



Laurance Haines School

Managing Aggressive Adults Policy

Date of Governing Body approval:	4 th February 2016
Review:	February 2019
Signed:	
Roger Gibbs	Chair of Governing Body

At Laurance Haines School, we understand that the safety of our pupils and members of staff is paramount to promoting their wellbeing, as well as a positive learning and teaching environment.

This policy has been created with the aim of ensuring that all adults who have an 'implied licence' in terms of access to our premises do not engage in any inappropriate or harmful behaviour which may be damaging to the health and safety of pupils and staff.

The school has zero tolerance towards violence and will therefore use this policy in order to prevent and effectively control any disturbances caused by inappropriate adult behaviour.

1. Legal framework

1.1. This policy has due regard to the following legislation, including, but not limited to:

- The Education Act 1996

1.2. This policy also has due regard to the following guidance:

- DfE 'Advice on school security: Access to, and barring of individuals from, school premises' 2012
- DfE 'Best Practice Advice for School Complaints Procedures 2016' 2016

2. Access to premises

2.1. It is the responsibility of our school to devise the limitations for access to our premises by adults.

2.2. The school recognises that adults have an implied licence to come on to the school property. The only times adults shall access our premises is:

- At the beginning of the school day.
- At the end of the school day.
- By appointment or invitation.

2.3. As our school is classed as private property, any adult who breaches these access limitations is deemed to be trespassing. Trespassing is a civil offence and may require the school to take legal action if persistent

2.4. Section 547 of The Education Act 1996 makes it clear that it is a criminal offence for a person who is on school premises without lawful authority to

cause or permit a nuisance or disturbance; therefore, schools also have the power to take action in these cases.¹

- 2.5. The school may decide that certain behaviour conducted by adults, such as inappropriate language and aggressive or insulting behaviour, could pose a risk to pupils and staff and, as a result, may result in the individual being barred from our property.

3. Types of inappropriate behaviour

- 3.1. The school takes instances of inappropriate behaviour very seriously and will not tolerate any circumstances which may make our pupils or members of staff feel threatened. A perceived threat, or any action which makes another individual feel threatened, can be enough to bar the adult from the premises.

- 3.2. The following are examples of inappropriate behaviour which may result in sanctions being issued against the individual:

- Trespassing on school property without prior permission.
- Causing intentional damage to school property.
- Breaching the school's security procedures.
- Verbal abuse: swearing, talking in an aggressive manner, using offensive language or raising their voice at another individual.
- Making racist or sexual comments.
- Using aggressive hand gestures: raising fists and fingers.
- Physical violence: hitting, slapping, punching, kicking and pushing.
- Physically intimidating an individual such as by standing in very close proximity to him/her.
- Overly unnecessary physical contact with an individual.
- Writing or emailing abusive comments regarding an individual, including on social media.
- Psychological harassment: displaying vexatious behaviour which is humiliating for the individual and is damaging to their self-esteem. This can be conducted through repeated instances of any of the above.

NB. This list is not exhaustive and displays only common examples of unacceptable behaviour. The school recognises there may be other examples of insulting behaviour which cause harm to an individual and these will be dealt with following the process outlined in this policy.

¹ DfE (2012) 'Advice on school security: Access to, and barring of individuals from, school premises', p.3

4. Preventing inappropriate behaviour

- 4.1. The school understands that there are certain measures which can be taken to significantly reduce the potential harm to members of staff and pupils.
- 4.2. The headteacher will conduct a risk assessment involving evaluating the possible harm to others from abusive or violent visitors, and providing effective control measures.
- 4.3. All members of staff will be aware of how to keep themselves safe as part of their induction training, in order for them to be able to:
 - Recognise conflict before it leads to aggression.
 - Effectively manage and diffuse aggressive behaviour.
 - Recognise verbal and non-verbal indicators which may lead to aggression.
 - Develop their confidence in managing conflict and the resulting stress.
 - Minimise the risk of an individual experiencing harm due to aggression.

5. Managing inappropriate behaviour

- 5.1. In the instance of inappropriate behaviour, the school will follow a number of procedures, depending on the severity of the situation.
- 5.2. In the first instance, the adult who is creating a nuisance or disturbance will be asked to leave the premises or will be invited into a separate room to calm down.
- 5.3. If the adult has been previously barred from the premises, or has exceeded their implied licence and is causing a disturbance, the school will contact the police in order for the individual to be removed from the premises.
- 5.4. The school will also contact the police in the event of any serious violence and assault, and in the event of any actual harm caused to an individual.
- 5.5. Instances of inappropriate behaviour will be recorded in writing by all members of staff involved using an Incident Reporting Form and will be given to the headteacher. (Appendix A)
- 5.6. The headteacher will invite the individual to attend a meeting in which to discuss their inappropriate behaviour and explain that further disturbance may result in the individual being barred from the premises.
- 5.7. If disturbance continues after meeting with the headteacher, or where there is a one-off extreme case of violence, the school has the power to bar the individual from entering the school property for a limited time, subject to review. (DfE, p.4)

5.8. Prior to barring an individual, the following process will be followed:

- The headteacher will warn the individual in writing explaining why the incident was unacceptable, informing them that the governing body and LA will consider barring them and when this decision will be made.
- The letter will also give the adult a chance to respond in writing and express their views. If necessary, the school's complaints procedure will be followed in accordance with the Complaints Policy.
- After receiving the parents' views, the decision will be reviewed by the governing body and LA, and a final decision will be made as to whether the adult will be barred from the premises.
- Following a bar, the headteacher will send a written letter informing the individual of this and the timescale during which they are prohibited from entering the premises.
- If a bar has been conducted due to a serious assault, a statement will also be given to the individual indicating that the local council and police have been informed.
- If necessary, the headteacher will clarify any arrangements for collecting, or delivering pupils to, the school gates. This will be communicated clearly to the individual.
- All bars will be reviewed by the headteacher, governing body and LA on a termly basis, and will take into account any subsequent patterns of behaviour.
- If the school decides to allow the adult back on to the premises, the individual will be informed of this in writing.
- Any adults wishing to complain about being barred can do so by letter or email to the headteacher or governing body, following the school's complaints procedure.
- If an adult wishes to lodge a further appeal, complaints cannot be escalated to the DfE; the only remaining avenue of appeal is through the Courts and therefore, independent legal advice must be sought.²
- Example letters are found in Appendices B to G.

5.9. The school understands that parents retain the right to an annual consultation about the educational progress of their child(ren); however, the headteacher will decide who will be present at this meeting and determine its location.

² DfE (2016) 'Best Practice Advice for School Complaints Procedures 2016', p.14

Monitoring and review

This policy will be reviewed on a three yearly basis by the headteacher, who will make any necessary changes and communicate this to all staff.

Appendix A

Incident report form

This includes trespass, nuisance or disturbance on school premises, verbal abuse, sexual or racial abuse, threats, aggression, physical violence and intentional damage to personal property. This form should be completed as fully as possible (please use a continuation sheet if necessary). For an incident involving or witnessed by a pupil, a member of staff should complete the form on their behalf. However, any discussion between one witness and another should not precede completion of the form, as this might lead to allegations of collusion.

Date of incident: _____ Day of week: _____ Time: _____

1. Member of staff reporting incident

Name: _____

Work address (if different from school address): _____

Position: _____

2. Personal details of person assaulted/verbally abused (if appropriate)

Name: _____

Work address (if different from school address)/home address (if pupil):

Job/Position (if member of staff): _____

Age: _____ Sex: _____

3. Details of trespasser/assailant(s) (if known)

4. Witness(es) if any

Name: _____

Address: _____

Age (approx): _____ Sex: _____

Relationship between member of staff/pupil and trespasser/assailant, if any

5. Details of incident

a) Location of incident (attach sketch if appropriate)

b) Describe incident, including, where relevant, events leading up to it; relevant details of trespasser/assailant not given above; if a weapon was involved, who else was present, context to incident

c) Possible contributory factors

6. Outcome: (eg. whether police called; whether trespasser was removed from premises under section 547; whether parents contacted; what happened after the incident; any legal action)

- Name and contact details of police officer involved, and incident number or crime reference number, as appropriate

Signed: _____

Date:

Please return as soon as possible to Headteacher

To be completed by the Headteacher

a) Is trespasser/assailant known to have been involved in any previous incidents
YES/NO

b) Had any measures been taken to try to prevent an incident of this type occurring?

c) Future action taken

Appendix B

BAN LETTER-1

Letter to Parent with child/ren at the school

RECORDED DELIVERY

Dear Sir/Madam,

I have received a report from about your conduct on (enter date and time).

[Add summary of the incident and of its effect on staff, pupils, other parents.]

I must inform you that Laurance Haines School will not tolerate conduct of this nature on its premises and will act to defend its staff and pupils. I am therefore instructing that for a temporary period you are not to reappear on the premises of the school. If you do not comply with this instruction I shall 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.

For the duration of this decision you may bring your child/children 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 EYFS/KS1 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 made. 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, you will be supplied with details of how to pursue a review of the circumstances of your case.

Yours faithfully,

Appendix C

BAN LETTER-1(a) Letter to member of the public

RECORDED DELIVERY

Dear Sir/Madam,

I have received a report from about your conduct on (enter date and time).

[Add summary of the incident and of its effect on staff, pupils, other parents.]

I must inform you that Laurance Haines School will not tolerate conduct of this nature on its premises and will act to defend its staff and pupils. 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 shall 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.

Yours faithfully,

Appendix D

BAN LETTER 2

Letter to parent with child/ren at the school

RECORDED DELIVERY

Dear Sir/Madam,

On (give date) I wrote to you informing you that I had withdrawn permission for you to come onto the premises of Laurance Haines School. To determine whether to confirm this decision 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 date), the contents of which I have noted. (delete either sentence as appropriate).

In the circumstances, and after further consideration of the initial report, I have determined that the decision to withdraw permission for you to come onto school premises should be confirmed. I am therefore instructing that until further notice you are not to come onto the premises of the school without my prior knowledge and/or approval. If you do not comply with this instruction I shall 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 myself and the staff at Laurance Haines School remain committed to the education of your child/children (delete as appropriate), who must continue to attend school as normal under the arrangements set out in my previous letter.

The school will take steps to review the continuance of this decision on (give date). When deciding whether it is necessary to extend the withdrawal of permission to come onto the school's premises, I will take into account the extent of your compliance with the decision, any appropriate expressions of regret and assurance 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 your complaint that (give brief details) will be considered under the appropriate stage of the school's complaints procedure. You will be contacted about this 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 contacting the Chair of Governors.

Yours faithfully,

Appendix E

BAN LETTER 3

Letter to parent with child/ren at the school

RECORDED DELIVERY

Dear Sir/Madam,

I wrote to you on (give date) withdrawing permission for you to come onto the premises of Laurance Haines School until further notice. In that letter I also advised you that I would take steps to review this decision on (give date).

I have now completed the review. However, after consultation, 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 the school without my prior knowledge and approval remains in place until further notice.

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

If you are dissatisfied with this decision because you consider it to be unfair, or not to have been made in a correct way, or believe there has been a case of maladministration, you have a right to a further review by the Local Government Ombudsman. They can be contacted at:

21 Queen Anne's Gate
London
SW1H 9BU

Or alternatively on 020 7915 3210.

Yours faithfully,

Appendix F

UNBAN LETTER 1

RECORDED DELIVERY

Dear Sir/Madam,

On (insert date) I wrote to you informing you that I had temporarily withdrawn permission for you to come onto the premises of Laurance Haines 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).

[However] In the circumstances, and after consulting with the Governing Body, 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 again.

Yours sincerely,

Appendix G

UNBAN LETTER 2

RECORDED DELIVERY

Dear Sir/Madam,

I wrote to you on (give date) informing you that I had withdrawn permission for you to come onto the premises of Laurance Haines School until further notice. In that letter I also advised you that I would take steps to review this decision on (give date).

I have now completed the review. After consultation with the Governing Body, 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 again.

Yours sincerely,