

# Mountfields Lodge Primary School



## Policy for Dealing with Violent, Abusive or Threatening Behaviour by Parents/Carers on School Grounds

**Aim High, Reach for the Sky**

**Violence, threatening behaviour or abuse against school staff or any members of our school community will not be tolerated. 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 action, possibly legal, may follow.**

## **RATIONALE**

We expect our school to be 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.

## **Definition of Abusive, Threatening and Violent Behaviour**

### **a) Common Assault**

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

### **b) 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).

### **c) 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**

- 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 teacher has the prime responsibility in the school to ensure that the staff are protected. This responsibility is delegated to the members of the Senior Leadership Team (SLT) who share in the responsibility for the safety of staff and pupils on a day to day basis.

2. 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.

3. 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.

4. The Senior member of staff will request that the person causing the offence leave the premises; should the person not leave the premises then the member of Senior Management will call the police.

5. Where an individual, from prior experience, is known to be aggressive a Risk Assessment protocol may be drawn up by the head teacher/member of the SLT and this will be adhered to

### **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.

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 **0116 222222** 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.

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 school's subscribed Legal Services, if this is not available then 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. 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.

### **Actions to consider**

If the actions of a parent appear to be heading in this direction, 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 (x-ref Complaints Procedure).

### **Banning Parents and other Visitors from School Premises**

#### **1. Trespassing:**

Section 547 of the Education Act 1996 makes it an offence to trespass on school premises or 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**

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 Leadership 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 teacher/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.
- 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.

Following an incident staff may feel that they need support. Peer support will be given by colleagues and access to the Employee Welfare Scheme suggested. In the longer term, support can be obtained from the member of staff's trade union or from Victim Support .

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.

### **Recording incidents**

#### **Any incident 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

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, homophobic, bullying comments will be recorded in the Incidents Logbook in the head teacher's office.
- Any injuries to staff or children must be recorded on an Accident Form

# Mountfields Lodge Primary School Incident Report Form

This 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 use a continuation sheet if necessary). For an incident involving or witnessed by a pupil, a member of staff should complete the form on their behalf. However, any discussion between one witness and another should not precede completion of the form, as this might lead to allegations of collusion.

Date of incident \_\_\_\_\_

Day of week \_\_\_\_\_

Time \_\_\_\_\_

## 1. Member of staff reporting incident

Name \_\_\_\_\_

Work address (if different from school address) \_\_\_\_\_

Position \_\_\_\_\_

## 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) \_\_\_\_\_

Dept/Section/Class \_\_\_\_\_

Age \_\_\_\_\_ Sex \_\_\_\_\_

## 3. Details of trespasser/assailant(s) (if known)

\_\_\_\_\_

## 4. Witness(es) if any

Name \_\_\_\_\_

Address \_\_\_\_\_

Age (approx) \_\_\_\_\_ Sex \_\_\_\_\_

Relationship between member of staff/pupil and trespasser/assailant, if any

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**5. 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)

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b) **Location of incident** (attach sketch if appropriate)

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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

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

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**7. Other information (to be completed as appropriate)**

a) Possible contributory factors

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b) Is trespasser/assailant known to have been involved in any previous incidents  
YES/NO

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c) Give date and brief details of (b) if known

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d) Had any measures been taken to try to prevent an incident of this type occurring? If so, what? Could they be improved?

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e) If no measures had been taken beforehand, could action now be taken? If so, what?

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f) Name and contact details of police officer involved, and incident number or crime reference number, as appropriate

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g) Any other relevant information

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Signed \_\_\_\_\_

Date \_\_\_\_\_

Please return as soon as possible to the Head teacher or any member of the SLT

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