



KEEPING STAFF SAFE FROM ABUSE, THREATS AND VIOLENCE POLICY

School Ethos statement

The Emmaus Federation nurtures a culture of Christian love and respect for each other and the world around us. Through togetherness, patience and compassion is encouraged. By providing creative experiences and challenge for all learners, children grow in resilience, learn to persevere and develop belief in themselves and build hopes and dreams for their future.

This guidance aims to assist the senior leadership team and governing body in cases where the behaviour of visitors to the school gives cause for concern.

In particular, The guidance deals with situations where a person(s) are being threatening, abusive or aggressive towards our members in the school community. Such behaviour clearly cannot be tolerated. Staff and pupils have a right to expect their school to be a safe place in which to work and learn. This document includes advice on a range of possible measures that can be taken to ensure appropriate protection for schools.

The Department for Education advises that schools should have a written policy setting out the behaviour expected of person(s)), and the procedures to be followed when a school wishes to restrict a person's access to the premises. The term person(s) means a visitor, contractor, person and/or their representative and any other person entering the school and its grounds. Members of the school community refers to all staff, governors and pupils.

In addition, the guidance provides suggestions as to how to deal with difficult or abusive telephone calls and abuse using cyber technology, an increasing area of challenge for schools.

In this guidance, the definition in the Education Act 1996 of the word person is somewhat extended and includes an individual who has care of the child whether or not s/he is the natural person or has personal responsibility for the child. This includes step persons. Where a person does not fall within this broad definition, the principles of this guidance should still be applied (but the wording of the model letters should be amended accordingly).

Risk assessment

In the event of a person behaving in an inappropriate way, each situation will need to be considered individually by senior leaders. The following factors should be taken into account as a risk assessment, before deciding on the most appropriate course of action:

- Has the person been verbally aggressive/threatening/intimidating?

- Has the person been physically aggressive/threatening/intimidating?
- What evidence is there? What do witnesses say happened?
- Does the person 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 person's behaviour?
- Have pupils witnessed aggressive/threatening/intimidating behaviour from the person?
- Have pupils been approached inappropriately by the person?
- Has the person been abusive to school staff, pupils or visitors?
- Has the person been persistently abusive to school staff, pupils or visitors?
- Was the person provoked in any way prior to their behaviour and/or does the person claim to have been provoked?
- Is there evidence of provocation?
- How frequently have the behaviours occurred?
- Is there a risk (low, medium or high) that the behaviour may be repeated?

Options for headteachers

After evaluating all available information, and any other relevant factors, there are several actions the headteacher may wish to take. These can include:

Inviting the person to a meeting to discuss events

This could be helpful where a planned and structured meeting has either not been held before or has previously been productive. Skilled facilitators may 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 must be carefully considered. 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, and care taken to ensure exits cannot be blocked by a person who could potentially become aggressive. The main points of discussion and any agreed actions should be noted, and a follow-up letter sent to confirm the school's expectations and any agreed actions. Some persons may covertly record meetings and then seek to use the information obtained to support their case, and therefore schools should state explicitly that information obtained without permission will not be permissible.

Clarifying to the person what is considered acceptable behaviour by the school

In some instances, it may be appropriate simply to ensure the person 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 future situations of potential conflict

It is sometimes possible to identify situations of potential conflict and to plan for these in a way that minimises potential risks. For example, where a person persistently engages

in arguments with staff in corridors at the beginning or end of the school day, the person could be informed that any discussions with school staff must be held by prior appointment. Alternatively, the person may be asked not to approach the class teacher, but should instead arrange to meet the headteacher (or other member of the senior leadership team), who will deal with their concerns). In more serious cases a further option may be to advise the person that in future their concerns should be dealt with by written communication. Any such arrangements should be confirmed in writing to the person.

Withdrawing permission for the person to enter the school site and/or buildings

In more serious cases of actual or threatened aggression/violence, or persistent abuse/intimidation, the headteacher may need to consider whether it is safe for the person to continue to come onto the school site or enter the buildings. **In such circumstances, it is strongly recommended that headteacher first consults with Lincolnshire County Council.**

Legal proceedings

Where individuals persist in coming onto the school site even when permission to do so has been withdrawn, it is possible for legal proceedings to be pursued. The options include:

Prosecution under section 547 of the Education Act 1996

This requires substantial evidence to be gathered and presented by the police. Clearly it is not a quick process, and whilst in most cases the threat may prove to be a sufficient deterrent, prosecution can only be seen in the last resort as a punitive measure.

Anti-social behaviour orders (Crime and 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. Anti-social behaviour orders (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, for cases where someone causes alarm or distress to another person on more than two occasions. Section four 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

Prosecutions for causing deliberate damage or injury may occasionally be the most appropriate course of action. If the police are called, the option to make criminal allegations is readily available, and they may arrest suspected offenders there and then. 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. All possible steps should be 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 is available under the legal buy back scheme for schools that are members, or can be arranged at an hourly fee for schools that are not.

Individual cases should always be discussed with Human Resources who will work with headteacher 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 legal action, it does not necessarily guarantee against the behaviour of the more persistent offender.

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 a variety of sources of potential support available to them.

In such circumstances the immediate and ongoing support of colleagues will be invaluable.

The staff associations/trade unions are also likely to be a source of assistance.

Signed By: Mrs C Collett

Mrs J Powell

Position: Executive Headteacher

Chair of Governors

Date: February 2023

Model letters

Model letter 1:

This is an initial warning letter which can be sent by the headteacher when it is felt that further serious incidents will warrant a ban.

Model letter 2:

It is suggested that this letter is sent by the chair of governors when, after full consideration, it is felt a ban is necessary.

Normally this would follow from a warning (letter 1), **though there may be occasions where it is appropriate to move directly to a ban.**

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 person.

At this stage, the ban takes effect immediately, but as the letter indicates, the person must be enabled to make representations. A period of a week is recommended to allow for this, at the end of which the chair 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).

Model letters 3a/b:

These letters confirm the outcome of the review of the ban by the chair of governors. In the event that the decision is made to confirm the ban, a date should be included for a further review. This should be for a reasonable period, possibly extending up to three months, but preferably not longer than six months.

If the person 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.

Model letter 4a/b:

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

**Letter 1
Warning
(sent by headteacher)**

Dear

In line with expectations of adult visitors to the school, as outlined in our policy, 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 persons 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 any of my staff directly 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 Chair of Governors. Should you wish to discuss the contents of this letter please make an appointment to see me via the school office.

Yours sincerely

Headteacher

cc: Chair of Governors

Letter 2
Withdraw permission pending review
(sent by chair of governors)

Dear

I have received a report from the headteacher of The Emmaus Federation 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 governors, in line with our policy, 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 I have reviewed this incident, you are not to reappear on the school premises. If you do not comply with this instruction I shall arrange for you to be removed from the premises. If you cause a nuisance or disturbance on the premises you may be prosecuted under section 547 of the Education Act 1996; if convicted under this section, you are liable to a fine of £500.

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 and will be in place for 15 school days in the first instance. I still need to decide whether it is appropriate to confirm this decision. Before I do so, I wish to give you an opportunity to give me in writing any comments or observations of your own in relation to the report that I have received from the headteacher. These comments may be to challenge or explain the facts of the incident, to express regret and give assurances about your future good conduct. To enable me to take a decision on this matter, please send me any written comments you wish to make by (date 10 school days from date of letter).

If on receipt of your comments, I consider that my decision should be confirmed, you will be supplied with details of how to pursue a review of your case.

I am copying this letter to the Headteacher.

Yours sincerely

Chair of Governors
cc: Headteacher

Letter 3a
Withdrawal of permission confirmed
(sent by 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 the school. To enable me to determine whether to confirm this decision for a longer period, I gave you the opportunity to give your written comments on the incident concerned by

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

In the circumstances, and after further consideration of the headteacher's report, 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 the headteacher.

If you do not comply with this instruction, I shall arrange for you to be removed from the premises of the school. If you cause a nuisance or disturbance on the premises, you may be prosecuted under Section 547 of the Education Act 1996; if convicted under this section, you are liable to a fine of up to £500.

Even though we have taken this decision, the headteacher and staff at The Emmaus Federation remain committed to the education of your child(ren), who must continue to attend school as normal (insert for primary age children) under the arrangements set out in my previous letter.

This decision will be reviewed again(insert review date which should be within a reasonable period and no longer than six months). When deciding whether it will be necessary to extend the withdrawal of permission to come onto the school premises, consideration will be given to the extent of your compliance with the decision, any appropriate expressions of regret and assurance of future good conduct received from you; and any evidence of your co-operation with the school in other respects.

If you wish to pursue the matter further you have a right to complain to a panel of school governors who have not been involved previously and who will consider the circumstances of the decision to withdraw permission for you to come on to the school site. You can make your complaint by writing to myself at The Emmaus Federation

(Where the incident has arisen in the context of a personal complaint against the school, the following may be inserted) Finally, I would advise you that I have asked the headteacher to ensure that your complaint that..... is considered under the appropriate stage of the school's personal complaints procedure. The school will contact you about this in due course.

Yours sincerely

Chair of Governors
cc: Headteacher