

Hawridge and Cholesbury CE School



Policy for disruptive visitors and controlling access to school premises and staff

March 2020

Review Date: March 2023

The Governing Board of Hawridge & Cholesbury C of E School acts to ensure that our school remains a safe place for pupils, staff and all other members of the school community. Abuse, threatening behaviour or violence against school staff, or other members of the school community is unacceptable and will not be tolerated.

The Governing Board of Hawridge & Cholesbury C of E School is committed to reducing the risks for the school community from acts of violence and aggression by:

- Demonstrating to staff that the potential for violence at work is recognised
- Issuing clear procedures/guidelines, including preventative and protective measures
- Providing training to staff who may be subject to violence or abuse to develop their ability to anticipate violent incidents and deal with them
- Providing appropriate equipment where applicable
- Clarifying violent incident reporting and monitoring procedures
- Encouraging proper reporting of incidents and near misses
- Supporting staff who have been subject to violent, threatening or abusive behaviour and offering counselling where appropriate
- Allocating adequate resources to support this policy
- Reviewing this policy statement and procedures and guidelines regularly.

Types of violence

In identifying types of violence, the Governing Board recognises that staff can be intimidated or threatened by a variety of circumstances which include:

- Threatening behaviour
- Gesturing
- Abusive telephone calls, letters, faxes, emails, website entries, social media
- Swearing, shouting insults etc.
- Innuendo
- Deliberate silence
- Intimidating behaviour causing fear or emotional upset
- Physical assault

Restriction of Access

DfE guidance explains the following:

1. Who can go onto school premises?

Schools are private property. Whilst people, in general, do not have an automatic right to enter parents of pupils at the school have an 'implied licence' to come on to school premises at certain times, for instance:

- for appointments
- to attend a school event
- to drop off or pick up younger children

The school's policy for accessing the site is for all visitors to sign in through the school office. Parents and carers are invited to come on to the playground at drop off and collection times and at other times (when they would sign in) for special events. All visitors are expected to follow our school values : Respect, Teamwork, Responsibility, Understanding, Peace and Honesty. These rules are in place for the safety of pupils and staff.

There may be times when visitors are not required to sign in for example on Friday mornings during the EYFS reading sessions, where we ask parents to sign into the class book and wear a visitor sticker.

Anyone who does not follow the school's rules would be trespassing. Trespassing itself does not constitute a criminal offence.

To have committed a criminal offence, an offender must have been barred from the premises or have exceeded their 'implied licence', then also have caused a nuisance or disturbance.

2. Barring offenders from school premises

Schools have the right, under trespass laws, to bar offenders from the site; this action would only be taken in extreme situations including for example, if the school considers that aggressive, abusive or insulting behaviour or language is a risk to staff or pupils. It is enough for a member of staff or a pupil to feel threatened.

3. Removing offenders from school premises

Section 547 of the Education Act 1996 makes it a criminal offence for a person who is on school premises without legal permission to cause or permit a nuisance or disturbance.

If a school has reasonable grounds to suspect that someone has committed an offence, then they can be removed from the school by a police officer or a person authorised by the appropriate authority such as the:

- governing board
- local authority
- proprietor of that school

Restrictions on access must be reviewed periodically.

Restriction of Access Procedure

To restrict the rights of parents/carers who have children in school, schools must be able to show that they have behaved reasonably and given "offending" adults the opportunity to make representations and/or apologise. A parent/carer who has their rights of access to the school restricted will not be 'banned' but will be able to access the school site with permission.

A school can either:

- bar them temporarily, until the offender has had the opportunity to formally present their side
 - tell them they intend to bar them and invite them to present their side by a set deadline.
1. The Headteacher speaks to those involved and, if necessary, contacts the school's legal services provider to discuss the incident/s. If a warning only is appropriate, the Headteacher uses template letter 1. Where the incident involves the Headteacher, the Chair of Governors will investigate the incident.
 2. If restriction of access is thought to be appropriate pending investigation, a recorded delivery letter will be sent, either from the Headteacher/Chair of Governors or the legal services provider to the offender/s. (Template letter 2)

The letter will explain:

- Why the offender has been barred including details of policies which have been breached
 - that the offender must not enter the school site until further notice
 - that any representations or apology received in writing from the offender/s within the following ten school days will be considered before deciding whether to ratify the decision to restrict access.
3. The or Chair takes a decision, taking account of the investigation and any representations or apology, at the end of the ten school days and writes to the parent/carer by recorded delivery post (template letter 3a or 3b) to say whether the restriction will continue and if so when it will be reviewed. If the ban is to be lifted, the expectations for future access should be made clear.
 4. If the restriction continues, the Chair will review the ongoing restriction at the end of the period specified in the letter. If the restriction continues, use template letter 4a, if it is ended, use template letter 4b.
 5. Any subsequent complaint about the restriction by the offender should be dealt with by the Chair as a complaint under the Complaints Procedure.
 6. In the event that communication is not polite and respectful, the Headteacher may consider restriction of communication. Advice should be taken from the legal services provider if this becomes an issue.

Further advice will also be taken from the legal services provider if Chairs or Headteachers are unsure about any aspect of the process. *The Department for Education (DfE) does not get involved in offender cases.*