



Violent, abusive or threatening behaviour and harassment policy

Date Agreed: November 2022

Minimum Review Cycle: 2 Years

Review Date: November 2024

Introduction:

Our school is an orderly, safe place where relationships between staff and visitors, especially parents, demonstrate mutual respect and a recognition of shared responsibility for our pupils' welfare and educational progress. We value parental involvement and recognise that parental partnerships are an important factor in the educational success of our pupils and invaluable in dealing with emerging problems at an early stage.

The behaviour of a few parents could result in severe disruption or worse, resulting in abusive, threatening or violent behaviour towards staff and/or children. Violence, threatening behaviour, abuse or language against school staff or any members of our school community will not be tolerated. This includes: rude, aggressive and unacceptable language from parents/carers addressed towards children in their care, or other family members or associates; aggressive and unacceptable language addressed down the telephone; spitting/shaking of fists or other abusive gesticulations; or other forms of physical intimidation.

All members of our school community have a right to expect school to be a safe place in which to work and learn. Where such behaviour does occur specific legal action may follow.

Definition of Abusive, Threatening and Violent Behaviour

a) Unreasonable behaviour demonstrated as abusive and aggressive language for which the most widely used remedy, where informal action is not considered to be appropriate or has proved to be ineffective, is the withdrawal of permission to be on school premises. School would normally contact the Police immediately in such cases.

b) Common Assault

Involving the threat of immediate violence or causing minor injury (such as a graze, reddening of the skin or minor bruise).

c) Actual Bodily Harm

Causing an injury which interferes with the health or comfort of the victim (such as multiple bruising, broken tooth or temporary sensory loss).

d) Grievous Bodily Harm

- causing serious injury (such as a broken bone or an injury requiring lengthy treatment). There is also a racially aggravated form of assault, where there is a racial element to the offence, which carries higher maximum penalties.

This policy will detail how our school will deal with violence, threatening behaviour or abuse by parents/carers of a child.

Aims of this Policy

- To keep the school a happy and safe place for both staff, visitors and children to work and learn
- To set out the procedure for what to do should an incident occur
- To establish who the school needs to contact and how to report the incident

- To establish what follow up action is needed

PROCEDURES

The School's Measures to Avoid, Prevent and Minimise Incidents

1. The Head of School has the prime responsibility in the school to ensure that the staff are protected. This responsibility is also delegated to members of the Senior Leadership Team who share in the responsible for safety of staff on a day to day basis
2. The school actively promotes and maintenance of productive and open relationships and clear communication with parents from all staff. This includes additional supportive measures, such as family link workers involvement and various pathways through parenting support programmes.
3. Expectations of respectful behaviour and interactions are clearly displayed around school, are on the school website and form part of the school newsletter to inform parents/carers of the expectations of behaviour whilst on school grounds. This also forms part of the home/school agreement signed at the beginning of the school year. (See Appendix 1)
4. Risk Assessments for particular pupils and family units.
5. Staff are advised in the event of an incident, to:
 - Speak calmly and without raising the voice
 - Be assertive but not aggressive
 - Be polite but firm
 - Seek assistance
 - Think about an escape route, should the need arise
 - Walk away.
6. In the event of an emergency, staff should request assistance from a member of the Senior Leadership Team, if available, otherwise the nearest member(s) of staff.
7. The member of Senior Management will request that the person causing offence leave the premises.
8. Should the person not leave the premises then the member of Senior Management will call the police to assist.
9. The incident will be reported to the Chair of Governors and the Local Authority Health and Safety Team and Legal Team.
10. A full record and report should be made of the incident with witness reports from those involved as appropriate. This record will be reported to the school Governors, and kept as a record of the event in the school office.
It may also be necessary to keep a copy of this record in the 'Safeguarding Incidents' file, also kept in the Head of Schools' office. This record may also serve as information for the Police or Unions as appropriate.

11. The incident will be followed up with a letter from the Head of School, warning the perpetrator of the incident that displayed behaviour is unacceptable, and that the party cannot enter the school premises for a fixed period of time. Only after this time period the situation will be reviewed.

12. After review the perpetrator will be invited into school to a meeting to review the situation, where by the following outcomes will be achieved and processes undertaken. (See Appendix 2 for flow chart of procedures)

- i) An apology from the perpetrator and clear understanding of the boundaries of acceptable behaviour on school premises and understanding of the severe consequences if these boundaries should be crossed for a second time (Ultimate consequence being barred from the school site)
- ii) An unsatisfactory understanding of the harm that has been caused, and lack of undertaking to apologise for actions. This would be followed up by a letter from the Chair of Governors explaining that the perpetrator is barred from the school site under Section 547 of the Education Act 1996.
- iii) A period of barring should last for a fixed period of time whereby the situation will be reviewed again, in the same manner as (ii) above
- iv) When full permission is restored, the Chair of Governors will write to the perpetrators outlining full permissions to enter the school site.

(See Appendix 3 for full compendium of letters)

13. Following an incident staff may feel that they need support. Peer support will be given and access to a Counsellor as appropriate. This may also include pastoral support from the incumbent as required

14. In the longer term, if necessary, support can be obtained from the member of staff's trade union or from Victim Support or the County Council on giving evidence in court.

All parties involved should take into account the needs, views, feelings and wishes of the victim at every stage. The school will ensure that sympathetic and practical help, support and counselling are made available to the victim at the time of the incident and subsequently thereafter.

Dealing with abusive, threatening or violent behaviour Involving the

Police

Leicestershire Constabulary would normally expect all cases of assault, and all but the most minor of other incidents, to be regarded as serious matters which should be reported to the Police and followed up with due care, attention and rigour.

- 1) The 999 call system should always be used when the immediate attendance of a Police Officer is required. The Police support the use of 999 in all cases where:
 - There is a danger to life

- There is a likelihood of violence
- An assault is, or believed to be, in progress
- The offender is on the premises
- The offence has just occurred and an early arrest is likely.

In non-urgent cases, where the incident is not thought to be an emergency but police involvement is nevertheless required, Leicestershire Constabulary should be contacted on either 101 or 0116 2222222., so that an incident log can be created for possible further reference.

All 999 calls receive an immediate response. Unless other arrangements are agreed at the time, other (non-emergency) calls are graded according to the severity and any other factors associated with the incident. Officers are then assigned according to the grading of the response time by the control room. Therefore, there may well be a delay in response from the Police.

When they attend the school, the Police if they feel necessary will take written statements from the victim (including a 'Victim Personal Statement') and obtain evidence in order to investigate the offence in the most appropriate and effective manner. Evidence can also be obtained by a video interview which is a preferred method that Officers use with children when they have been involved in a serious offence as this evidence can then be used as video link at court if the offence ever went to court.

The Police will also take into account any views expressed by the Head teacher as to the action which the school would like to see taken. The Head teacher should, therefore, speak to the victim and be aware of his or her views before confirming with the Police how the school would wish them to proceed.

In certain cases, the victim may be asked by the Police if he or she wishes to make a complaint or allegation against the alleged offender. In such a situation, it is important that the victim has the opportunity to discuss the matter with the Head teacher, colleague, friend or union representative before deciding on their response.

The decision on whether or not to prosecute is made by the Police or Crown Prosecution Service on the basis of the evidence and with due regard to the relevant gravity or public interest factors including the Victim Personal Statement. If there is a need subsequently for the victim to give evidence in court, support can be provided by the Head of Legal Services if it is not available from Victim Support.

Harassment

Situations can arise where staff find themselves subjected to a pattern of persistent and unreasonable behaviour from individual parents which is not abusive or overtly aggressive but which can 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. Such harassment may

take the form of written comments, face to face interaction or comments made through cyber domains/social networking.

In extreme cases, the behaviour of the parent may constitute an offence under the protection from Harassment Act 1997.

If so, the Police have powers to take action against the offender.

Reference should be made to the Dignity at Work Policy, and in cases of cyber harassment the school will also seek advice from the Local Authority legal team.

Actions to consider

If the actions of a parent appear to be heading in the direction of harassment, heightened aggression the Head teacher has the options of writing and/or talking to the parent explaining the gravity of the situation, banning the parent from the school premises and/or advising the parent to make a formal complaint which would provide for an independent investigation by the Local Authority.

If it becomes evident that malicious comments are logged in cyber domains regarding the school or members of staff therein, the school will actively seek legal advice from the Local Authority Legal team, regarding the nature of the comments, and the Governing body will consider actions to take forward in relation to this.

Banning Parents and other Visitors from School Premises

1. Trespassing:

Section 547 of the Education Act 1996 makes it an offence for a trespasser on school premises to cause or permit a nuisance or disturbance. It allows for the removal and prosecution of any person believed to have committed the offence. The penalty for anyone convicted of this offence is a fine of up to £500.

A parent of a child attending the school normally has implied permission to be on the school's premises at certain times and for certain purposes. However, if the parent's behaviour is unreasonable, this permission may be withdrawn and they will become a trespasser.

The school's Governing Body would take the lead in giving consent for proceedings against a parent/carer.

2. The School may also decide to use the following legal measures:

- Section 222 Local Government Act 1972
- Anti-Social Behaviour Orders
- 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

Non-statutory Measures

For further information refer to the DFE Additional Non-statutory Guidance:

Advice on school security: Access to, and barring of individuals from, school premises

Aside from legal remedies detailed above, following an incident, the following strategies may also be used:

- If appropriate parents will be invited to make an appointment to speak to their child's class teacher should an issue arise that they wish to discuss, a member of the Senior Management Team will be present at this meeting and the discussion will be recorded.
- A class teacher may refuse to speak to a parent if the level of aggression increases during the meeting and is deemed to be unacceptable. In this case the meeting will be closed and the parent asked to leave the site.
- The Head of School/member of the Senior Management Team may request an appointment with the parent in place of the class teacher to discuss the incident. It is advisable to have a witness present at this meeting, this could be the Chair of Governors or a second member of the Senior Leadership team.
- Any member of staff has the right to call 999 and seek assistance should they be confronted by verbal abuse or the threat of physical assault against them

Recording incidents

All incidents must be recorded

The form attached in the appendix should be used to record any incident involving:

- Trespass
- Verbal abuse
- Sexual or racial abuse
- Threats
- Aggression
- Physical violence
- Intentional damage to personal property
- Abuse or harassment through cyberdomains.

The form should be completed as soon as possible. For an incident involving or witnessed by a child, a member of staff should complete the form on their behalf. However, any discussion between one witness and another should not precede completion of this form, as this might lead to allegations of collusion.

NB In addition:

- Any racist comments will be recorded in the racial incidents log
- Any injuries to staff or children must be recorded on an Accident Form



INCIDENT REPORT FORM

AGGRESSIVE BEHAVIOUR FROM VISITORS ON SCHOOL SITE

Includes trespass, nuisance or disturbance on school premises, verbal abuse, sexual or racial abuse, threats, aggression, physical violence and intentional damage to personal property).

This form should be completed as fully as possible. Please confine your information to matters of fact; you should expect that this form would be made available to any interested person. A member of staff should complete the form for an incident involving or witnessed by a pupil. Please use continuation sheet if necessary.

Date of incident

Day of week

Time

1. Member of staff or other person reporting incident

Name

Position

Contact Address (if not working at school)

Telephone Number

Mobile

2. Personal details of person assaulted/verbally abused (if appropriate)

Name

Work address: (if different from school address)/home address (if pupil

Job/Position (if member of staff)

Age (if Pupil)

Gender

3. Details of Perpetrator assailant(s) (if known)

Name

Contact/relationshipwithschool

Address

4. Witness(es) if any

Name

Class (if Pupil)

Address

Contact made with Parent/carer Y/N

Details of incident

- a) Type of incident (e.g. if trespass, was the trespasser causing a nuisance or disturbance and how, if assault, give details of any injury suffered, treatment received etc.
- b) Location of incident (attach sketch if appropriate)
- c) Other details: describe incident, including, where relevant, events leading up to it; relevant details of trespasser/assailant not given above; if a weapon was involved, who else was present.

Continue on additional sheets as necessary.

6. Outcome: (e.g. whether police called; whether trespasser was removed from premises under section 547 Education Act 1996; whether parents contacted; what happened after the incident; any legal action)

If you have other comments that you wish to discuss then please contact the Head of School directly.

SignedDate

Print name:

Please return as soon as possible to:
The Head of School
Richard Hill CE Primary School
12 Anstey Lane
Thurcaston
Le7 7JA

For Office use

Next steps:
Police involvement CoG
informed
Level of intervention with perpetrator

Other notes (continue on reverse as required)