

ARK ACADEMY

**Keeping our school
safe from abuse,
threats and violence**

Policy & Procedures

2020 - 2021



This guidance deals with situations where visitors are being threatening, abusive or aggressive towards other members of our school community. Such behaviour clearly cannot be tolerated. Staff and pupils have a right to expect their school to be a safe place in which to work and learn.

The Department for Education advises that schools should have a written policy setting out the behaviour expected of parents/visitors, and the procedures to be followed when a school wishes to restrict a parent's access to the premises.

In addition, the guidance explains how we will deal with difficult or abusive telephone calls and abuse using cyber technology. In this guidance, the definition in the Education Act 1996 of the word parent is somewhat extended and includes an individual who has care of the child whether or not s/he is the natural parent or has parental responsibility for the child. This includes step parents. Where an individual does not fall within this broad definition, the principles of this guidance should still be applied (but the wording of the model letters should be amended accordingly).

Risk assessment

In the event of a parent behaving in an inappropriate way, each situation will need to be considered individually by the headteacher or a designated member of staff. The following factors should be taken into account as a risk assessment, before deciding on the most appropriate course of action:

- Has the parent been verbally aggressive/threatening/intimidating?
- Has the parent been physically aggressive/threatening/intimidating?
- What evidence is there? What do witnesses say happened?
- Does the parent have a known previous history of aggression/violence? (Information can only be sought from the police when an official complaint has been made).
- Do members of the school staff/community feel intimidated by the parent's behaviour?
- Have pupils witnessed aggressive/threatening/intimidating behaviour from the parent?
- Have pupils been approached inappropriately by the parent?
- Has the parent been abusive to school staff, pupils or visitors?
- Has the parent been persistently abusive to school staff, pupils or visitors?
- Was the parent provoked in **any** way prior to their behaviour and/or does the parent claim to have been provoked?
- Is there evidence of provocation?
- How frequently have the behaviours occurred?
- Is there a risk (low, medium or high) that the behaviour may be repeated?

Options for the Principal

After evaluating all available information, and any other relevant factors, there are several actions the headteacher may wish to take. These can include:

Inviting the parent to a meeting to discuss events

This could be helpful where a planned and structured meeting has either not been held before or has previously been productive. Skilled facilitators may need to be used. A full restorative meeting may be considered, but if it is not safe to bring all the parties together at a meeting, a restorative process can still take place through the exchange of information. The safety and well-being of those attending such a meeting must be carefully considered. It is strongly recommended that members of school staff should be accompanied by at least one other colleague at any such meeting.

Consideration should be given to the seating arrangements, and care taken to ensure exits cannot be blocked by a parent who could potentially become aggressive. The main points of discussion and any agreed actions should be noted, and a follow-up letter sent to confirm the school's expectations and any agreed actions. Some parents may covertly record meetings and then seek to use the information obtained to support their case, and therefore schools should state explicitly that information obtained without permission will not be permissible.

Clarifying to the parent what is considered acceptable behaviour by the school

In some instances it may be appropriate simply to ensure the parent is clear about behaviour standards expected by the school. This could be explained at a meeting, or by letter, however any verbal explanation should be followed by a written confirmation of the discussion and the standards of behaviour outlined.

Forming strategies to manage future situations of potential conflict

It is sometimes possible to identify situations of potential conflict and to plan for these in a way that minimises potential risks. For example, where a parent persistently engages in arguments with staff in corridors at the beginning or end of the school day, the parent could be informed that any discussions with school staff must be held by prior appointment. Alternatively, the parent may be asked not to approach the class teacher, but should instead arrange to meet the headteacher (or other member of the senior leadership team), who will deal with their concerns. In more serious cases a further option may be to advise the parent that in future their concerns should be dealt with by written communication. Any such arrangements should be confirmed in writing to the parent.

Withdrawing permission for the parent to enter the school site and/or buildings

In more serious cases of actual or threatened aggression/violence, or persistent abuse/intimidation, the headteacher may need to consider whether it is safe for the parent to continue to come onto the school site or enter the buildings. Cases of actual assault should be also reported to the local authority by completing an online health and safety event report.

Calling for police assistance

In an emergency, police assistance should be sought. In cases where a ban is in place but is ignored and the person comes onto the school site, the police should be notified immediately. (Staff will need to be aware of the ban and have agreed procedures in place should the person come onto the school site). In situations where there is no immediate threat to staff, pupils, other members of the school community or the school's property, the headteacher may still wish to make their local community police officer (e.g. neighbourhood support team, youth intervention officer) aware of the situation.

The police could give consideration to warning the offender of formal action, which may include legal proceedings.

Legal proceedings

Where individuals persist in coming onto the school site even when permission to do so has been withdrawn, it is possible for legal proceedings to be pursued. The options include:

Prosecution under section 547 of the Education Act 1996

This requires substantial evidence to be gathered and presented by the police. Clearly it is not a quick process, and whilst in most cases the threat may prove to be a sufficient deterrent, prosecution can only be seen in the last resort as a punitive measure.

Appropriate behaviour contracts

These are voluntary agreements made between people involved in anti-social behaviour, and the agency/school concerned. They are flexible in terms of content and format, and can be an effective means of encouraging young adults, children and parents to take responsibility for unacceptable behaviour. The person named does not always agree with the contract, but it can be used as evidence at a later stage for an application for an anti-social behaviour order. Conditions can be put on the contract, e.g. not to enter school grounds.

Anti-social behaviour orders (Crime and Disorder Act 1998)

These are most likely to be used where the offender (aged over 10) has acted in a manner which causes harassment, alarm or distress, and is needed to protect others in the same area from similar behaviour. Anti-social behaviour orders (ASBOs) may be sought by the local authority or the chief officer of police. ASBOs are designed to deal with persistent bad behaviour, and the police will need to show that other options have been tried, or are unsuitable.

Restraining orders (Protection from Harassment Act 1997)

Section 2 of the Protection from Harassment Act 1997 provides for criminal or civil prosecution, for cases where someone causes alarm or distress to another person on more than two occasions. Section four provides for criminal or civil prosecution where people have been put in fear of violence on at least two occasions. In each case the sanctions include both criminal penalties (fines, imprisonment or community sentences) and a restraining order. These orders are generally quicker and easier to obtain, but are part of a criminal conviction.

Prosecution for criminal damage/assault

Prosecutions for causing deliberate damage or injury may occasionally be the most appropriate course of action. If the police are called, the option to make criminal allegations is readily available, and they may arrest suspected offenders there and then. Official allegations should only be made if there is no intention of later withdrawing the complaint. Criminal proceedings can be initiated at a later date. All possible steps should be taken to prevent the loss of evidence. In particular witnesses should be asked to make a record of exactly what they saw and heard at the earliest opportunity. Whilst the emphasis will usually be on ensuring safety and security of persons and property, and therefore the injunction route is likely to be the most effective deterrent legal action, it does not necessarily guarantee against the behaviour of the more persistent offender.

Record keeping

There should be clear and detailed records of all events which must be kept up to date. Any witness statements (where appropriate) and notes of any subsequent meetings held to discuss the events should also be retained. Notes should be signed and dated. Any physical evidence should be bagged and labelled, and witnesses should be asked to make a record of exactly what they saw and heard at

the earliest opportunity. It is also advisable to ensure that in every case, even where a formal letter is not required, parents receive a written confirmation of the events and the headteacher's response. If the police are asked to deal with an incident as a criminal investigation, there are a number of actions that may thwart this process. Witness details should not be made known to suspected offenders or their families. Groups of witnesses or suspects should not be left together, or allowed to discuss what happened, before the police interview them. If in doubt always seek the advice of the police officer first.