

Upper Beeding Primary School

Visitor Behaviour Policy

Statement of Principles

Upper Beeding Primary School and The Governing Body encourage close links with the parents/carers of our pupils and the wider community. We believe that pupils at the school benefit when relationships between home and school are positive and constructive and we seek to ensure that school remains a safe and orderly environment in which students can learn and thrive. We actively welcome parents /carers and the wider community to participate in the life of the school and see this engagement as important for the success of our pupils, both academically and socially.

We recognise that the vast majority of parents/carers and visitors are supportive of the school and behave in a reasonable manner. We understand that, as part of life there can be occasional frustrations and misunderstandings which can negatively impact this relationship and on rare occasions can result in aggression, verbal and/or physical abuse towards members of school staff or the wider school community.

We expect and require our staff to behave professionally in these difficult situations and attempt to defuse the situation where possible, seeking the involvement of other colleagues where appropriate. However, all members of staff have the right to work without fear of violence and abuse.

This policy outlines the way we expect parents/carers and visitors to behave when dealing with staff and the school community and behaviour which we deem unacceptable and the steps that may be taken should such unacceptable behaviour occur.

Code of Conduct for parents/carers and visitors

We expect parents/carers and visitors to:

- Behave in a reasonable way and show respect towards all members of staff and the wider school community.
- Where issues or frustrations arise, work with the school staff to resolve these in a calm and constructive manner.
- To understand that parents/carers and teachers need to work together for the good of their child(ren).
- To set a good example to children at the school by using appropriate speech and behaviour and by showing them how to get along with members of their community.
- To raise concerns that they may have regarding the school and/or their child(ren) using the appropriate channels; contacting the relevant teacher, member of staff or Head Teacher so that issues can be dealt with appropriately and effectively.
- Where a parent/carer or visitor feel they need to escalate their concerns and they have not already done so they should contact The Head Teacher and / or The Chair of Governors and refer to the school's complaints policy which is available on the website.

Behaviour which will not be tolerated

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

- Disruptive behaviour which interferes or threatens to interfere with the normal activities of the school.
- Shouting at members of school staff, either in person or over the telephone.
- Using loud, abusive or offensive language or displaying temper towards any member of the school community.
- Threatening in any way, either physically or verbally a member of staff, visitor, fellow parent/carer or child. This includes but is not limited to; standing very close to them, using aggressive hand gestures, swearing or pushing.
- Any type of physical assault including but not limited to hitting, slapping, punching or kicking.
- Spitting.
- Sending abusive, inappropriate or threatening emails, texts, voicemails or other written communications, including on social media, to anyone within the school community.
- Posting defamatory or offensive comments regarding the school, its pupils, parent/carers, staff and governors on social media.
- Approaching someone else's child to chastise them because of actions, whether seen or unseen towards your child.
- Deliberately damaging school property.
- Smoking, taking illegal substances or consuming alcohol on the premises.
- Breaching the school's security procedures.

This is not an exhaustive list but seeks to provide an illustration of the types of behaviour which may lead to further action being taken by the school.

Unacceptable behaviour may result in the school reporting the incident to the local authority and / or the police.

Inappropriate use of Social Media

Any concerns that parents/carers or visitors have about the school should be raised through the appropriate channels by contacting the relevant teacher, the Head Teacher, The Chair of Governors or if required, the local authority so that these can be dealt with fairly, appropriately and effectively for all involved.

Social media sites whether public or private should not be used to fuel campaigns and voice complaints against the school, its employees, other parents/carers or children.

We take the inappropriate use of social media to publicly humiliate or criticise another parent/carer, child or member of staff very seriously and would deal with this as a serious incidence of school bullying.

In the event that a parent/carer, of a child attending the school, or a visitor or member of the community is found to be posting libelous or defamatory comments, through any medium they will be reported to the appropriate 'report abuse' section of the network site. All social media sites have clear rules about the content that can be posted and provide robust mechanisms to report content or activity which breaches this. The school will expect any parent/carer or visitor to remove such comments immediately.

In serious cases the school will consider legal options to deal with any misuse of social media and other sites.

Dealing with Unacceptable Behaviour

Verbal Warning

Following an occurrence of unacceptable behaviour by a parent/carer or visitor to the school:

- The Head Teacher (or appropriate member of the SLT) will seek to resolve the situation through discussion and mediation. If necessary, the school's complaints procedure will be followed.
- During this discussion the person(s) involved will be advised that any repeat of their behaviour or similar behaviour may result in them being banned from the school premises and, if appropriate the police and/or local authority being informed.
- Where possible assurances will be sought that there will be no repeat of their behaviour.

Written Warning

In the event of continued unacceptable behaviour (or an initial incidence of unacceptable behaviour which warrants it):

- Staff will complete an incident report form (Appendix 1)
- The Head Teacher will issue a written warning (Appendix 2) outlining the issue / behaviour concerned and informing the parent/carer that any repeat of this behaviour or similar may result in them being banned from the school premises.

Withdrawing permission to be on school premises

If a parent/carer or visitor's behaviour continues to be unacceptable despite verbal and written warnings:

- The Head Teacher may ban them from the school premises. In this situation the Chair of Governors / local authority will write to the parent/carer (Appendix 3) or the visitor (Appendix 4) to inform them of this decision.
- 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.
- Where necessary, arrangements for pupils being delivered to, and collected from the school gate will be made.
- Failure to adhere to this ban may result in police involvement or an injunction application.

Following withdrawal of permission to come onto school premises

Any ban imposed on a parent/carer will be time limited and subject to review by the Chair of Governors /local authority. The parent/ carer will be invited to provide their version or events and / or apologise for their behaviour. (Appendix 3).

Following review, the Chair of Governors / local authority will either:

- Communicate to the parent/carer that they deem withdrawal of permission to come onto school
 premises as warranted and uphold the ban. At this time they may choose to extend the term of the
 initial ban. (Appendix 5)
- Communicate to the parent/carer that they are restoring permission for them to come onto school premises (Appendix 6)

Should the Chair of Governors / local authority uphold the initial ban from school premises they will provide the parent/carer with a date at which the ban is likely to end. They will review this decision in advance of the date given. Following this review, they will either:

- Write to the parent/carer to inform them that they have decided to extend the ban, providing a new expiry date (Appendix 7)
- Write to the parent /carer to confirm that the ban has ended, granting permission for them to come onto the school premises. (Appendix 8)

Conclusion

The local authority may take action where behaviour is unacceptable or there are serious breaches of this code of conduct or it's health and safety legislation. In implementing this policy, the school will, as appropriate, seek advice from the local authority's education, health and safety, and legal departments, to ensure fairness and consistency.

This Policy will be reviewed every three years.

Reviewed and agreed by Governing Body on 26th May 2021

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, 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 reportion	ng incident			
Date incident reported				
Member of staff recordi	ng incident			
Date incident recorded				
Name(s) of person(s) ca	using incident			
(where name(s) is/are unknown, provide other details of which may allow their identification)				
Status(es)				
(parents/carers/visitors/	trespassers)			

Incident report form (continued)		
Full description of incident		
(eg. names of persons involved; location; nature of any injuries; at	tenc	dance of emergency services)
Names of any witnesses	- ;	Statuses
Initial action / outcome		
(eg. Informal conciliation; police intervention; warning or banning	lett	ter issued)

Incident report form (continued)

Incident report form (continued)
Summary of subsequent actions taken by the school, including risk assessments
Linked incidents (if any)
Linked incidents (if any)

(Banning Letter, from the LA or Governing Body to parent/carer with child/ren at the school)
Recorded delivery
Dear
I have received a report from the Head Teacher at (insert name) 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 the Local Authority/ 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 Head Teacher 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.
In the case of a primary school include: 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.
In the case of infant children, also insert Arrangements have been made for your (delete as appropriate) son(s)/daughter(s) (insert child/rens names) to be collected, and returned to you, at the school gate by a member of the school'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 Head Teacher. 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, 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

LA Officer / Chair of Governing Body

(Banning letter, from the LA or Governing Body to member of the public)
Recorded delivery
Dear
I have received a report from the Head Teacher at (insert name) 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 the Local Authority/ 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 Head Teacher I am therefore instructing that 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. Ifconvicted, you are liable to a fine of up to £500.
Yours sincerely
LA Officer / Chair of Governing Body

Dear

APPENDIX 5

(Letter updating a banning letter, from the LA or Governing Body, confirming ban to parent/carer with child/ren at theschool)
Recorded delivery

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 Head Teacher'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) you are not to come onto the premises of the school without the prior knowledge and approval of the Head Teacher. 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 Head Teacher and staff at (insert name) school remain committed to the education of your child/children (delete as appropriate), who must continue to attend school as normal (insert in the case of a primary school: under the arrangements set out in my previous letter).

The Local Authority/ 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 co-operation 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 Head Teacher 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

LA Officer / Chair of Governing Body

(Letter updating a banning letter, from the LA or Governing Body, withdrawing ban to parent/carer with child/ren at theschool)
Recorded delivery
Dear
On (give date) I wrote to you informing you that on the advice of the Head Teacher, I had withdrawn permission for you to come onto the premises of (insert name) School until (insert date) . To enable the Local Authority/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
In the circumstances, and after consulting with the Head Teacher, 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
LA Officer / Chair of Governing Body

(Letter from the LA 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 (insert name) 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 Head Teacher, 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) school without the prior knowledge and approval of the Head Teacher 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
LA Officer / Chair of Governing Body

Letter from the LA 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 (insert name) 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 Head Teacher, 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 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
LA Officer / Chair of Governing Body

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 two vehicles may be used by an LA 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.

Anti-Social Behaviour Orders (ASBOs) (under review)

Anti-social behaviour orders are imposed under the Crime and Disorder Act 1998.

An anti-social behaviour order can be sought by the Local Authority or chief officer of police and can be made in respect of anyone aged 10 or over who has acted in an anti-social manner (a manner which caused or is likely to cause harassment, alarm or distress) and an ASBO is necessary to protect others in the same area from repetition of similar behaviour.

The order can prohibit the defendant from doing anything described in the order provided those prohibitions are necessary to protect others from anti-social behaviour. ASBOs last for a minimum of two years (but can be discharged sooner with the consent of both parties) and carry a penalty for breach of a fine up to £5,000, a prison sentence of up to six months, or both (if imposed by the magistrates' court), or an unlimited fine, or up to fiveyears imprisonment, or both (if the conviction was in the crown court).

In the circumstances above we would expect LAs or Governing Bodies to take the lead on taking relevant action under the above legislation as appropriate.

The LA or 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, the LA or Governing Body will do this. LAs or Governing Bodies should thus ensure that they are familiar with the relevant legislation and their powers under it.

Protection from Harassment Act 1997 (under review)

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 Visitor Behaviour Policy

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APPENDIX 9 (continued)

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.

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.

Criminal Damage Act 1971

Under this, if a parent or carer destroys or damages property belonging to the school, or to a teacher, he or she can be prosecuted for causing criminal damage. If the value of the damage is below £5,000, the case is tried in the magistrates' court, where the penalty is a fine up to £2,500 or up to three months imprisonment or both. If the damage is above £5,000, the case can be tried in the magistrates' court or the crown court. The penalty in the magistrates' court is a fine up to £5,000 or not more than six months imprisonment, or both. In the crown court, the penalty is an unlimited fine or ten years imprisonment, or both. Where the criminal damage is committed with an intent to endanger life, the maximum period of imprisonment is life. This includes cases of arson with the same degree of intent. There is a racially aggravated form, which carries higher maximum penalties (Crime and Disorder Act 1998, section 30).

Common Assault

Where a member of staff is assaulted by a parent or carer and minor injury is caused, the parent or carer may be charged with common assault in accordance with section 39 of the Criminal Justice Act 1988.

This can only be tried in the magistrates' court. Where there is a racial element to the offence, the parent or carer may be charged with the offence of racially aggravated assault contrary to Section 29 of the Crime and Disorder Act 1998. This can be tried either in the magistrates' court or the crown court. The maximum penalty for common assault is a fine of up to £5,000, or six months imprisonment, or both. The maximum penalty for racially aggravated assault is six months imprisonment or a fine up to £5,000, or both, in the magistrates' court. In the crown court it is an unlimited fine, or two years imprisonment, or both.

Assault Occasioning Actual Bodily Harm

Under section 47 of the Offences Against the Persons Act 1861, a parent or carer can be charged with assault occasioning actual bodily harm where more serious injury is caused to a member of staff (such as broken teeth, or extensive bruising or cuts requiring medical treatment). Again, there is a racially aggravated form of the offence. The first form is triable either way. In the magistrates' court, the maximum penalty is six months imprisonment, or a fine up to £5,000, or both. In the crown court, the maximum penalty is fiveyears imprisonment. For the racially aggravated offence, the maximum sentence is the same inthe magistrates' court. In the crown court, the maximum sentence is seven years, an unlimited fine or both.

Offences under the Public Order Act 1986

There are four separate relevant offences under this Act. The behaviour that they criminalise has some overlap with the Protection from Harassment Act, but unlike that Act, one incident alone is sufficient to constitute a public order offence. Three of them (sections 5, 4A and 4) are heard within the magistrates' court.

APPENDIX 9 (continued)

Section 5 is the lower level of public disorder where a parent or 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 a fear or provocation of violence. The maximum sentence for section 5 is a fine up to £1,000. The maximum sentence for section 4 or 4A is a term of imprisonment not exceeding six months or a fine up to £5,000 or both. There is also a racially aggravated version of all three of the above offences, under section 31 of the Crime and Disorder Act 1998, with higher maximum penalties.

Section 3 of the Act, affray, may be tried either in the magistrates' court or the crown court. This offence is committed when a person uses or threatens unlawful violence such as would cause a reasonable person to fear for his safety; the threat cannot be made by the use of words alone. In the magistrates' court, the maximum penalty is six months, a fine up to £5,000, or both. In the crown court, the maximum sentence is three years, an unlimited fine or both.

In the circumstances outlined above, although the LA may not have the relevant power to take action itself, it should – as the employer – work with the school to provide staff with full support in ensuring that action will be pursued against an alleged offender, under the above legislation as appropriate.

Criminal Justice Act 1988

Section 139A of the Act (as amended by the Offensive Weapons Act 1996) makes it an offence to carry an offensive weapon or knife on school premises. Under section 139B a police officer may enter a school and search for a weapon; where one is found they may seize and retain it. A person who has a weapon on school premises will be guilty of an offence, unless he can prove a statutory defense. The maximum penalty on conviction indictment for carrying a knife is two years imprisonment or an unlimited fine or both. The maximum penalty on conviction on indictment for carrying an offensive weapon is four years imprisonment or an unlimited fine or both.

The weapons which are caught under section 139A and 139B include any article made or adapted for use for causing injury and any article which has a blade or is sharply pointed. A folding pocket knife with a blade under 3 inches long is, however, excepted, although this does not prevent schools from imposing their own bans on pupils carrying them.

In general, where a school suspects a weapon to be on school premises, the police should be called. Where the police have reasonable grounds for suspecting a weapon to be on a school's premises, they can enter without permission from the school.

Non statutory remedies

Aside from the legal remedies, there are other strategies that can help in preventing conflicts with parents or stopping them escalating. These include mediation and conflictresolution.

Schools might also be able to develop non-statutory acceptable behaviour contracts for some parents similar to those that have been developed by the Metropolitan Police mainly in respect of pupils. These require the agreement of the person to an acceptable level of behaviour.