



CC2

# Dealing with Unacceptable Behaviour of Visitors

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**Good Practice**  
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## 1. Definitions

In this **TRCA Dealing with Unacceptable Behaviour of Visitors Policy**, unless the context otherwise requires, the following expressions shall have the following meanings:

- i **'The Romero Catholic Academy'** means the Company named at the beginning of this **TRCA Dealing with Unacceptable Behaviour of Visitors Policy** and includes all sites upon which the Company is undertaking, from time to time, being carried out. The Romero Catholic Academy includes; **Corpus Christi, Good Shepherd, Sacred Heart, Blue Sky, SS Peter and Paul, St Gregory, St John Fisher, St Patrick, Cardinal Wiseman, Shared Services Term.**
- ii **'Romero Catholic Academy'** means the Company responsible for the management of the Academy and, for all purposes, means the employer of staff at the Company.
- iii **'Board'** means the board of Directors of the Romero Catholic Academy.
- iv **'Clerk'** means the Clerk to the Board or the Clerk to the Local Academy Committee of the Academy appointed from time to time, as appropriate.
- v **'Chair'** means the Chair of the Board of the Directors or the Local Academy Committee appointed from time to time.
- vi **'Catholic Senior Executive Leader'** means the person responsible for performance of all Academies and Staff within the Multi Academy Company and is accountable to the Board of Directors.
- vii **'Diocesan Schools Commission'** means the education service provided by the diocese, which may also be known, or referred to, as the Birmingham Diocesan Education Service.
- viii **'Local Academy Committee'** means the governing body of the School.
- ix **'Academy Committee Representatives'** means the governors appointed and elected to the Local Academy Committee of the School, from time to time.'
- x **'Principal'** means the substantive Principal, who is the person with overall responsibility for the day to day management of the school.
- xi **'School'** means the school or college within The Romero Catholic Academy and includes all sites upon which the school undertaking is, from time to time, being carried out.
- xii **'Shared Services Team'** means the staff who work in the central team across the Company (e.g. HR/ Finance)
- xiii **'Vice-Chair'** means the Vice-Chair of the Academy Committee elected from time to time.
- xiv **'Abusive behaviours'** are defined as
  - xv Shouting at members of the school staff, either in person or over the telephone
  - xvi Physically intimidating a member of staff (eg standing very close to them)
  - xvii The use of aggressive hand gestures
  - xviii Threatening behaviour
  - xix Shaking or holding a fist towards another person
  - xx Swearing
  - xxi Pushing
  - xxii Hitting (eg slapping, punching and kicking)
  - xxiii Spitting
  - xxiv Breaching the school's security procedures.

### COVID-19 additions

- xxv Not maintaining social distance whilst on school grounds as required by DfE Guidance.
- xxvi Deliberately coughing or spitting towards another adult or pupil in the school community.
- xxvii Not following the arrangements put in place by the school which aligns with DfE guidance. Arrangements detailed in the Risk Assessment and communicated through the parental letters and newsletters [www.romeromac.com/COVIDriskassessments](http://www.romeromac.com/COVIDriskassessments)

## 2. Scope

The Romero Catholic Academy, works closely with all stakeholders across our community. The Board of Directors encourages the Local Academy Committee and the staff in the school, to forge close links with parents and the community. The Board delegates the responsibility for parental engage to the Academy Committee and It believes pupils benefit when the relationship between home and school is a positive one. This policy aims to resolve any issues that may arise so that school and home can work through a process to bring matters to a close.

This Policy is for staff, governance, parents and those deemed 'third parties' in terms of visiting the school.

## 3. Introduction

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 Terms of Reference for the Academy Committee states that the Board of Directors delegate to them the:  
*"Communication and the appropriate formation of relationships with parents of pupils attending the academy to work with and support them in their role as primary educators of their children."*

It is expected, that with COVID-19 and the adherence to guidance required by all communities, that there could arise situations due to various circumstances, in which unacceptable and abusive behaviour may be witnessed.

The Board of Directors and Academy Committee, 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. 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.

Parents have "implied permission" to enter and be on the school's premises for reasons relating to their child / children's education. This means that parents are welcome come to the school to drop off and collect their children, subject to any restrictions that may apply to vehicle access to the site, to speak to teachers and other members of staff about their children, or for meetings, parents' evenings and social events. Parents do not have a legal right to enter or be on the school's premises without a good reason.

In education law, the term "parent" includes the natural or adoptive parents of a student, as well as a non-parent with care of a student and a non-parent with parental responsibility of a student. For the purposes of this policy only, the term "parent" will also include a non-parent who does not have care of or parental responsibility for a student, but who is involved in looking after a student on a regular basis (for example, a childminder, non-resident partner of a parent or relative who takes the student to or from school, is involved with the care of the student in some other way, or a person whose emergency contact number we have been provided with).

Other visitors also have "implied permission" to enter and be on the school's premises if they have a reason, for example a courier or delivery person, or a member of the public attending the school's office to make enquiries about something. Members of the public without a good reason for entering or being on the school premises are trespassing.



#### 4. Definitions of types of unacceptable (or abusive) behaviour

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

Types of behaviour that are considered serious and unacceptable and that will not be tolerated are as follows:

- Shouting at members of the school staff, either in person or over the telephone
- Physically intimidating a member of staff (eg standing very close to them)
- The use of aggressive hand gestures
- Threatening behaviour
- Shaking or holding a fist towards another person
- Swearing
- Pushing
- Hitting (eg slapping, punching and kicking)
- Spitting
- Breaching the school's security procedures.

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

**Unacceptable behaviour may also result in the employing body and the police being informed of the incident.**

#### 5. The right to withdraw the 'implied permission'

The initial decision to withdraw "implied permission" will be made by the Principal, in consultation with the CSEL. The decision will be reviewed on a regular basis by the Chair of the Local Academy Committee, who can delegate this task to another Governor in appropriate cases.

The Principal will exercise the right to withdraw the "implied permission" for a parent or visitor to enter or be on the school's premises if their behaviour while they were previously on the school's premises was unacceptable. The withdrawal of the "implied permission" will be effective as soon as the parent or other visitor has been told that they must leave and are prohibited from returning, and will be confirmed in writing by recorded delivery if the home address is known.

Once the "implied permission" has been withdrawn, the school will ask the police to remove the parent or visitor if they appear on the school's premises.

Where a parent has had their "implied permission" to enter and be on the school's premises withdrawn, the school will, in appropriate cases, make alternative arrangements for the parent's children to be dropped off and collected from the school, and in relation to parents' evenings and other meetings.



## 6. Prohibiting third parties from entering and being on the school's premises

The procedure outlined above relates to parents and visitors who had a valid reason for entering and being on the school's premises.

Sometimes, members of the public enter the school's premises when they have no good reason for doing so (for example, they do not have children registered as students at the school, and they are not delivering items or making valid enquiries at the school's office).

Such people do not have "implied permission" to enter and be on the school's premises, and are therefore trespassing. This means that, if they are causing a nuisance or disturbance on the school's premises, they can be prosecuted under Section 547 of the Education Act 1996. In those circumstances, the school will inform the third party that they are trespassing and ask them to leave the school's premises and, in appropriate cases, call the police and support any prosecution for criminal offences which follows.

Although third parties do not have "implied permission" to enter and be on the school's premises, for the avoidance of doubt, where the address of the third party is known, the Principal will write to the third party warning them of the consequences of reappearing on the school's premises.

## 7. Action when an incident of unacceptable behaviour occurs

If a parent/carer behaves unacceptably towards a member of the school community, the Principal will seek to resolve the situation through discussion and mediation.

Where appropriate, the Principal will write to the parent to clarify the unacceptable behaviour and the potential of 'barring' if another incident should arise. (See Appendix 1 for a template letter that can be adapted by the school)

We do understand that such incidents are rare and infrequent but when they do occur and school will do their best to resolve the situation as amicably as possible for the benefit of the relationship between the school and parent in supporting the child.

If it is appropriate, the school's complaints procedures should be followed. This is available on the school website and should be referenced in the letter that goes out to the person involved.

## 8. Where appropriate the 'barring of visitors' process will be applied

If a parent/carer behaves unacceptably towards a member of the school community, whether it is either a subsequent incident after communication has been submitted to the parent in writing (as in Section 7) and where all relevant procedures have been exhausted and aggression or intimidation continue, or where there is an extreme act of violence, a parent/carer may be 'barred' by the Principal from the school's premises for a defined period.

Straightforward trespassing is a civil offence. Schools can take civil action through the courts to stop persistent trespassers. Schools may write to advise persistent trespassers of the potential offence.



A school may consider, however, that aggressive, abusive, or insulting behaviour or language from a parent or carer presents a risk to staff or pupils. It is enough for a member of staff or pupil to 'feel' threatened. In these circumstances, schools have the power to bar the parent or carer from the school's premises.

The Principal, in conjunction with the CSEL's advice, will need to assemble the full facts before proceeding with the barring of a visitor and make sure all those involved in any incident, or witnesses to those incidents, supply a full written record as soon as possible.

Typically, the elements of the banning process would include the following actions:

1. A letter (see Appendix 1) may have already be sent to the parent/ carer informing them that further incidents would result in such an action by the school.
2. If a further incident occurs, and the Principal deems it appropriate, the parent/carer will be informed, in writing, that they are banned from the school's premises, subject to review, and what will happen if the ban is breached eg police involvement or an injunction application may follow. Alternatively, if it is extreme act of violence, the school will write to the parent/carer for the first time to record in detail the incident and state why it is unacceptable. In the letter the school will tell the parent/ carer when the school will make a decision.
3. The Principal will arrange a meeting to explain to the Academy Committee (delegated via the Board of Directors) to discuss the case.
4. The Academy Committee will consider the ban and give the parent/carer a period in which they may respond, in writing, to provide their version of events and why the school shouldn't ban them
5. The ban should be finite in length because only the most serious misconduct would justify an indefinite ban. The duration needs to be sufficient to convey a clear message about the seriousness of the associated misconduct, but not so long as to be disproportionate. The aim should always be to restore normal relations as soon as is reasonably practicable. Even if a ban is permanent, you should review it periodically and take account of subsequent behaviour.
6. Where appropriate, arrangements for pupils being delivered to and collected from the school gates will be clarified.

The decision to bar a parent/carer, if immediate, will be provisional until they have been allowed to make formal representations. The bar can then be confirmed or removed. Alternatively, the school can serve notice of intent, invite the parent/carer to make representations within a certain deadline and then decide whether to bar them.



## 9. What does a ban or 'barring of a visitor' achieve?

The use of a ban or the 'barring of a visitor' is not a decision taken lightly. It will be done after consultation with Governance.

It confirms to a parent/carer that the school will not tolerate certain conduct

- It demonstrates that the school takes the health and safety of its staff, visitors and pupils seriously
- It provides a key element in making it easier to use legal remedies to prevent repeated misconduct, including **s547 of the 1996 Education Act** that enables police to remove and prosecute those on the school's premises without permission
- It may form the basis for an application for an injunction to curtail repeated instances of misconduct.

## 10. Monitoring and Review

- The Board of Directors delegate the implementation of this policy to the Academy Committee.
- This policy will be reviewed by CC2 Strategy, People and Organisational Development.

## 11. Link to other policies

- TRCA Complaints Policy
- TCRA Visitor Management Policy
- TRCA Whistleblowing Policy





## Appendix 1 Template letter

[On School Headed Notepaper]

BY RECORDED DELIVERY

[INSERT NAME]

[INSERT ADDRESS]

[INSERT POSTCODE]

[INSERT DATE]

Dear [Mr][Mrs] [INSERT SURNAME]

As a school, our relationship with parents is fundamental; working in partnership from home to school in a respectful relationship is important in ensuring we are doing the best for your child to keep them safe, secure and happy.

I am therefore writing to you as I have received a report about your unacceptable behaviour on [INSERT DATE] at approximately [INSERT TIME] when I have been informed that you [INSERT SUMMARY OF INCIDENT, INCLUDING EFFECT UPON STAFF, PUPILS OR OTHER PARENTS].

I must inform you that [INSERT NAME OF SCHOOL] will not accept behaviour of this nature on its premises and will act to defend its teachers, members of staff, students and their parents, and other members of the school community. Maintaining the safety of our pupils and school community is of paramount importance.

I am therefore informing you, that if I receive a further report of unacceptable conduct from you, I will have no option but to instigate the school's formal procedure to withdraw your permission to enter or be on the premises of [INSERT NAME OF SCHOOL].

A copy of the school's '**TRCA Policy for Dealing with Unacceptable Behaviour of Visitors**' is attached for your consideration.

**[If you have any concerns about the school which have led to your unacceptable conduct, you should raise these with the school in accordance with the school's Complaints Policy, available on the website. A copy of which is attached for your consideration.]<sup>1</sup>**

I trust that we will now be able to put this matter firmly behind us.

Yours [faithfully][sincerely]

***1 This paragraph should be included where it is clear from the circumstances surrounding the incident that the parent or visitor has concerns which should be dealt with as a complaint under the school's Complaints Policy.***

