

Parents' Behaviour Policy

Primary person responsible for updates to this policy: Chris Randell

Job title: Principal

Last review date: June 2021

Next review date: June 2022

Relevant ISI coding (if applicable)

Circulation: This policy has been adopted by the governors and is available to parents on request. It is addressed to all members of staff and volunteers and applies wherever they are working with children.

'Parents' refers to parents, guardians and carers.

Abbey College Manchester Unreasonable Behaviour Policy

In this policy, for the purposes of brevity, the term 'parent' is used to mean parent, guardian and agent.

Achieving Success through Positive Relationships

At Abbey College Manchester we recognise parents are the single biggest influence on their children and on their achievements. We are committed to fostering positive relationships with parents. We believe that a strong partnership between all members of the college community, students, parents, staff and governors, will ensure that our students have the best possible experience at college and achieve their goals. This partnership must be based upon positive, respectful and polite relationships.

All members of the college community are therefore requested to abide by these principles and to respect the caring ethos of Abbey College. All members of the college community must treat each other with respect and staff and parents work together harmoniously for the benefit of the students.

In order to maintain a college environment that is peaceful and safe the College cannot accept any parents or other visitors to the college exhibiting any of the following:

- Conduct which undermines the safe and calm environment of the college in the college offices, in classrooms or immediately outside the college building or in or outside the college boarding house, Clydesdale House.
- Shouting and the use of offensive language, such as swearing or the display of an unacceptable amount of anger and aggression.
- Threatening physical violence to a member of the college community
- Damaging college property
- Abusive or aggressive telephone calls, emails, letters or other forms of written communication.
- Making defamatory comments on social media sites about the college staff or governors.
- The use of physical aggression towards another adult or student, this includes parents physically punishing their own child.
- Approaching a student of the college to chastise them.

Guidance for staff in dealing with Unreasonable Behaviour

This guidance outlines the expected conduct from our parents and other visitors to the college and what to do if their actions are abusive or aggressive.

In this context violent, threatening, aggressive or abusive behaviour against any member of our college community is unacceptable. All members of our community have the right to expect the college to be a safe place in which to work and learn. Where the behaviour of

parents and any other visitors falls below expected standards the College will act in accordance with this guidance.

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 College has a responsibility to ensure that any act of actual or threatened violence is referred to the police immediately. In a college 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.
- Comments on social network sites or situations where staff are approached off college premises are also covered.

Colleges are not public places and although parents have rights to attend and enter College for legitimate purposes, The Education Act of 1966 states that it is an offence to trespass on College premises to cause a nuisance or disturbance. The College is entitled to withdraw the implied right of a parent to enter the school if they are violent or aggressive. If that person then enters the premises, they are in breach of the Law and they can be prosecuted in the criminal courts.

PROCEDURES - The College's measures to avoid and minimise incidents

Staff Conduct

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

- Always try to 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 SLT if they are available and if not from the nearest member of staff. The member of SLT will request that the person causing offence leave the premises. Should the person not leave the premises then they should be informed that the Police will be called. The incident should then be recorded.

Recording Incidents:

Any of the following incidents must be recorded by email to the Principal:

- Trespass
- Verbal Abuse
- Sexual or racial abuse

- Threats
- Aggression
- Physical Violence
- Intentional damage to personal or college property
- Any racist comments
- Any injuries to staff or students.

Procedures for dealing with abusive parents, guardians host families and agents

Step One: Verbal Warning

The Principal or appropriate member of SLT will speak to the parents 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 that repetition of such an incident will result in further and more serious action being taken.

If the Principal has been subject to abuse this will be done by the Chair of Governors or another independent governor if the Chair is involved in the incident in any way.

NB Any incidence of violent conduct would immediately proceed to Step 5.

Step Two: Written Warning

If a second incident occurs involving the same person(s) the principal will write to the adult(s) informing them once again that this conduct is unacceptable. As for Step One if it is the Principal who has been subject to abuse this will be done by the Chair or other appointed governor. At any stage the College may report serious incidents of abusive and threatening behaviour to the Police. The College has a responsibility to ensure that any act of actual or threatened violence is referred to the Police immediately.

Step Three: Final Written Warning

If a third incident occurs involving the same person(s) the Chair, or other appointed independent governor, will write to the adult(s) giving a final warning that this abuse and threatening behaviour is unacceptable and that a repetition of this behaviour will leave the governors no option but to take further action.

Step 4: Governors' Letter

If such an incident recurs, or if an initial incident is considered serious enough by the Principal, the Chair of Governors (or other appointed governor would be involved to enforce any action deemed necessary. This may result in a person or persons being excluded from college premises.

The Principal/ Governing Body will seek legal advice before issuing a letter banning an individual(s) from the premises.

Step 5; Involvement of the Police

If following a decision to ban a person(s) from the college premises that person nevertheless persists in entering the college premises and is displaying unreasonable behaviour, such a

person may be removed from the College as a trespasser under Section 547 of the Education Act 1966 and charged with an offence under the Public Order Act 1986.

All parents, even if excluded from the College have the right to seek an appointment to speak to College staff about their child's educational progress.

Other members of the public have no right of access to the College premises. In case of an incident involving another member of the public steps 1 and 2 as above will be followed. At Step 3 the Principal will write again and at Step 4 the Principal will send the banning letter.

Support for Staff

The College will ensure that sympathetic and practical help, support and counselling is available at the time of the incident and subsequently. Peer support will be given, and staff will be made aware of the availability of the College Nurse and the Alpha Group Support line.

Harassment:

Situations can arise where staff find themselves, or other adults, subjected to a pattern of persistent and unreasonable behaviour from individual parents which is not abusive or overtly aggressive, but which may be perceived as intimidating and oppressive. In such cases staff may be faced with a barrage of demands or criticisms on an almost daily basis whilst, which not particularly taxing or serious when viewed in isolation, can have the cumulative effect over time of undermining confidence, well-being and health. In extreme cases the behaviour of the parent may constitute an offence under the protection from Harassment Act 1997. If so, the College will take appropriate action such as writing a letter or meeting with the parent involving the Police if necessary.

Staff should report the matter initially to the SLT, formally, in writing. The SLT will then arrange a formal meeting with that member of staff to decide on the next steps. The SLT could make a formal complaint to the Governing Body who would consider inviting the parent to a meeting to discuss such conduct or writing to them to inform them that they are not welcome on the college premises.

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

The College may decide to use the following possible legal measures:

- Section 333 Local Government Act
- Protection from Harassment 1997
- Criminal Damage Act 1971
- Section 39 of the Criminal Justice Act 1988
- Section 37 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.

Trespass

Trespass is not, generally, a criminal offence. Colleges are not public places and anyone who enters without the permission of the Principal (who has day to day management of the college) is trespassing unless there is a recognised 'right of way' across the college site. Some groups of people, such as parents have an 'implied licence' to enter college premises.

A number of people have good reason to be on the college premises and therefore possess an 'implied licence' e.g.:

- Registered students of the College during college hours or by agreement of the Principal e.g. after school clubs and sports. Students who have been excluded could, however, be trespassers.
- Parents or responsible for a student at the College.
- Governors, ISI inspectors; Site staff, contractors and those using facilities provided as part of a school 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 college security measures will assist in minimising the incidence of trespass. Examples of security measures include:

- Appropriate signage
- Reception Area signing in system
- Badges for visitors
- Access control.

Nuisance and Disturbance

- If a trespasser refuses to leave the college 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 college or the duties of its staff will be an offence.
- Where an individual has an implied licence to enter college premises this can be withdrawn by the Principal provided that authority to do so is delegated to the Principal by the Governing Body. Publicising this through signs or the college prospectus is helpful and prudent since this can clarify the circumstances in which consideration would be given to barring someone from the site. If the person to be barred has an 'implied licence' to enter the premises he or she should first be given an opportunity to make representation as to why a ban should not be imposed before a final decision is taken to withdraw the licence to enter. A ban will be effective immediately. A refusal to accept the ban from college premises may lead to consideration being given to applying to the court for an injunction and/or the taking of action under Section 547 of the 1996 Act.

Removing Trespassers from the Site

- It is possible to remove from the college premises people who are suspected of committing an offence under Section 547. The Police or persons authorised by the Local Authority may do this.

- The Principal will need to use discretion in determining whether they, or other staff, are able to escort safely a trespasser from the site. Although they would be entitled to use reasonable force this should be avoided, and Police called if the situation is impossible to control. College staff should not put themselves at risk. Anyone taking this action must be able to justify their actions (see guidance for dealing with threatening and abusing behaviour) 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 to people such as parents who can lawfully enter college 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 'lawful authenticity' to enter the premises has been terminated.

A parent of a student registered at a college will not be on college premises 'illegally' (i.e. a trespasser) until his or her 'implied licence' to enter the college has been terminated and until then he or she cannot be guilty of an offence under this section. For example, if a parent causes a nuisance and the Principal thinks a ban should be imposed, the following steps should be taken:

- A warning should be given (in writing) and the parent given the opportunity to answer the accusation made (see warning letter below).
- If a ban is then imposed (and it will only be at this point that the parent 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 being 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 a 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.

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. Principals are more likely to involve the Police in such matters and the Police may be able to take action under this Act. However, Principals 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.

Warning Letter

The following is an example of a warning letter to be sent to a parent who has caused a disturbance at the College. The actual words would have to be varied according to the actual circumstances. It would be best to discuss with Head Office before sending such a letter.

To (the parent)

Behaviour on College site

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

This behaviour has upset a number of staff and the students who were present. Such behaviour is totally unacceptable and may result in you being banned from the site.

I would be grateful if you would contact me by telephone or in writing by (date) 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 College premises.

Yours sincerely

Banning Letter

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

To (The Parent)

Further to my earlier letter of (date) which warned you that you may be banned from the site, I have considered your response 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 (date)

(It is recommended to limit a ban to no more than one 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 to the court for an injunction.

Yours sincerely

Date Policy Agreed: September 2019

Review Date: June 2021

Next Review: June 2022