



ALLEGATIONS OF ABUSE AGAINST STAFF POLICY

Last review date	September 2019
Date approved by the Trust Board	October 2019
Date for next review	September 2020

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Introduction

The Leading Edge Academies Partnership (the 'Trust') is a team of school leaders that aim to be Leading Edge and pioneering in their approach to education and well-being. We are a growing family of like-minded schools that offer a values based education to the communities we serve and welcome staff, workers, students, parents/carers and volunteers from all different ethnic groups and backgrounds.

The term 'Trust Community' includes all staff, trustees, governors, students, parents/carers, volunteers and visitors.

We are a values based Trust, which means all actions are guided by our six 'Es' as follows:

- **Ethical** – 'Doing the right thing'
- **Excellence** – 'Outstanding quality'
- **Equity** – 'Fairness and social justice'
- **Empathy** – 'Caring for others'
- **Evolution** – 'Continuous change'
- **Endurance** – 'Working hard and not giving up'

This policy is based on the value of being '**Ethical**'

Policy Statement

This policy has been written taking into account the DfE Guidance 'Advice on school security: Access to, and barring individuals from school premises' December 2012, Section 547 of the Education Act 1996 and NAHT guidance on dealing with abusive parents.

At the Trust we value the positive relationships forged with parents and visitors to our academies. We encourage close links within the Trust Community and believe that students benefit when the relationship between home and the academy is a positive one. We also strive to make our academies places where as adults we model for students the behaviour we teach and expect. In general, we place a high importance on good manners, positive communication and mutual respect.

We expect parents and other visitors to behave in a reasonable way towards Trust staff. However, on very rare occasions when the behaviour and negative attitude of parents/visitors falls short of what we expect the situation may sometimes result in aggression, verbal and or physical abuse towards members of academy's staff or the wider academy community.

The Board of Trustees and LACs expect and require 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. They should then refer the incident to a senior manager who will take appropriate action or invoke the provisions of this policy.

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. Staff who face these situations have license to end any conversation (face to face or on the telephone).

The progress and well-being of the parent's child(ren) will be fully considered. Actions taken against the parent will be reasonable and proportionate. The parent will have the opportunity to put their views forward at every stage. In the case of the imposition of conditions or a ban from academy, robust review processes involving the CEO and then the Board of Trustees are in place to ensure fairness.

This policy outlines the steps that will be taken where behaviour is unacceptable.

Definition of unacceptable behaviour.

We consider that aggressive, abusive or insulting behaviour or language from a parent/visitor presents a risk to staff or students. Unacceptable behaviour is such that makes a member of staff or student feel threatened. This can be through face-to-face contact, on the telephone or in written communication (including social media).

The following is not an exhaustive list but seeks to provide illustrations of such behaviour:

- any kind of insult as an attempt to demean, embarrass or undermine
- any kind of threat
- raising of voice so as to be intimidating
- physical intimidation, e.g. by standing very close to him/her or the use of aggressive hand gestures
- use of foul or abusive language
- any kind of physical abuse
- allegations which turn out to be vexatious or malicious
- spitting;
- racist, sexist, homophobic or transgender comments
- breaching the Trust's security procedures.

Unacceptable behaviour may result in the police being informed of the incident.

An Academy's approach to dealing with incidents

If a parent/carer/visitor behaves in an unacceptable way towards a member of the academy community, the Principal/Headteacher or appropriate senior staff will assess the level of risk before deciding on a future course of action. The course of action will be reasonable and commensurate with the assessed level of risk.

Risk Assessment

The Principal/Headteacher or nominated senior member of staff will carry out a risk assessment in order to help make a decision about the level of response. In all cases the response will be reasonable and proportionate. The Principal/Headteacher will consider the following questions:

- What form did the abuse take?
- What evidence is there?
- What do witnesses say happened?

- Are there previous incidents to take into consideration?
- Do members of staff/students feel intimidated by the parent's/visitor's behaviour?
- Is there any evidence of provocation?
- How high is the assessed risk that this will be repeated or there will be retaliation at the academy's action? (low, medium, high).

Recording of Incidents

Staff and students subject to abuse and witnesses will make written statements about incident(s) which will be kept in a file with subsequent letters. Depending on an assessment of the risk of retaliation to witnesses or individuals, statements made by adults may be made available to the parent if they request it.

The Academy's response

Following the completion of the risk assessment, the Principal/Headteacher will decide the level of action to be taken. Actions will include the following:

1. Clarify to the parent what is considered acceptable behaviour by the academy.

In some instances, it may be appropriate simply to ensure the parent is clear about behaviour standards expected by the academy. This could be explained by letter from the Principal/Headteacher. This letter may contain a warning about further action if there are further incidents. The parent will be invited to write to the Principal/Headteacher with his/her version of events within 10 working days. Depending on the parent's response a meeting may then be held to discuss the situation and how this can be avoided in future.

2. Invite the parent to an informal meeting to discuss events.

This could be helpful to discuss and diffuse the situation.

The safety and well-being of those attending such a meeting must be carefully considered. Members of academy staff will always 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 parent who could potentially become aggressive.

The main points of discussion and any agreed actions should be noted, and a follow-up letter or e-mail sent to confirm the academy's expectations and any agreed actions.

3. Impose conditions on the parent's contact with the academy and its staff.

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Parents of enrolled students have an 'implied license' to come onto the academy premises at certain stated times. It is for the academy to define and set out the extent of such access. Parents exceeding this would be trespassing.

Depending of the type, level or frequency of the unacceptable behaviour, the academy may consider imposing conditions on the parent's contact with the academy. These conditions may include (but not exclusively):

- being accompanied to any meeting with a member of academy staff by a member of SLT
- restricting contact by telephone to named members of the senior leadership team

- restricting written communications to named members of the senior leadership team
- restricting attendance at academy events to those where the parent will be accompanied by a member of the senior leadership of the academy
- any other restriction as deemed reasonable and proportionate by the Principal/Headteacher or the CEO.

In this case the parent will be informed by a letter from the Principal/Headteacher the details of the conditions that are being imposed. The parent would then be given 10 working days from the date of that letter to make representations in writing about the conditions to the CEO. The CEO, in consultation with the LAC would then decide whether to confirm or remove the conditions. This would be communicated to the parent in writing within 10 working days of the date of the parent's letter.

If the decision is to confirm the conditions imposed, this decision will be reviewed by the CEO after approximately six months (and every six months after that, if appropriate). The parent will be invited to make written representation to the LAC. This and the evidence from the Principal/Head of School will be considered at a meeting of the full LAC. LACs may decide to maintain, extend or remove the conditions. The decision of the review will be communicated to the parent by the clerk to the LAC within 10 days of the date of the meeting.

When deciding whether it will be necessary to maintain, extend or remove the conditions, LACs will give consideration to the extent of the parent's compliance with the conditions, any appropriate expressions of regret and assurance of future good conduct received from him/her and any evidence of the parent's co-operation with the school in other respects.

4. Impose a ban.

Where other procedures have been exhausted and aggression or intimidation continues OR where there is an extreme act of violence then the Trust may consider banning. In which case the parent will be informed by letter from the Principal/Headteacher the details of the individual from academy premises. This will include banning a parent from accessing academy staff by written communication or telephone.

In these circumstances, the individual would be advised in writing by the Principal/Headteacher that a provisional ban is being imposed. The parent would then be given 10 working days from the date of that letter to make representations about the ban in writing to the CEO. The CEO, in consultation with the LAC, would then decide whether to confirm or remove the ban. This would be communicated to the parent in writing within 10 working days of the receipt of their letter.

If the CEO's decision is to confirm the ban, parents in these circumstances will be offered an annual meeting about their child's progress, usually with a member of senior staff.

A decision to impose a ban will be reviewed by the LAC after approximately six months (and every six months after that, if appropriate). The parent will be invited to make written representation to the LAC; this and the evidence from the Principal/Headteacher will be considered at a meeting of the full LAC. LACs may decide to remove the ban, extend the ban or impose conditions on parent's access to the academy. The decision of the review will be communicated to the parent by the clerk to the LAC within 10 days of the date of the meeting.

In deciding whether to remove or extend the ban or impose conditions, LACs will give consideration to the extent of the parent's compliance with the ban, any appropriate expressions of regret and assurance of future good conduct received from him/her and any evidence of the parent's co-operation with the academy in other respects.

5. Remove from the academy.

Parents who have been banned from the academy premises and continue to cause a nuisance will be deemed to have committed a section 547 offence. They will be considered as trespassers. In these circumstances the offender may be removed from the academy site. This may be carried out by a police officer or person authorised by the LAC. Legal proceedings may be brought against the parent.

6. Complaints policy.

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

Appendix 1

Incident report form

Relevant incidents include trespass, nuisance or disturbance on school premises, verbal abuse, sexual or racial abuse, threats, aggression, 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/carer/visitor, a member of staff should complete the form on their behalf.

The completed form should be passed to the Principal/Headteacher for appropriate action and recording.

Date of incident

Time of incident

Name of person reporting incident

Date incident reported

Member of staff reporting 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)

Names of any witnesses & Statuses

Initial action/outcome

(e.g. Informal conciliation; police intervention; warning or banning letter issued)

Summary of subsequent actions taken by the academy, including risk assessments

Linked incidents (if any)

Appendix 2

Model Letter 1. Warning

(sent by Principal)

Dear

I have received a report about your conduct at the school on (enter date and time or details). This appears to fall far short of that we would expect of a parent of a student at St Hilary School.

(Add factual summary of the incident and of its effect on staff, pupils, and other parents.)

I must inform you that the LAC will not tolerate aggression towards members of the academy community and will act to protect its staff and students from any form of abuse or intimidation. I should warn you that any future conduct of this nature could result in the academy imposing conditions restricting your access to the academy or banning you from contacting or attending the academy altogether.

I wish to give you an opportunity to give me in writing any comments or observations of your own in relation to the report which I have received about your conduct. Please do so within 10 working days of the date of this letter. These comments may include any assurances you are prepared to give about your future good conduct. There is then an option for us to meet to discuss the situation and how it can be avoided in the future.

Details of our policy on dealing with abusive parents can be found on our website.

Yours sincerely

Principal

cc: Chair of LAC

CEO

Model Letter 2. Imposing conditions on the parent's attendance at academy events, pending review

(sent by Principal)

Dear

I have received a report from the (name of staff) about your conduct on

(enter date and time)

(add summary of incident and its effect on staff and pupils)

(You will recollect that I have already written to you about a previous incident on (date) warning you of the consequence of any further insulting or aggressive behaviour on your part)

I must inform you that the governors, in line with our policy, will not tolerate conduct of this nature on the academy premises and will act to defend academy staff and pupils.

I am therefore writing to inform you that I am imposing conditions on the contact you may have with the academy. These are as follows: (delete as appropriate)

- You must be accompanied to any meeting with a member of the academy staff.
- You may not contact by telephone or in writing any member of staff.
- You may contact either the CEO or Principal.
- You may not attend any events for parents except those where you will be
- accompanied by a member of the senior leadership of the academy.
- Other as are reasonable and proportionate

The restrictions above are provisional until they have been reviewed by the CEO. Please consider them to be in force until you receive her confirmation.

The CEO will need to decide whether it is appropriate to confirm or overturn this decision. You may, if you wish, send to them in writing any comments or observations of your own within 10 working days of the date of this letter. These comments may be to challenge or explain the facts of the incident, to express regret and give assurances about your future good conduct. The CEO will then write to you with the outcome of their decision.

If on receipt of your comments, the CEO considers that my decision should be confirmed, you will be supplied with details of how the conditions will be reviewed by the LAC.

Yours sincerely

Principal

cc: Chair of LAC

CEO

Model Letter 3: Letter to confirm or overturn Principal's decision to impose conditions

(sent by CEO)

Dear

The Principal wrote to you on (date) to detail concerns about an incident when your behaviour towards (name) fell short of what we would expect as an academy. You will be aware that she has written to you previously about your behaviour towards staff.

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

In the circumstances, and after further consideration of the Principal's report and your letter, I have determined that the decision to impose conditions on your contact with the academy should be confirmed. The conditions are as follows:

- (Copy conditions from Principal's letter)

This decision will be reviewed by the governing body in approximately six months' time. The Clerk to the LAC will write to you in advance of the meeting to ask you to provide a written statement for their consideration. When deciding whether it will be necessary to extend the application of conditions to attend academy 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 academy in other respects.

OR

In the circumstances, and after further consideration of the Principal's report and your letter, I have determined that the decision to impose conditions on you should be overturned. You may hence attend academy events as normal. However, should there be a repeat of inappropriate behaviour towards staff all of the above sanctions may be applied.

Yours sincerely

CEO

cc: Principal

Model Letter 4: Imposition of a ban on contacting or attending the academy, pending review
(sent by Principal)

I have received a report from the (name of staff) about your conduct on
(enter date and time)

(add summary of incident and its effect on staff and pupils)

You will recollect that I have already written to you about a previous incident on (date) warning you of the consequence of any further insulting or aggressive behaviour on your part.

I must inform you that the trustees, in line with our policy, will not tolerate conduct of this nature on the academy premises and will act to defend academy staff and pupils.

I am therefore writing to inform you that I am recommending imposing a ban on you attending or contacting the academy. This means you may not attend the academy for any reason whatsoever. You must not make contact with any member of staff by telephone or e-mail. You do, however, have the right to attend one meeting per year to discuss your child's progress. This meeting will be with me. I will contact you to arrange this at the appropriate time.

The restrictions above are provisional until they have been reviewed by the CEO. Please consider them to be in force until you receive her confirmation.

The CEO, will need to decide whether it is appropriate to confirm or overturn this decision. Please send, in writing, to the CEO, any comments or observations of your own within 10 working days of the date of this letter. These comments may be to challenge or explain the facts of the incident, to express regret and give assurances about your future good conduct.

If on receipt of your comments, the CEO considers that my decision should be confirmed, you will be supplied with details of how this ban will be reviewed by the Board of Trustees.

Yours sincerely

Principal

cc: Chair of Trustees

CEO

Model Letter 5: Letter to confirm or overturn Principal's decision to impose a ban

(sent by CEO)

Dear

The Principal wrote to you on (date) to detail concerns about an incident when your behaviour towards (name) fell far short of what we would expect as an academy. You will be aware that she has written to you previously about your behaviour towards staff.

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

In the circumstances, and after further consideration of the Principal's report and your letter, I have determined that the decision to impose a ban on you should be confirmed. This means you may not attend the academy for any reason whatsoever. You must not make contact with any member of staff by telephone or e-mail. You do, however, have the right to attend one meeting per year to discuss your child's progress. This meeting will be with the Principal or a member of the senior team.

This decision will be reviewed in six months' time by the governing body. The Clerk to the LAC will write to you in advance of the meeting of the LAC to ask you to provide a written statement for their consideration. When deciding whether it will be necessary to extend the application of conditions to attend academy 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 academy in other respects.

OR

In the circumstances, and after further consideration of the Principal's report and your letter, I have determined that the decision to impose a ban should be overturned. You may hence attend academy events as normal. However, should there be a repeat of inappropriate behaviour towards staff all of the above sanctions may be applied.

Yours sincerely

CEO

cc: Principal

Chair of Trustees

Model Letter 6: Letter from clerk to the trustees requesting parents' statement for review by LAC

(sent by clerk to the LAC)

Dear

The Principal wrote to you on (date) to detail concerns about your behaviour towards academy staff/students fell short of what we would expect as an academy. As a result of this incident, conditions were imposed on you/a ban was imposed.

This decision will be reviewed by the LAC at their next meeting on (date).

I am writing to ask whether you would like to make a written statement to the LAC for their consideration in making the decision whether to remove the restriction or extend it.

If you should wish to make a written statement, please can you e-mail it to me at (address) by (date – parents should be given 10 days to respond).

Yours sincerely

Clerk to Trustees

cc: Principal
CEO

Model Letter 7: Letter detailing outcome of LAC's review

(sent by Clerk to the LAC)

Dear

I wrote to you on (date) to request a statement to enable LAC to review the academy's decision to impose conditions/ban you from attending academy premises.

I have not received a written response from you/I have received a letter from you dated, the contents of which were considered carefully by the trustees at their meeting on (date).

In the circumstances, and after further consideration of the Principal's report (and your letter), the LAC has determined that the decision to impose conditions/ban you from attending or contacting the academy attend should be confirmed. The conditions of your attendance on site are as follows:

- You must be accompanied to any meeting with a member of the academy staff.
- You may not contact by telephone or in writing any member of staff. You may contact either the Principal or named senior member of staff.
- You may not attend any events for parents except those where you will be
- accompanied by a member of the senior leadership of the academy.
- Any other condition imposed

OR

- You must not attend any event in the academy except for an annual meeting about your child's progress. This meeting will be conducted by The Principal.
- You may not contact by telephone or in writing any member of staff.

This decision will be reviewed again in six months' time. When deciding whether it will be necessary to extend the application of conditions to attend academy 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 academy in other respects.

OR

In the circumstances, and after further consideration of the Principal's report and your letter, the LAC have determined that you should once again be allowed to attend parents' events as usual. All conditions have been removed. However, should there be a repeat of inappropriate behaviour towards staff this decision may be revoked.

Yours sincerely

Clerk to Trustees

cc: Head of School

CEO