

Controlling Access to GLC Premises Dealing with Threatening and Abusive Behaviour Policy

This Policy was ratified by the Board of Directors on :	Autumn 2020
This Policy will be reviewed on :	Autumn 2023
This Policy will be reviewed by :	GLC Board of Directors

GLC Mission Statement

The GLC's mission is to develop active and thriving citizens within a diverse, truly fair and equal community. This will be achieved through:

- High quality teaching that deliberately develops competencies of curiosity, creativity, communication and critical-thinking;
- An inspiring and meaningful curriculum;
- The development of productive relationships by instilling the values of compassion, resilience, responsibility and aspiration to prepare our young people for learning and life;
- A commitment to the wellbeing of our staff;
- A culture of professional generosity, collaboration, challenge and support throughout the GLC;
- The development of effective external partnerships for the benefit and wellbeing of our community.

Equalities Statement

The GLC's commitment to equality is enshrined in our mission statement to develop 'active and thriving citizens within a diverse, truly fair and equal community'.

We are a vibrant, innovative and successful organisation: we work hard to be the place of choice to work and to learn. Across the 5 academies of the GLC, we pledge that everyone enjoys an equality of opportunity. We work tirelessly to ensure that individual characteristics including age, ethnicity, socio-economic background, academic ability, disability, gender, religious beliefs, sexual orientation are not discriminated against in any way. We create inclusive environments characterised by mutual respect where difference is celebrated.

Guidance for Dealing with Threatening and Abusive Behaviour

At all of the GLC Academies we are very fortunate to have a parent body which is supportive and friendly. We recognise that the success of each academy is dependent on a strong partnership between all members of the academy community: pupils, parents, carers, staff and governors. It is expected in each GLC academy, that all people are treated fairly: equality of opportunity and good relations are expected and individual different characteristics including age, ethnicity, academic ability, disability, gender, religious beliefs, sexual orientation are not discriminated against in any way. We will create environments where people are not fearful of others, and where individual difference or family circumstances don't act as a barrier to success. This partnership must be based on a polite, positive and respectful relationship. For this reason, we continue to welcome and encourage parents and carers to participate fully in the life of each of our academies.

The purpose of this guidance is to provide a reminder about the expected conduct from our parents, carers and visitors and what to do if their conduct is abusive or aggressive. We ask that all members of the community follow these principles:

- We all respect the ethos of the GLC and its expression in our mission statement.
- Both staff, parents and carers will work together for the benefit of the pupils.
- **All** members of the GLC should be treated with respect and therefore, we must all set a good example in our own speech and behaviour.

In this context, threatening, violent or abusive behaviour, against any members of our GLC community, is unacceptable. All members of our community have a right to expect each GLC academy to be a safe place in which to work and learn. Where the behaviour of parents, carers or visitors falls below expected standards, the GLC will act in accordance with this guidance.

In order to support a peaceful and safe academy environment, all GLC academies will not accept parents, carers and visitors exhibiting the following:

- Conduct which undermines the safe and calm environment in an academy, either in an office, classroom, around the academy site, immediately outside the academy or on academy playing fields.
- Using loud or offensive language, such as swearing, or displaying an unacceptable amount of anger and aggression.
- Threatening physical violence to a member of the GLC community.
- Damaging GLC property.
- Vexatious complaints about GLC staff [see GLC complaints policy for further information].
- Abusive telephone calls, emails, letters or other forms of written communication.
- Defamatory comments about GLC staff or governors on social media.
- The use of physical aggression towards another adult or child. This includes physical punishment of your own child.
- Approaching someone else's child in order to chastise them.

The Public Order Act 1986 defines "disorderly conduct" as: verbal abuse, threatening abusive or insulting words or behaviour or any disorderly behaviour whereby a person is caused alarm, harassment or distress. "Threatening behaviour" is when a person fears that violence, or threat of violence, is likely to be provoked. The GLC has a responsibility to ensure that any act of actual or threatened violence is referred to the police immediately.

In an academy context this could mean someone shouting at a member of staff, either in person or on the phone; acting aggressively, including using intimidating body language, as well as actual violence. It also covers comments posted on social networking sites or situations where members of staff are approached off GLC premises.

PROCEDURES - The GLC's measures to avoid, prevent and minimise incidents

STAFF CONDUCT

Staff are advised to communicate with parents and carers, whatever the circumstances, in the following manner:

- Speak calmly and without raising your voice.
- Be assertive but not aggressive.
- Be polite but firm.
- Seek assistance if necessary.
- Politely terminate the conversation if necessary, explaining your reasons.

In the event of an **emergency**, staff should request assistance from a member of the Senior Leadership Team, if they are available otherwise the nearest member(s) of staff. The member of the Senior Leadership Team will request that the person causing offence leave the premises or meet with them in an academy office. It is recommended that the Senior Leadership Team member should minute the meeting and have another member of staff present. Should the person be requested to leave the premises and refuses then they should be informed that the police will be called. The incident should then be recorded.

RECORDING INCIDENTS - Any incident must be recorded by email to the Head of School.

- Trespass.
- Verbal abuse.
- Sexual or racial abuse.
- Threats.
- Aggression.
- Physical violence.
- Vexatious complaints.
- Intentional damage to personal property or the Academy's property.
- Any racist comments.
- Any injuries to staff or children.

PROCEDURES FOR DEALING WITH ABUSIVE PARENTS/CARERS

Step 1 - Verbal warning

- The Head of School or appropriate member of Senior Leadership Team will speak to the parents/carers involved. It will be put to them that such behaviour is unacceptable and an assurance will be sought that such an incident will not be repeated. It will be stressed on this occasion that repetition of such an incident will result in further more serious action being taken. If the Head of School has been subject to abuse this will be done by the Chief Executive Officer [or an appointed governor, if the CEO is involved in the incident in any way].
- **NB: Any incidents of violent conduct or an initial incident that is considered serious enough by the Head of School would immediately proceed to step 2 or step 3.**

Step 2 – Written warning

- If a second incident occurs involving the same person or persons, the Head of School will write to the adult(s) informing them once again that this conduct is unacceptable giving a final warning that this behaviour is unacceptable, and that a repetition of this conduct will leave the governors no option but to take further action.
- As for Step 1, if the Head of School has been subject to abuse this will be done by the CEO or other appointed governor.

Step 3 – CEO's Letter

- If such an incident recurs, or if an initial incident is considered serious enough by the Head of School, the CEO [or other appointed governor] would be involved to enforce any action deemed necessary. This may

result in a person or persons being banned from GLC premises.

Barring individuals from GLC premises

The GLC can bar someone from the premises if they feel that their aggressive, abusive or insulting behaviour or language is a risk to staff or pupils. It's enough for a member of staff or a pupil to feel threatened.

At any stage, the GLC may report serious incidents of abusive and threatening behaviour to the Police. Each GLC Academy has a responsibility to ensure that any act of actual or threatened violence is referred to the police immediately.

For example, if a parent/carer causes a nuisance and the Head of School thinks a ban should be imposed, the following steps should be taken:

- A warning should be given (in writing) and the parent/carer given the opportunity to answer the accusations made (see warning letter below).
- If a ban is then imposed (and it will only be at this point that the parent/carer will become a trespasser if he or she enters the premises). This should be confirmed in writing and notice given that a breach of the ban may result in an offence being committed under Section 547 and an action taken under that section to remove the person from the premises (though only if entry onto the premises is coupled with causing a nuisance) or in an application being made to the court for an injunction (see banning letter below).

If the nuisance or disturbance has been caused by an individual with no right implied or otherwise to enter the premises then immediate action can be taken under Section 547 as that person is by definition a trespasser. No warning would need to be given.

The Department for Education [DfE] does not get involved in individual cases.

Step 4 - Involvement of the police

- If, following a decision to ban a person from the GLC premises, that person nevertheless persists in entering GLC premises and is displaying unreasonable behaviour, such a person may be removed as a trespasser under Section 547 of the Education Act 1996 and charged with an offence under the Public Order Act 1986.
- All parents/carers, even if excluded from GLC premises, have a right to seek an appointment to speak to GLC staff about their child's educational progress.
- Other members of the public have no right of access to the GLC premises. In the case of an incident involving another member of the public, steps 1 and 2 as above will be followed. At step 3 the Head of School will send the banning letter.

SUPPORT FOR STAFF

Following an incident staff may feel that they need support and are encouraged to speak to their line manager or a member of the senior leadership team. The academy will ensure that sympathetic and practical help are made available to the member of staff at the time of the incident and subsequently.

HARASSMENT

Situations can arise where staff find themselves, or other adults, subjected to a pattern of persistent and unreasonable behaviour from individual parents/carers which is not abusive or overtly aggressive but which may be perceived as intimidating and oppressive. In these circumstances, staff may be faced with a barrage of constant demands or criticisms (on an almost daily basis) which, whilst not particularly taxing or serious when viewed in isolation, can have the cumulative effect over time of undermining their confidence, well-being and health. In extreme cases, the behaviour of the parent/carer may constitute an offence under the Protection from Harassment Act 1997. If so, the GLC will take appropriate action, such as writing to or meeting the parents/carers, involving the police if necessary. A formal complaint could also be made to the GLC Board who would consider inviting the parent/carer to a meeting to discuss such conduct or writing to them to say that

they are not welcome on the Academy premises.

If a parent's or carer's behaviour is unreasonable, the parent's or carer's implied permission to be on the Academy premises may be withdrawn and they will become a trespasser (see the section on Trespass).

The Academy may also decide to use the following possible legal measures: " Section 222 Local Government Act 1972

- Protection from Harassment Act 1997.
- Criminal Damage Act 1971.
- Section 39 of Criminal Justice Act 1988.
- Section 47 of the Offences against the Persons Act 1861.
- Offences against the Public Order Act 1986.
- Section 31 of the Crime and Disorder Act 1998.
- Criminal Justice Act 1988.

Who can go onto GLC premises?

GLC premises are private property. People do not have an automatic right to enter. Parents/carers have an 'implied licence' to come onto GLC premises at certain times, for instance:

for appointments

to attend a GLC event

to drop off or pick up pupils

The GLC has outlined its expectations in the GLC Visitors' Code of Conduct [see Annex 1] which is displayed prominently in the entrance of each GLC academy. Anyone who breaches the Code and is banned from a GLC site would be trespassing if they returned.

TRESPASS

Trespass is not, generally, a criminal offence. GLC premises are not public places and anyone who enters without permission of the Head of School (who has day to day management of the Academy) is trespassing, unless there is a recognised "right of way" across the Academy site. Some groups of people, such as parents/carers, have an "implied licence" to enter Academy premises at certain times.

A number of people may have good reason to be on the Academy premises and therefore, possess an "implied licence", for example:

- Registered pupils of the Academy during Academy hours or after Academy for clubs and events. Pupils who have been excluded could, however, be trespassers. [Please see DfE Exclusion from maintained Academies, academies and pupil referral units in England for more details].
- Parents/carers or guardians responsible for a pupil at the Academy are permitted to come onto the GLC premises at certain times, for instance
For appointments
To attend a GLC event
To drop off or pick up their child/children
- Governors, Ofsted Inspectors, Local Authority staff, Site Staff, contractors, and those using facilities provided as part of a Academy "let" etc.

Signs will be put in place to indicate that access to the site is restricted and that all visitors should report to reception. The existence of good Academy security measures will also assist in minimising the incident of trespass. Examples of security measures include: appropriate signs, reception area, signing in system, badges for visitors, access control and maintaining boundary fences in good order.

The GLC has outlined its expectations in the GLC Visitors' Code of Conduct [see **Annex 1**] which is displayed prominently in the entrance of each GLC academy. Anyone who breaches the Code and is banned from a GLC site would be trespassing if they returned (see steps 1-4 above).

NUISANCE AND DISTURBANCE

If a trespasser refuses to leave the GLC premises or enters after being required to leave or causes a disturbance, their behaviour may give rise to a criminal offence under Section 547 of the Education Act 1996. As a general rule, anything done by trespassers where it disrupts the routine of the Academy or the duties of its staff will be an offence.

Where an individual has an “implied licence” to enter GLC premises this can be withdrawn by the Head of School, provided authority to do so is delegated to the Head of School by the Governing Body.

REMOVING TRESPASSERS FROM THE SITE

It is possible to remove from the GLC premises people who are suspected of committing an offence under Section 547. Police constables or a person authorised by the Local Authority may do this.

The Head of School will need to use their discretion in determining whether they, or other staff, are able to safely escort a trespasser from the site. Although they would be entitled to use reasonable force, this should be avoided and the police called if the situation is impossible to control. Academy staff should not put themselves at risk. Anyone taking this action must be able to justify their actions and show that the action taken was appropriate and proportionate in the circumstances. Therefore, there should be reasonable cause to suspect the person of committing, or having committed, an offence under Section 547.

WARNING LETTERS

Different considerations apply in relation to people such as parents/carers who can lawfully enter Academy premises as opposed to trespassers. With regard to those who have implied permission to enter, a two-stage approach will need to be taken when working with them. Section 547 will only become relevant once a parent’s/carer’s “lawful authenticity” to enter the premises has been terminated.

A parent/carer of a child registered at a Academy will not be on Academy premises “illegally” (i.e. a trespasser) until his or her “implied licence” to enter the Academy premises has been terminated and until then he or she cannot be guilty of an offence under this section.

HARASSMENT, THREATENING, ABUSIVE OR DISORDERLY BEHAVIOUR

Such offences are covered by the Public Order act 1986. The Protection from Harassment Act 1997 provides further safeguards with respect to incidents of harassment.

Head of Schools are more likely to involve the police in such matters and the police may be able to take action under this Act.

However, Head of Schools may not wish to involve the police in cases where the offender is very young. Individual cases therefore need to be considered before deciding on a course of action.

Annex 1

WARNING LETTER

The following is an example of a warning letter to be sent to a parent/carer who has caused a disturbance at the school. The actual wording would have to be varied according to the actual circumstances.

To (the parent/carer)

Behaviour on GLC Site

It has been reported to me that you caused a disturbance at the Academy on (date) by

_____.

This behaviour has upset a number of staff and the pupils who were present.

Such behaviour is totally unacceptable and may result in you being banned from the site.

I would be grateful if you could contact me by telephone or in writing by _____ in order to answer these allegations.

I shall then consider what further action may be necessary including the possibility of imposing a ban on your entry to the academy premises.

Yours sincerely

Annex 2

BANNING LETTER

The following is an example of a letter to a parent/carer imposing a ban after the warning letter has been issued and subject to any response from the parent/carer.


To (the parent/carer)

Further to my earlier letter of _____, which warned you that you may be banned from the site, I have considered your responses to the allegations and have decided that they are insufficient.

I am, therefore, banning you from the premises with immediate effect. This will be reviewed on _____ **(it is recommended to limit a ban to no more than 1 term in the first instance)**

A breach of this ban may result in an offence being committed under Section 547 of the Education Act 1996 and an action taken under that section to remove you from the premises or in an application being made to the court for an injunction.

Yours sincerely



**GLC VISITORS'
CODE OF CONDUCT**

*Treat all members of the
community with **respect**.*

*Be **polite** at all times.*

*Solve issues through a **calm**
and positive dialogue.*

*Always set the best **example** for
impressionable young people.*

**Abusing our staff is
Unacceptable**

**The GLC will always push for the
strongest action against anyone who
verbally or physically assaults our staff.**

IMPROVING UPON OUR BEST

