 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 make 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,

DEMAT/Chair of Governing Body

Letter updating a banning letter, from DEMAT or 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 headteacher, I had withdrawn permission for you to come onto the premises of St Peter's C of E Junior School until..... **(insert date)**. To enable DEMAT/governing body **(delete as appropriate)** 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/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 headteacher'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 – after this date send review letter)**

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you are not to come onto the premises of the school without the prior knowledge and approval of the headteacher. 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 headteacher and staff at St Peter's C of E Junior School remain committed to the education of your child/ren **(delete as appropriate)**, who must continue to attend school under the arrangements set out in my previous letter.

DEMAT/governing body **(delete as appropriate)** 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's premises, the local authority/governing body **(delete as appropriate)** 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 cooperation 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 headteacher 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 school's governing body.

Yours sincerely,
DEMAT/Chair of Governing Body

Letter updating a banning letter, from DEMAT or 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 headteacher, I had temporarily withdrawn permission for you to come onto the premises of St Peter's C of E Junior School. 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)**

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.

Yours sincerely,

DEMAT/Chair of Governing Body

**Letter, from DEMAT or 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 St Peter's C of E Junior 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 headteacher, 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 St Peter's C of E Junior School without the prior knowledge and approval of the headteacher remains in place until ... **(insert date)**.

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

(Insert if the letter is from the governing body) If you are dissatisfied with this decision, you have a right to request a review of the decision by the governing body.

Yours sincerely,

DEMAT/Chair of Governing Body

Letter, from DEMAT or 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 St Peter's C of E Junior 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 headteacher, 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 cooperation 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,

DEMAT / Chair of Governing Body

Appendix 3 – Managing Violent and Abusive Visitors to Schools

Legal remedies, for violence or abuse against members of a school community

As well as invoking section 547 of the Education Act 1996, the following vehicles may be used by an Academy on a school's behalf.

Section 222 Local Government Act 1972

Section 222 empowers a local authority to prosecute or defend proceedings where it is considered expedient for promoting or protecting the interests of those living in its area. It would potentially allow the Local Authority to prosecute an abusive parent under one of the other options mentioned here or, alternatively, to bring civil proceedings against the parent.

You can get a civil injunction, Community Protection Notice (CPN) or Criminal Behaviour Order (CBO) as punishment for antisocial behaviour. You must follow certain rules or you could get a more severe punishment. For example, you might need to:

- stay away from a particular place, like your local town centre
- stop spending time with certain people
- work on improving your behaviour, for example by going to a support group
- fix damage you caused to someone's property

Protection from Harassment Act 1997

This Act is more informally described as anti-stalking legislation, although not only used for that purpose. This action can be taken either through criminal prosecution or a private action for damages in the civil courts. It can be done on behalf of an individual, or a group, (e.g. a group of children or teaching staff). The sanctions include both criminal penalties, (fines, imprisonment or community sentences) and a restraining order, which is a flexible order which prohibits the offender from continuing their offending behaviour. For example, it could prevent a parent from coming within a certain distance of a school, or from making phone calls to the school or a teacher's home.

The restraining order can last for as long as the court thinks appropriate.

Section 2 of the Act makes it an offence where someone pursues a course of conduct, (on more than two occasions), that amounts to harassment of another, causing alarm or distress. The offence can only be tried in the magistrates' court with a maximum penalty of six months imprisonment, a fine of up to £5,000, or both.

Section 4 creates a more serious offence where people have been put in fear of violence on at least two occasions. It can be tried in the magistrates' court or the crown court. The maximum penalty for

the offence is six months imprisonment, a fine up to £5,000, or both, in the magistrates' court. In the crown court, it is five years imprisonment, an unlimited fine or both. Where there is a racial element to either the section 2 or section 4 offence, a higher level of sanction applies under section 32 of the Crime and Disorder Act 1998.

Section 3 of the Act provides for a civil route in relation only to the section 2 and 4 offence. The level of proof is lower for the civil proceedings, as it will be to the civil standard of a balance of probabilities rather than the criminal standard of beyond reasonable doubt. If a restraining injunction is imposed on a defendant under the civil route and the defendant breaches the restraining injunction, proceedings for breach of the order become criminal with the offender liable to up to five years imprisonment.

Hate Crime

The law recognises five types of hate crime on the basis of:

- Race
- Religion
- Disability
- Sexual orientation
- Transgender identity

Any crime can be prosecuted as a hate crime if the offender has either:

- demonstrated hostility based on race, religion, disability, sexual orientation or transgender identity

Or

- been motivated by hostility based on race, religion, disability, sexual orientation or transgender identity

Someone can be a victim of **more than one** type of hate crime.

These crimes are covered by legislation (Crime and Disorder Act 1998 and section 66 of the Sentencing Act 2020) which allows prosecutors to apply for an uplift in sentence for those convicted of a hate crime.

Injunctions

These can be granted by a court to ban somebody from school premises. Generally they are viewed as less flexible and more expensive than alternatives such as a restraining order granted under the Protection from Harassment Act 1997, described above.

In the circumstances above we would expect local authority or governing bodies to take the lead on taking relevant action under the above legislation as appropriate.

DEMAT or the governing body has responsibilities as an employer (The Health and Safety at Work Act 1974, sections 2 and 3) to ensure a safe place of work for its staff. School staff have every right to

expect that where they wish action to be taken, DEMAT or governing body will do this. DEMAT or governing bodies should thus ensure that they are familiar with the relevant legislation and their powers under it.

Further advice can be obtained from the Citizen's Advice Bureau

