



Hilpertons Church of England Voluntary Controlled Primary School

Unacceptable, Violent and Abusive Behaviour in Parents Policy

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Policy Ratified by: Staffing and Resources Committee

This is a Non-Statutory Policy

This policy is drawn from the Key and other sources

Unacceptable, Violent and Abusive Behaviour in Parents Policy

Hilperton CofE Primary School Policy on Managing Abusive Parents/Carers or Visitors to the School

This document should be read and understood in conjunction with the following policies and procedures:

- Parent Code of Conduct
- Complaints Policy
- Unreasonable Complaints Policy - Managing Serial, Vexatious, Malicious or Unreasonable Complaints
- Data Protection and Secure Data Handling Policy
- School Access Policy

This policy was written following guidance from:

- Controlling Access to School Premises – DfE 2018
- Tackling abuse, threats and violence towards members of the school community (DERA)
- ‘Dealing with violent and abusive visitors’ – National Association of Head Teachers

Includes:

Appendix 1 - Incident Report Form

Appendix 2 - Dealing with abusive telephone calls

1. Statement of principles

The Governing Body of Hilperton CofE Primary School encourages close links with parents and the community. It believes that children benefit when the relationship between home and school is a positive one.

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

The Governing Body 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 school staff and to ensure all members of the school community, and all visitors to the school, can be

confident that they are operating within a safe environment without risk of aggression, threat, intimidation or violence.

The school has a Parent Code of Conduct, which sets guidelines around behaviour and the school's expectations around conduct. This policy is in line with the Parent Code of Conduct and outlines the steps that will be taken where behaviour of parents/carers is unacceptable.

2. Behaviour

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

- Shouting at members of school staff, governors, other parents or children either in person or over the telephone;
- Physically intimidating a member of staff, governor, other parent or child e.g. standing very close to them;
- The use of aggressive hand gestures;
- Threatening behaviour;
- Shaking or holding a fist towards another person;
- Swearing;
- Using abusive/ offensive language;
- Pushing;
- Hitting, e.g. slapping, punching and kicking;
- Spitting;
- Racist, sexist, homophobic or transgender comments;
- Breaching the school's security procedures;
- Aggressive and threatening phone calls, emails or other written communications;
- Allegations, actions or other communications that are vexatious or malicious;
- Sharing recordings of members of staff in a way that breaches data protection law;
- Posting personal or threatening comments concerning staff/governors on social media

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

Unacceptable behaviour may result in the Police and other local authorities being informed of the incident.

3. Unacceptable use of social media

School staff, governors, other parents or children may become targets of cyber abuse/bullying through social media, and, like other forms of abuse, it can have a significant impact on their health, well-being and self-confidence.

Cyber abuse/bullying may consist of threats, harassment, embarrassment, humiliation, defamation or impersonation. It may take the form of spreading negative comments, general insults, or prejudice-based abuse, e.g. homophobic, sexist, racist or other forms of discrimination. It may involve email, virtual learning environments, chat rooms, websites, social networking sites, mobile and fixed-point phones, digital cameras, games and virtual world sites. It may be directed towards an individual/group or towards the school as a whole.

The Governors of Hilpertown CofE Primary School considers the use of social media websites and platforms being used in this way as unacceptable behaviour and as such the procedures outlined in this policy will be followed in the event that any parent/carer of a child/children at Hilpertown CofE

Primary School is found to be posting harmful, libellous or defamatory comments on any social network sites.

Specific actions related to social media abuse:

- Inappropriate posts will be reported to the relevant 'report abuse' section of the network site.
- The school will also expect that any parent/carers or pupil removes such comments immediately.
- The school will consider its legal options to deal with any such misuse on social networking and other sites.

While there is not a specific criminal offence called cyberbullying, activities can be criminal offences under a range of different laws, including:

- The Protection from Harassment Act 1997
- The Malicious Communications Act 1988
- Section 127 of the Communications Act 2003
- Public Order Act 1986
- The Defamation Acts 1952 and 1996

4. Incident report

If an incident involving violence, threat, intimidation, abuse or any other unacceptable behaviour occurs then an Incident Report Form (**Appendix 1**) will be completed by the member of the school community against whom the abuse was directed. In the case of this being a pupil, a member of staff may complete the form on their behalf.

5. The School's Approach to Dealing with Incidents

If a parent/carers/visitor behaves in an unacceptable way towards the school or a member of the school community, the Headteacher or appropriate senior staff member will assess the level of risk before deciding on a course of action. The course of action will be reasonable, proportionate and commensurate with the assessed level of risk, taking into account the nature of the unacceptable behaviour, what evidence there is, previous incidents and the risk of further harm, including impact on wellbeing of staff members.

After evaluating all available information, and any other relevant factors, the headteacher may take one or more of the following actions:

a.) Clarifying to the parent what is considered acceptable behaviour by the school

It may be appropriate simply to ensure the parent is clear about behaviour standards expected by the school. This could be via a letter from the Headteacher, sharing the Parent Code of Conduct. This letter would contain a warning about further action if there are further incidents. Depending on the parent's response a meeting may then be held to discuss the situation and how this can be avoided in future.

b.) Inviting the parent to a meeting to discuss events

This would be an action if a planned and structured meeting has either not been held before or has previously been productive. Facilitators may need to be used.

The safety and well-being of those attending such a meeting would be carefully considered. For example, members of school staff would be accompanied by at least one other colleague at any such meeting. Consideration would be given to the seating arrangements, and care taken to ensure exits would not be blocked by a parent who could potentially become aggressive. The main points of discussion and any agreed actions would be noted, and a follow-up letter sent to confirm the school's expectations and any agreed actions.

Some parents may covertly record meetings and then seek to use the information obtained to support their case, and therefore Hilperton would state explicitly that such recordings are not permitted and that sharing such information could be in breach of data protection law.

c.) Imposing conditions on the parent's contact with the school and its staff

Depending of the type, level or frequency of the unacceptable behaviour, the school may consider imposing conditions or limitations on the parent's contact with the school. These conditions may form part of a tailored Communications Plan to be shared with the parent/carer and may include some or all of (but not exclusively) the following:

- having a member of SLT present at any meeting with a member of school staff;
- directing all contact (by telephone, in writing, emails or Dojos) to a named member of the senior leadership team;
- restricting the contact medium, eg communications only by email.
- imposing a limit on the frequency or amount of correspondence dealt with by the school, eg in the case of vexatious communications, stating that correspondence will only be replied to by the school once a week;
- restricting attendance at school events to those where the parent can be accompanied by a member of the SLT;
- asking that the parent/carer is represented by an appropriate third person eg a social worker or the local Citizens Advice.

In these cases the parent will be informed by letter from the Headteacher of the details of the conditions that are being imposed.

d.) Forming strategies to manage future situations of potential conflict

Where possible Hilperton would identify situations of potential conflict and to plan for these in a way that minimises potential risks. For example, where a parent persistently engages in arguments with staff 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.

In cases of parents with mental health issues, the procedures outlined in section 9 below should be considered and strategies formed accordingly.

Any such arrangements would be confirmed in writing to the parent.

e.) Banning the parent from entering the school site and/or buildings

In more serious cases of actual or threatened aggression/violence, or persistent abuse/intimidation, or where all procedures have been exhausted, and aggression or intimidation continue, or in any other appropriate situation, the Headteacher would consider whether it is safe for the parent to continue to come onto the school site or enter the buildings. In such cases a parent or carer may be banned by the Headteacher or Chair of Governors from the school premises for a period of time, subject to review as defined in section 547 of the Education Act (1996). Cases of actual assault should be also reported to the local authority by completing a health and safety event report.

In imposing a ban the following steps will be taken:

1. The school may in the first instance warn the parent that they are minded to ban them and seek reassurance about future behaviour. If reassurance is not forthcoming, then the school will proceed as in 2 below including details of how long the ban will last. Depending on the severity of the offence, the school may impose an immediate ban as in 2 below.
2. The parent/carers will be informed, in writing, that they are banned from the premises, subject to review, and what will happen if the ban is breached, e.g. that police involvement or an injunction application may follow.
3. Where an assault has led to a ban, a statement indicating that the matter has been reported to the local authority and the police will be included.
4. The chair of governors/LA will be informed of the ban.
5. Where appropriate, arrangements for pupils being delivered to, and collected from the school gate will be clarified.

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.

What does a ban achieve?

1. It confirms to a parent that the school will not tolerate misbehaviour
2. It shows the school takes health and safety of its staff, visitors and pupils seriously
3. 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 school premises without permission
4. It may form the basis for an application for an injunction to curtail repeated instances of misbehaviour.

Parental Rights

Every attempt should be made to maintain normal communications with parents/carers, including giving them the opportunity to participate in elections for parent Governors, say.

Even where a parent/carer has been banned from the school premises, they retain their right to an annual consultation in relation to the educational progress of their child/ren. However, the school 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.)

f.) Calling for police assistance

In an emergency, police assistance should be sought. 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).

Section 547 of the Education Act 1996 makes it a criminal offence for a person who is on school premises without legal permission to cause or permit a nuisance or disturbance. Trespassing itself does not constitute a criminal offence.

If a school has reasonable grounds to suspect that someone has committed an offence, then they can be removed from the school by a police officer or a person authorised by the appropriate authority such as the:

- governing board
- local authority

In situations where there is no immediate threat to staff, pupils, other members of the school community or the school's property, the Headteacher may still wish to make their local community police officer aware of the situation.

The police could give consideration to warning the offender of formal action, which may include legal proceedings.

g.) Legal action

In extreme or protracted situations legal action may be considered, in consultation with the Police and the Local Authority. The options include:

- Prosecution under section 547 of the Education Act 1996.
- Anti-social behaviour orders (Crime and Disorder Act 1998)
- Restraining orders (Protection from Harassment Act 1997)
- Prosecution for criminal damage/assault

The Local Authority itself may take action where behaviour is unacceptable or there are serious breaches of the Parent Code of Conduct or health and safety legislation. In implementing this policy, the school will, as appropriate, seek advice from the Local Authority's education, health and safety and legal departments, to ensure fairness and consistency.

6. Complaints Policy

Any parental complaint that arises from incidents of abusive behaviour will be dealt with under the complaints policy.

7. Record Keeping

Clear and detailed records of all events must be kept up to date. Incident Report Forms should be completed and held. Any witness statements (where appropriate) and notes of any subsequent meetings held to discuss the events should also be retained.

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. 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 police officer first.

8. Safeguarding

Consider whether there is a safeguarding issue. If the parent or carer can be violent, there may be safeguarding concerns for their child. The school should raise these concerns, following local procedures.

9. Parents with Mental Health Issues

Staff may need to manage challenging interactions with parents who have mental health issues by undertaking a risk assessment.

Gather Information

- In these circumstances the school should gather relevant information. If the school does not have information about the nature of the mental health issue, it should contact whichever service is supporting the family.
- The parent may be supported by a body that coordinates several services, such as a Team Around the Child or Family, or a Multi-Agency Safeguarding Hub. Alternatively, the family may have a social worker who can provide the school with information and advice.
- Other agencies working with the family may be able to offer advice on how best to work with the parent and avoid them becoming aggressive.
- The school could also contact previous schools attended by the child or check whether the family is known to the neighbourhood police.
- The school could also contact the LA to request information and guidance from health services available locally.

Organise meetings strategically

- If a parent's behaviour has been, or is at risk of being aggressive, there should be more than one member of staff present at meetings.
- These meetings should be managed considerately. If the parent appears to be particularly agitated, try to direct them to a suitably quiet place, with a senior member of staff in attendance.
- In this situation, staff do not necessarily have to solve the parent's problem immediately. Instead, ensuring their question is acknowledged and recording the concern may be sufficient to de-escalate the situation with resolution planned for a later date.
- Notes should be taken so that there is no ambiguity about what happened. Records should include the parent's own words as much as possible. The notes should also be read back to the parent, so that they can see that their opinion has been noted accurately.
- If the meeting becomes confrontational, it should be terminated and re-scheduled. The reasons for this should be explained clearly to the parent in a letter.

Follow existing procedures

- The school should still follow the procedures outlined in this policy for dealing with aggressive or threatening visitors. For example, make clear to the parent what behaviours won't be tolerated, and refer to existing Parent Code of Conduct on how visitors are expected to treat staff.

Call the police if necessary

- If a parent becomes violent in school, the police may be called to deal with the incident.

Don't take on responsibility for the parent's behaviour

- School staff are not mental health professionals and should not be expected to take responsibility for a parent's behaviour.
- The school may seek professional advice on managing situations with parents with mental health issues and alert other agencies to any issues with the parent's behaviour in school.

10. Recording Conversations

The school has the discretion to allow or prohibit parents from recording meetings or conversations with staff, based on whether there is a fair and reasonable purpose behind it.

Parents are free in law to make recordings of conversations for their personal domestic use.

The General Data Protection Regulation (GDPR) and Data Protection Act 2018 do not apply to this activity. Domestic use includes recordings made for the purpose of convenience, or for individuals to ensure they're clear about what was said later.

However, if the parent went on to publish the recording in a public place, such as on social media, or if they passed the recordings on to a lawyer, it would become subject to data protection laws and so misuse could result in breach of the law.

Any parent wishing to record a conversation with a member of staff should be questioned to find out what it will be used for. These discussions should be used to try and resolve any issues to avoid the incident occurring, as well as to reinforce the school's expectations around the Parent Code of Conduct.

Individual members of staff may end conversations with any Parent if the conversation is being recorded without their permission and it is believed that the purpose is unreasonable.

11. Support for Employees

If a member of staff is unfortunate enough to be subject to serious physical and/or verbal abuse there are a variety of sources of potential support available to them. These support measures are outlined in the school's Violence and Aggression Policy.

Appendix 1

Incident Report Form

Relevant incidents include trespass, nuisance or disturbance on school premises, verbal abuse, sexual or racial abuse, threats, aggression, unreasonable behaviour, 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 pupil or parent/carers/visitor, a member of staff should complete the form on their behalf. The completed form should be passed to the head teacher, for appropriate action and recording as a record on CPOMS.

Date of Incident	
Time of Incident	
Name of person reporting incident	
Date incident reported	
Member of staff recording incident	
Date incident recorded	
Name(s) of person(s) causing incident (where name(s) is/are unknown, provide other details of which may allow their identification.)	
Status(es) (parents/carers/visitors/trespassers)	
Full Description of Incident (e.g. names of persons involved, location, nature of any injuries, attendance of emergency services)	
Witnesses to the incident:	

Appendix 2

Dealing with abusive telephone calls

Sometimes staff may have to deal with challenging, abusive, aggressive or threatening telephone calls. It is unacceptable for any member of staff to be subjected to such abuse, but staff may not

know how to handle such a telephone call. This guidance has been produced to assist staff if they are faced with such a situation.

To reduce the likelihood of callers becoming abusive staff should conduct themselves in a courteous and professional manner and make every attempt to meet the needs of the caller. Staff should also have the confidence that it is acceptable to end an abusive telephone call.

Always

- Remain calm and polite
- Stay in control of the situation
- Actively listen – repeat information back to the caller to test understanding of the issue and gain their agreement
- Inform the caller you are trying to help them
- Be positive and say what you can do
- Be clear and avoid using jargon
- If necessary, apologise for an error and take action to put it right
- If you have to go and get some information, let the caller know why you are putting them on hold and do not leave them on hold for a long time. Update them as necessary.
- Make notes of the conversation

Avoid

- Responding in the same manner as an abusive caller
- Taking it personally
- Allowing yourself to be bullied
- Slamming the phone down.

Script for abusive telephone calls

When the caller starts to raise their voice/be abusive:

Mr/Mrs/Ms...please don't raise your voice/swear at me, I am not raising my voice/being rude to you. If you continue to raise your voice/be rude to me then I will be forced to terminate the call.

When the caller continues to raise their voice/be abusive:

Mr/Mrs/Ms..... I understand you are upset/frustrated however I am not prepared to continue to be shouted/sworn at so you can either call back when you have calmed down or if you prefer you can put your views in writing.

If, despite the two warnings above, the caller continues to raise their voice/be abusive:

Mr/Mrs/Ms.... I advised you earlier during this call about raising your voice/swearing and you have continued to do this, so I am afraid I am going to have to end this call. Hang up.

Further actions:

Make a written note of the telephone call or use the incident report form.