

# Managing Violent or Abusive Parents or Visitors Policy:

## including Advice, Guidance, templates

This document is informed by:  
 The National Association for Head Teachers (NAHT):  
 Guidance for dealing with aggressive or abusive parents or visitors to Academies who cause nuisance or create a disturbance.

### Document Control

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## **1 Introduction**

As a general rule, academies are orderly, safe places, where relationships between staff and visitors, especially parents/carers, demonstrate mutual respect and recognition of shared responsibility for students' welfare and educational progress. Parental involvement is an important factor in educational success and in dealing with emerging problems at an early stage.

However, on occasion, the behaviour of a few parents/ carers can cause severe disruption or worse, resulting in abusive or aggressive behaviour towards staff, students, or other members of the Academy community.

This document provides guidance about dealing with violence, threatening behaviour or abuse by parents of a student in an Academy, including those cases where the parent has been asked not to come onto the premises. Some of the remedies listed are also applicable when dealing with other intruders on Academy premises.

Violence, threatening behaviour and abuse against Academy staff or other members of the Academy community must not be tolerated. All members of the Academy community have a right to expect that their Academy is a safe place in which to work and learn. There is no place for violence, threatening behaviour or abuse in academies.

## **2 Statement of Principles**

The Academy Council of the Academy encourages close links with parents and the community. It believes that students benefit when the relationship between home and the Academy is a positive one.

The vast majority of parents, carers and others visiting our Academy are keen to work with us and are supportive of the Academy. However, on the rare occasions when a negative attitude towards the Academy is expressed, this can result in aggression, verbal and or physical abuse towards members of Academy staff or the wider Academy community.

The Academy Council 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. However, 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.

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

## **3 Unacceptable Behaviour**

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

- shouting at members of the Academy staff, either in person or over the telephone;
- physically intimidating a member of staff, eg standing very close to her/him;
- 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 Academy's security procedures.

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

Unacceptable behaviour may result in the police being informed of the incident.

#### **4 Procedure to be followed**

If a parent/carer behaves in an unacceptable way towards a member of the Academy community, the Principal or appropriate senior staff will seek to resolve the situation through discussion and mediation. If necessary, the Academy's complaints procedures should be followed.

Where all procedures have been exhausted, and aggression or intimidation continue, or where there is an extreme act of violence, a parent or carer may be banned by the Principal from the Academy premises for a period of time, subject to review.

In imposing a ban the following steps will be taken:

1. The parent/carer will be informed, in writing, that she/he is banned from the premises, subject to review, and what will happen if the ban is breached, eg that police involvement or an injunction application may follow
2. Where an assault has led to a ban, a statement indicating that the matter has been reported to the police will be included
3. The Chair of the Academy Council will be informed of the ban
4. Where appropriate, arrangements for students being delivered to, and collected from the Academy gate will be clarified.

#### **5 The Banning Process**

The Principal will assemble the full facts before proceeding, making sure that all those involved in any incidents, or witnesses to those incidents, make a full written record as soon as possible. Crucial elements:

- write to parent/carer/intruder to record in detail the incident and why it is unacceptable;
- explain that the Academy Council will consider banning the parent, giving the parent a period in which they may respond in writing giving their version and why they should not be banned;
- tell the parent when a decision will be made.

##### **5.2 The length of a ban**

The ban should be finite in length, as 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, it should be reviewed periodically, taking account of subsequently demonstrated patterns of behaviour.

##### **5.3 What does a ban achieve?**

- it confirms to a parent that the Academy will not tolerate misbehaviour;
- shows the Academy takes health and safety of its staff, visitors and students seriously;
- it provides a key element in making it easier to use legal remedies to prevent repeated misconduct, including use of S547 of the 1996 Education Act to enable Police removal and possible prosecution of those on Academy premises without permission;
- it may form the basis for an application for an injunction to curtail repeated instances of misbehaviour.

## **6 Parental Rights**

Every attempt should be made to maintain normal communications with parents/carers. Even where a parent/carer has been banned from the Academy premises, they retain their right to an annual consultation in relation to the educational progress of their child/ren. However, the Academy may determine who will be present at the meeting (e.g a senior member of staff might accompany the class teacher) and its location (e.g. it may well be arranged off site).

The interests of the child should continue to be paramount.

## **7 Recording the incident**

See appendix 1, this will assist with the recording of any incidents of abuse, threatening behaviour or violence against any members of the Academy community. A record of an incident will help in the collection of evidence where necessary, such as when proceedings are being brought against an alleged assailant.

Available photographic evidence of any injuries or damage, or relevant CCTV footage, can also be helpful. Recording details of incidents will also help in reviewing the Academy's policy, and should ideally inform future risk assessments.

If there is an injury to staff from an assault, the employer may need to report the injury to the health and safety executive (HSE) under the requirements of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR), as amended in 2012.

## **8 Section 547, Education Act 1996**

The model letters illustrated in the appendix suggest how the Academy might use section 547 of the Education Act 1996.

Section 547 makes it an offence for a trespasser on Academy premises to cause or permit a nuisance or disturbance, and allows for the removal and prosecution of any person believed to have committed the offence. The penalty for a person convicted of the offence is a fine of up to £500.

A parent/carer of a child attending an Academy normally has implied permission (limited licence) to be on the Academy's premises at certain times and for certain purposes but if their behaviour is unreasonable this permission may be withdrawn and they will become a trespasser.

A person who nevertheless persists in entering the Academy premises and displaying unreasonable behaviour may be removed and prosecuted under section 547.

In the case of an Academy, the Academy Council can independently authorise the removal of someone from the premises and may also authorise a person to bring proceedings against that individual. Additionally, in all situations the police are authorised to remove someone from Academy premises and to bring proceedings for an offence under this section.

## **9 Model letters**

In the appendix there are 3 examples of letters to parents/carers or other visitors to Academy premises whose permission to be on the premises is to be, or has been, withdrawn by the Academy Council on behalf of the Academy.

The letters show that where such a parent re-enters Academy premises and causes a nuisance or disturbance, section 547 might be used.

A Principal has the right to decide who can come onto Academy premises but the letters should be sent by the Academy Council, on behalf of the Principal.

Using powers under section 547 allows for action which the local authority or Academy Council can take on behalf of a Academy and which can be straightforward, quick and effective in removing violent, aggressive or abusive people from Academy premises. In practice, it is amongst the most widely used remedies.

Section 547 will not be the most appropriate remedy in every circumstance. Serious violence, repeated harassment or racially aggravated behaviour for example, may warrant stronger criminal sanctions.

## **10 Conclusion**

The Trust for the Academies may take action where behaviour is unacceptable or there are serious breaches of our Partnership for Learning (Home-school agreement) or health and safety legislation.

In implementing this policy, the Academy will, as appropriate, seek advice from the Local Authority's education, health and safety and legal departments, to ensure fairness and consistency.

## Appendix 1 Incident report form

Relevant incidents include trespass, nuisance or disturbance on Academy premises, verbal abuse, sexual or racial abuse, threats, aggression, physical violence and intentional damage to property.

Where possible, the form should be completed before any discussion between witnesses is possible, as this might lead to allegations of collusion.

This form should be completed as fully as possible please, using a continuation sheet, if necessary. For any incident involving or witnessed by a student or parent/carer/visitor, a member of staff should complete the form on their behalf.

The completed form should be passed to the Principal, for appropriate action and recording.

<b>Date of incident</b>	
<b>Time of incident</b>	
<b>Name of person reporting incident</b>	
<b>Date incident reported</b>	
<b>Member of staff recording incident</b>	
<b>Date incident recorded</b>	
<b>Name(s) of person(s) causing incident</b>	
<b>Status(es)</b> (parents/carers/visitors/trespassers)	
where name(s) is/are unknown, provide other details of which may allow their identification	

**Full description of incident** (e.g. names of persons involved; location; nature of any injuries; attendance of emergency services)

**Names of any witnesses** (include statuses)

**Initial action/outcome** (e.g. Informal conciliation; police intervention; warning or banning letter issued)

**Summary of subsequent actions taken by the Academy, including risk assessments**

**Linked incidents** (if any)

## Appendix 2

### Warning letter from the Principal: to parent/carer with child/ren at the Academy

Recorded delivery

Dear .....

I have received a report about your conduct at the Academy on **(enter date and time)**.

**(Add factual summary of the incident and of its effect on staff, students, other parents.)**

I must inform you that the Academy Council will not tolerate conduct of this nature on its premises and will act to protect its staff and students. Therefore if, in the future, I receive any further reports of conduct of this nature I will be forced to consider removing your licence to enter the Academy grounds and buildings.

If you do not comply with that instruction I will be able to 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.

Nevertheless, 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 received about your conduct. 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)**.

Yours sincerely,

Principal

### Appendix 3

#### Banning Letter from the Academy Council: to parent/carer with child/ren at the Academy

Recorded delivery

Dear .....

I have received a report from the Principal at **(insert name)** Academy about your conduct on **(enter date and time)**.

**(Add factual summary of the incident and of its effect on staff, students, other parents.)**

I must inform you that the Academy Council will not tolerate conduct of this nature on its premises and will act to protect its staff and students. On the advice of the Principal I am therefore instructing that until **(add date)** you are not to reappear on the premises of the Academy.

If you do not comply with this instruction I may 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.

#### **In the case of a primary Academy include:**

For the duration of this decision you may bring your son(s)/daughter(s) **(complete as appropriate)** to the Academy and collect them/him/her (delete as appropriate) at the end of the Academy day, but you must not go beyond the Academy gate.

#### **In the case of infant 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 Academy gate by a member of the Academy's staff.

The withdrawal of permission for you to enter the Academy 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 received from the Principal.

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, or extended, you will be supplied with details of how to pursue a review of the circumstances of your case. In any event, the decision to withdraw your licence to enter the Academy premises will be reviewed by **(complete as appropriate)**. That review will take account of any representations that you may have made and of your subsequent conduct.

Yours sincerely,

Chair of Academy Council

**Appendix 4**

**Banning Letter from the Academy Council: to member of the public**

Recorded delivery

Dear .....

I have received a report from the Principal at **(insert name)** Academy about your conduct on **(enter date and time)**.

**(Add factual summary of the incident and of its effect on staff, students, other parents.)**

I must inform you that the Academy Council will not tolerate conduct of this nature on its premises and will act to protect its staff and students. On the advice of the Principal I am therefore instructing that you are not to reappear on the premises of the Academy.

If you do not comply with this instruction I may 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 sincerely,

Chair of Academy Council

## Appendix 5

### Letter updating a banning letter from the Academy Council, confirming ban: to parent/carer with child/ren at the Academy

Recorded delivery

Dear .....

On **(give date)** I wrote to you informing you that on the advice of the Principal, I had withdrawn permission for you to come onto the premises of **(insert name)** Academy until (insert date).

To enable the Academy Council to determine whether to confirm this decision, or to impose it 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 **OR** I have now received a letter from you dated **(insert the date)**, the contents of which I have noted. **(delete either sentence as appropriate)**

In the circumstances, and after further consideration of the Principal's report, I have determined that the decision to withdraw permission for you to come onto Academy premises should be confirmed/extended. **(delete as appropriate)**

I am therefore instructing that until **(insert date)** you are not to come onto the premises of the Academy without the prior knowledge and approval of the Principal. If you do not comply with this instruction I may 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 the Principal and staff at **(insert name)** Academy remain committed to the education of your child/children **(delete as appropriate)**, who must continue to attend Academy as normal [insert in the case of a primary Academy: under the arrangements set out in my previous letter.](#)

The Academy Council will take steps to review the continuance of this decision by **(give date)**. When deciding whether it is necessary to extend the withdrawal of permission to come onto the Academy's premises, the Academy Council will take into account the extent of your compliance with the decision, any appropriate expressions of regret and assurances of future good conduct received from yourself and any evidence of your co-operation with the Academy in other respects.

#### **(Include where the incident has arisen within the context of a parental complaint against the Academy:)**

Finally I would advise you that I have asked the Principal to ensure that your complaint **(give brief details)** is considered under the appropriate Academy procedure. You will be contacted about this by the Academy 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 the Academy Council.

Yours sincerely,  
Chair of Academy Council

## Appendix 6

### Letter updating a banning letter from the Academy Council, withdrawing ban: to parent/carer with child/ren at the Academy

Recorded delivery

Dear .....

On **(insert date)** I wrote to you informing you that, on the advice of the Principal, I had temporarily withdrawn permission for you to come onto the premises of (insert name) Academy.

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 **OR** 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 consulting with the Principal, 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 Academy 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.

Yours sincerely,  
Chair of Academy Council

**Appendix 7**

**Letter from the Academy Council, following formal review of a banning letter, extending ban: to parent/carer with child/ren at the Academy**

Recorded delivery

Dear .....

I wrote to you on **(insert date)** withdrawing permission for you to come onto the premises of **(insert name)** Academy until ..... **(insert date)**. In that letter I also advised you that I would take steps to review this decision by **(insert date)**.

I have now completed the review. However, after consultation with the Principal, 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 **(insert name)** Academy without the prior knowledge and approval of the Principal remains in place until **(insert date)**.

I shall undertake a further review of this decision on **(insert date)**. If you are dissatisfied with this decision, you have a right to request a review of the decision by the Academy Council.

Yours sincerely,

Chair of Academy Council

**Appendix 8**

**Letter from the Academy Council following formal review of a banning letter, ending ban: to parent/carer with child/ren at the Academy**

Recorded delivery

Dear .....

I wrote to you on **(insert date)** informing you that I had withdrawn permission for you to come onto the premises of **(insert name)** Academy until **(insert date)**. In that letter I also advised you that I would take steps to review this decision by **(insert date)**.

I have now completed the review. After consultation with the Principal, 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 Academy premises, with immediate effect.

I trust that you can now be relied upon to act in full co-operation with the Academy 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 once more.

Yours sincerely,  
Chair of Academy Council

## Appendix 9

### Unreasonable Parents - Staff Guidance

All CMAT staff should expect to be treated with respect and dignity by parents and other members of the public. This document sets out guidelines to enable staff to deal fairly and appropriately with unreasonable complaints or unreasonable parents and those who harass members of staff in school.

In implementing this approach staff will seek to ensure that their actions are in accordance with obligations under the Human Rights Act 1998 and the Convention Rights embodied within it in order to protect the Human Rights of both parents and all other stakeholders.

**Parents/carers/members of the public who raise either informal or formal complaints with the Academy can expect:**

- the CMAT complaints procedure to be accessible and followed
- to be listened to and treated with respect

#### **Definition of an unreasonable complaint / unreasonable parent**

**A persistent complainant** is a parent/carer or member of the public who repeatedly complains about issues (either formally or informally) that have already been addressed, and/or whose behaviour is unreasonable. This may be characterised by:

- actions or contact which may be viewed as obsessive, persistent, harassing, prolific, or repetitious
- an insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes
- an insistence upon revisiting meritorious complaints in an aggressive or inappropriate manner.

**Harassment** is unreasonable contact with staff in such a way that:

- appears to be targeted over a significant period of time on individual members of CMAT staff
- causes on-going distress to individual CMAT staff through their conduct or actions
- has a significantly adverse effect on the whole/parts of the Academy

**In all such cases, staff are advised to seek advice around appropriate actions from a line manager. The following steps may be judged necessary if the complainant's behaviour is not modified.**

- To verbally (in person or on the telephone) inform the complainant that his/her behaviour is considered to be or becoming unreasonable/unacceptable and may be considered to fall under unacceptable conduct
- To record all correspondence or conversations that have occurred, gathering evidence that supports the concern
- To inform the complainant in writing that his/her behaviour is now considered by the Academy to be becoming unreasonable/unacceptable
- To inform the complainant that all meetings with a member of staff will be conducted with a second person present, and that notes of meetings may be taken in the interests of all parties
- To inform the complainant that, except in emergencies, all communication from the complainant to the Academy should be carried out in writing
- To refer to the Principal for consideration of issuing the complainant with a ban, or a warning about potential banning from the Academy site (on a temporary or permanent basis)
- To seek advice from the appropriate Constabulary on requesting an Anti-Social Behaviour Order
- To take advice from the appropriate Constabulary on pursuing a case under Anti-Harassment legislation

#### **Conclusion**

The Academy is to accept and deal with complaints which are presented in a reasonable manner and allow reasonable time for response and resolution, even if that resolution does not, after investigation, favour the complainant. Staff should also feel protected from unreasonable behaviour by the complainant in the pursuance of a resolution for their complaint.

## **Appendix 10**

### **Sample letters for unreasonable behaviour**

#### **Sample 1**

Dear XXX

I am writing to ask you not to communicate with staff in the tone and manner in the email / letter / phone call / meeting (add date). As you may understand this is unacceptable behaviour towards our staff who have the right to be treated with respect and dignity by parents as well as students.

If this type of communication is repeated I will need to ask that in future, all correspondence regarding XXXX's education is in writing and is addressed to me. Any meetings that may be necessary to have at the Academy with his teachers regarding XXXX's education are also conducted with me present. I would be very happy to discuss your concerns with you in person and am keen to ensure that we can continue to work together positively.

Could I also ask that if you wish to make a complaint about the (refer to specific Policy procedure or incident), please refer to the Complaints Policy document and procedure on the website.

#### **Sample 2**

Good afternoon

I have been informed that you were in school this morning and were waiting to see a member of staff.

Unfortunately, I have also been informed that whilst you were waiting you were using very inappropriate language (detail the incident)

As you will appreciate we always aim to resolve any issues in a mature and calm manner, in order that our young people learn how to resolve disagreements effectively and safely. I am sure you are also aware that our Reception is a space where members of the public will gain their first impressions of the school and as such we ask that all visitors behave in a respectful manner.

I recognise that at times adults may feel aggrieved or upset but as a school is primarily a place of education I hope that you will bear this in mind on the next occasion you visit the school.

Regards

## Appendix 11 Useful websites

**The Department for Education's Academy security website.**

<https://www.education.gov.uk/publications/standard/publicationDetail/Page1/RR419#downloadableparts>

**The Department for Education's publication Health & Safety: advice on legal duties and powers for local authorities, head teachers, staff and governing bodies.**

<http://www.education.gov.uk/Academys/adminandfinance/healthandsafety/f00191759/depart-mental-health-and-safety-advice-on-legal-duties-and-powers-for-local-authorities-headteachers-staff-and-governing-bodies>

**Guidance on Police-Academy Protocols: Principles and guidance on Safer Academy Partnerships.**

<http://www.justice.gov.uk/downloads/youth-justice/prevention/SaferAcademyPartnershipsGuidancefinal0509.pdf>

**Health and Safety Executive (HSE) guidance on risk assessments.**

<http://www.hse.gov.uk/pubns/raindex.htm>

**Health and Safety Executive (HSE) guidance on reporting Academy accidents.**

<http://www.hse.gov.uk/pubns/edis1.htm>

**The HSE RIDDOR website.**

<http://www.hse.gov.uk/riddor/index.htm>

**NAHT guidance "Social Networking Websites"**

<http://www.naht.org.uk/welcome/advice/advice-home/parents-and-students-advice/guidance-on-social-networking/?locale=en>