

# Keeping Schools Safe from Abuse, Threats and Violence

## Guidance Pack

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Learning>Teachers and education staff>Education information for Headteachers)

# Keeping Schools Safe From Abuse, Threats and Violence

## INTRODUCTION

This guidance pack has been produced to assist Headteachers and Governing Bodies in cases where parents' behaviour on the school's premises gives cause for concern. In particular the guidance deals with situations where parents are being, or threaten to be, abusive or aggressive towards other members of the school community. Such behaviour clearly cannot be tolerated and staff and pupils have a right to expect their school to be a safe place in which to work and learn. This pack therefore includes advice on a range of possible measures that can be taken in order to afford appropriate protection for schools, together with a warning poster and model letters for use by Headteachers and Governing Bodies.

In this guidance, the definition in the Education Act 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 would of course include stepparents and even the partner of someone who is the natural parent. Where an individual does not appear to the school to fall even within this definition, the principles of this guidance should still be applied (but the wording of the model letters provided will need amending accordingly).

Headteachers and School Governors are encouraged to make all staff aware of this guidance and also to consider the guidance in relation to their school's Emergency Plan.



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## RISK ASSESSMENT

In the event of a parent behaving in an inappropriate manner on a school site, each situation will need to be considered individually. However it is suggested that the following factors are 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 possibility of the behaviour being repeated?
- ☐ Is there a strong possibility of the behaviour being repeated?

## OPTIONS FOR HEADTEACHERS

After evaluating the above, and any other relevant factors, the action which the Headteacher may wish to take can include;

- ☐ Invitation to a meeting to discuss events;
- ☐ Clarification to the parent about what is considered acceptable behaviour by the school;
- ☐ Forming strategies to manage situations of potential conflict;
- ☐ Withdrawal of permission for the parent to enter the school site and/or buildings;
- ☐ Calling for police assistance.

## Invitation to a meeting to discuss events

This could be helpful in some cases, where a planned and structured meeting has either not been held previously or has previously proved to be productive. This may be an occasion when skilled facilitators 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 would need to be carefully considered, and 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 for meetings, and care taken to ensure exits cannot be blocked by a parent who could potentially become aggressive. Notes should be taken of the main points of discussion and actions agreed, and a follow-up letter sent to confirm the school's expectations as well as any agreed actions.

## Advice to the parent about 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 situations of potential conflict

There may be occasions where it is possible to identify situations of potential conflict and where these can be managed in a way that diffuses any 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 advised they should not approach the class teacher, but may arrange to meet the Headteacher who will deal with their concerns. In some more serious cases a further option may be to consider advising the parent that in future their concerns should be dealt with by written communication. It is recommended that any such arrangements be confirmed in writing to the parent.

## Withdrawal of 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, Headteachers may need to consider whether it is safe for the parent to continue to come onto the school site or enter the buildings.

***In such circumstances, it is strongly recommended that Headteachers first consult with their Local Education Officer.***

***In cases of actual assault, this should be also reported to the LEA by completion of form FIN 241.***

A legal case in 1999, involving Wandsworth London Borough Council, established:

That the parent of a school child has a licence to enter the child's school premises;

That the licence may be terminated, ***but that public law requires the parent must first be given an opportunity to make representations about this;***

That failure to afford an opportunity to make representations would provide a defence against any subsequent proceedings for trespass (if the "ban" is breached).

Model Letters (1 – 6), are attached as **Appendix B** to this document, and are provided for Headteachers and Governors to adapt for use as necessary.

**Model Letter 1**

This is an initial warning letter which can be sent by the Headteacher at a point where it is felt that further serious incidents will warrant a “ban”.

**Model Letter 2**

It is suggested that this letter is sent by the Chairman of Governors where after full consideration, it is felt a “ban” is necessary.

Normally this would follow from a warning as in Letter One, **though there may be an occasion where it is appropriate to move directly to a “ban” – it is strongly recommended that the Local Education Officer is consulted in such a case.**

At this point consideration should also be given to any practical issues, in particular to ensure that the pupil (s) concerned can be properly accompanied to and collected from school, and to ensure there can be an effective exchange of necessary information between the school and parent.

At this stage, the “ban” takes effect immediately, but as the letter indicates, the parent must be enabled to make representations. A period of a week is recommended to allow for this, at the end of which the Chairman of Governors should consider any representations made, then make a decision to either confirm the “ban” or discontinue it (see Model Letters 3a and 3b)

See the paragraph below entitled “Legal Proceedings” for general guidance on the LEA’s position regarding taking action where parents ignore a “ban”.

**Model Letters 3a/b**

These letters confirm the outcome of the review of the “ban” by the Chairman of Governors. In the event that the decision is made to confirm the “ban”, a date should be included for a further review. It is suggested that this should be for a reasonable period, possibly extending up to three months, but preferably not longer than six months.

If the parent is dissatisfied with this decision, it is suggested in the model letter that the matter is then appropriately considered by a Panel of School Governors (equivalent to the Fourth Stage of the SCC procedures for Responding to Parents’ Concerns).

**Model Letters 4a/b**

These letters can be used to confirm the outcome of further reviews of decisions where the “ban” has been extended. At any time where a review is due to take place it is advisable to notify the parent in advance and invite them to make any representations.

A flowchart, showing the process to be followed for a “ban” is attached as **Appendix C**.

## **Calling for police assistance**

Headteachers will need to judge each situation individually, and in an emergency call for police assistance. 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, Headteachers may still wish to make their local community police officer (eg Neighbourhood Specialist Officer, Youth Affairs Officer) aware of any particular concerns if they judge that there is a risk of such a situation arising.

The police could give consideration to warning the offender of formal action, which may include legal proceedings (see *Legal Proceedings* below).

## LEGAL PROCEEDINGS

It is possible for legal proceedings to be pursued on behalf of schools in cases where individuals persist in coming onto school sites in spite of their permission being withdrawn. The options include;

### **Prosecution under Section 547 of the Education Act 1996**

In practice this is a response which requires substantial evidence to be gathered and presented by the Police. Clearly this is not a quick process, and whilst in most cases the threat may prove to be 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 are 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, eg not to enter school grounds.

### **Anti-Social Behaviour Orders (Crime & 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. 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 in case where someone causes alarm or distress to another person on more than two occasions. Section 4 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**

There are occasions when prosecutions for causing deliberate damage or injury are the most appropriate course of action. This option is available in both fast and slow time. If the police are called, the option to make criminal allegations is readily available, and they may arrest suspected offenders there and then. These 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, but it is most beneficial if all possible steps are 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.

Legal advice on these matters is available from Legal Services under the Legal Buy Back scheme for those who are members, or can be arranged at an hourly fee for those who are not.

Individual cases should always be discussed with the Local Education Officer, who will work with Headteachers and Legal Services to decide the most appropriate response.

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 in most cases, it has to be said that legal action in itself does not necessarily provide a guarantee against the behaviour of the more persistent offender.

## **RECORD KEEPING**

In every instance it will be important for clear, detailed records to be maintained of the events taking place, including, where appropriate any witness statements and notes of any subsequent meetings held to discuss the events. In particular 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, whether or not a formal letter is required by procedures, 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, theatrical reconstructions or case study analysis of the incident by students would probably make a court case impossible. 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 officer in the case first.

## **SUPPORT FOR EMPLOYEES**

If a member of staff is unfortunate enough to be one of the very small minority subject to serious physical and/or verbal abuse there are likely to be a variety of avenues of potential support available to them. In such circumstances the immediate and ongoing support of colleagues will be invaluable. However in addition to this the majority of staff in Surrey schools will be able to obtain confidential specialist support through the AXA PPP Healthcare Employee Support (ES) provision . This will be the case where their school has chosen to subscribe to the Employee Support SLA package offered via Four S Personnel. The Employee Support helpline 0800 10 22 10 is available 24 hours a day, 365 days a year and can be called as often as is needed. Additionally there may be a need for a more in depth level of support through (ES) in which case a number of face to face personal counselling sessions of support can be available. The staff associations/trade unions are also likely to be a source of assistance. Heads should feel free to contact the Four Personnel helpline/their named Four S Personnel Consultant if they wish to discuss support available to a member of their staff.



**We welcome visitors to our school.**

**We will act to ensure it remains a safe place for pupils, staff and all other members of our community.**

**If you have concerns we will always listen to them and seek to address them.**

**Please be aware, however, that abusive, threatening or violent behaviour will not be tolerated in this school.**

**Visitors behaving in this way are likely to be removed from the premises and prosecuted.**



**Letter 1      Warning  
(from Head)**

Dear

I am writing to advise you formally that your behaviour towards ..... on ..... was totally unacceptable and I have taken advice on how to proceed.

**Or**

I am very concerned about the unsatisfactory nature of our meeting/telephone conversation on ..... and I have taken advice on how to proceed.

***(add summary of incident and its effect on staff and pupils)***

I have now been able to investigate the incident further and I understand that .....

**Or**

As I witnessed your behaviour myself there is no need for me to investigate the incident further.

**Optional** I am not prepared to continue to accept such behaviour. If parents are unhappy about any aspect of their child's education they can arrange to have a meeting with me at an appropriate place and time.

**Optional** In the circumstances I must ask you not to approach directly any of my staff until further notice, though you will still be able to make contact through me.

For the future I must inform you that any repetition of such behaviour towards any of the school staff, pupils or others connected with the school will be followed by an immediate withdrawal of permission for you to enter the school premises.

I am copying this letter to the Chairman of Governors and the Local Education Officer. Should you wish to discuss the contents of this letter please make an appointment to see me via the school office.

Yours

Headteacher

**Letter 2      Withdraw permission initially  
(from Chair of Governors)**

Dear

I have received a report from the Headteacher of ..... school  
about your conduct on ..... at .....

***(add summary of incident and its effect on staff and pupils)***

***(optional reference to first letter from Headteacher)***

I must inform you that the School Governors will not tolerate conduct of this nature on the school premises and will act to defend school staff and pupils. On the advice of the Headteacher, I am therefore instructing you that until this incident is reviewed by the Governors, 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 consideration will then be given to initiating appropriate legal proceedings.

For the duration of this decision you may bring your child(ren) to school and collect them at the end of the school day, but you must not go beyond the school gate.

***(for infant children*** – Arrangements have been made for your child(ren) to be collected and returned to you at the school gate by a member of the school staff)

Special arrangements can be made for you to meet with the Headteacher, if necessary, but this may only be with the written permission of the Governors.

The withdrawal of permission for you to enter the school premises takes effect immediately. However I will review this decision within the next week. Should you wish to appeal against the decision, therefore, you will need to write to me, addressed c/o the school, by ..... I will then consider your representations and inform you of my conclusions.

I am copying this letter to the Headteacher and the Local Education Officer at Surrey County Council.

Yours

Chairman of Governors

**Letter 3a      Withdraw permission confirmed  
(from Chair of Governors)**

**Recorded  
Delivery**

Dear

On ..... I wrote to you informing you that on the advice of the Headteacher I had withdrawn permission for you to come onto the premises of ..... School. To enable me to determine whether to confirm this decision for a longer period, I invited you to give your written comments on the matter by .....

I have not received a written response from you/I have now received a letter from you dated ....., the contents of which I have carefully considered.

In the circumstances, and after further consideration, 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 the prior knowledge and approval of myself or the Headteacher. If you do not comply with this instruction I shall arrange for you to be removed from the premises and consideration will then be given to initiating appropriate legal proceedings.

Notwithstanding this decision, the Headteacher and staff at ..... School remain committed to the education of your child(ren), who must continue to attend school as normal (for infants – under the arrangements set out in my previous letter).

This decision will be reviewed again ..... When deciding whether it will be necessary to extend the withdrawal of permission to come onto the school premises, consideration will then be given to the extent of your compliance with the decision, any 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.

If you are dissatisfied with this decision you have a right to complain to a Panel of School Governors who have not been involved previously and who will consider the issues you raise. You can make your complaint by writing to the Clerk to the Governors, c/o ..... School..

Yours

Chairman of Governors

**Letter 3b      Restore Permission after review by Chair of Governors  
(from Chair of Governors)**

Dear

On ..... I wrote to inform you that on the advice of the Headteacher I had withdrawn permission for you to come onto the premises of ..... School. I invited you to send me your written comments on this matter by .....

I have not received a response from you/I have now received a letter from you dated ....., the contents of which I have carefully considered.

(However) In the circumstances, and after consulting further with the Headteacher, I have decided that it is not necessary to confirm the decision, and I am therefore restoring to you permission to come onto the school premises, with immediate effect.

**(Optional)** I must warn you, however, that if it should become necessary in the future I shall not hesitate to withdraw permission for you to come onto the school premises once again.

Yours

Chairman of Governors

**Letter 4a      Continuing ban after 2<sup>nd</sup> review  
(from Chair of Governors)**

Dear

I wrote to you on ..... confirming that permission for you to come onto the premises of ..... School had been withdrawn until further notice. I also advised you I would take steps to review this decision by .....

I have now completed the review. However, after consultation with the Headteacher, I have determined that it is not yet appropriate for me to withdraw my decision. **(Add brief summary of reasons).**

I therefore advise that the instruction that you are not to come onto the premises of ..... School without the prior knowledge and approval of the Headteacher remains in place until further notice.

I shall undertake a further review of this decision by .....

In the meantime you can write to me with a statement of your views, which I will consider.

Yours sincerely

Chairman of Governors

**Letter 4b      Restore permission after later review  
(from Chair of Governors)**

Dear

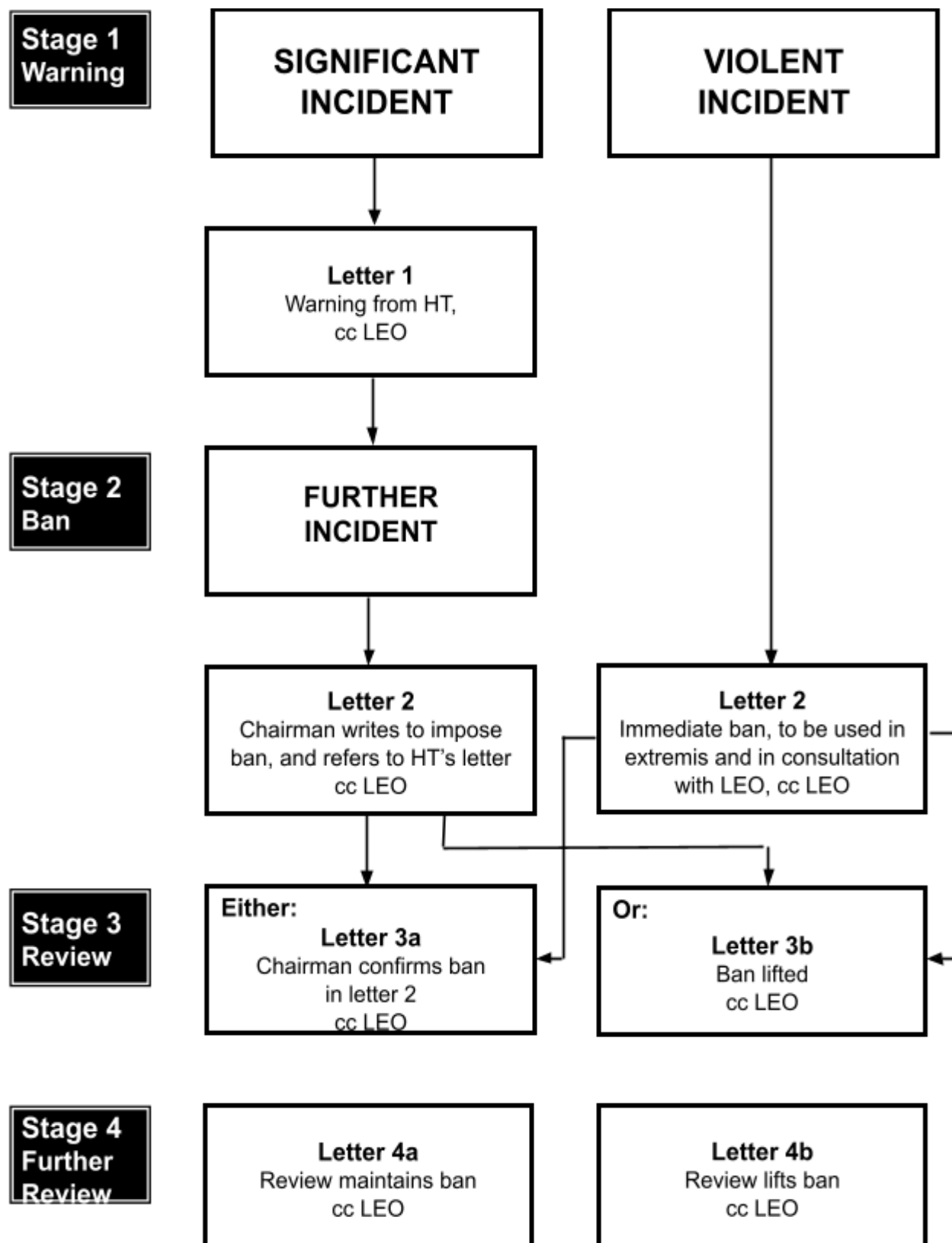
I wrote to you on ..... confirming that permission for you to come onto the premises of ..... School had been withdrawn until further notice. I also advised you I would take steps to review this decision by .....

I have now completed the review. After consultation with the Headteacher I have decided that it is now appropriate to restore permission for you to come onto the school premises with immediate effect.

I trust that you will now work together with the School and there will be no further difficulties of the kind which made it necessary to restrict your access to the school premises.

Yours

## FLOWCHART FOR THE PROCESS TO BAN A PARENT FROM SCHOOL PREMISES





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**2003-2004**  
*Child and Adolescent  
Mental Health Services*



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