



“Home - school partnership keeping things positive”

Approved by	CEO		
Date	05 September 2026	Next review due	09/2027

Summary of Changes

Version	Date	Summary of Changes	Approved By
1	10 th December 2018	Draft for comment	CEO
2	18 th December 2018	Approved	CEO
3	July 2020	Periodic review	CEO
4	July 2021	Periodic review	CEO
5	August 2022	Periodic review	CEO
6	September 2023	Periodic review	CEO
7	February 2024	Periodic review	CEO
8	July 2024	Periodic review	CEO
9	August 2025	Periodic review	CEO
10	September 2026	Periodic review – change of CEO	CEO

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1 Introduction

As a general rule, academies are orderly, safe places, where relationships between staff and visitors, especially parents/carers, demonstrate mutual respect and recognition of shared responsibility for pupils' welfare and educational progress. Parental involvement is an important factor in educational success and in dealing with emerging problems at an early stage.

However, on occasion, the behaviour of a few parents/ carers or visitors can cause severe disruption or worse, result in abusive or aggressive behaviour towards staff, pupils, or other members of the Academy community.

This document provides guidance about dealing with violence, threatening behaviour or abuse by parents of a student in an Academy, including those cases where the parent has been asked not to come onto the premises. Some of the remedies listed are also applicable when dealing with other intruders on Academy premises.

Violence, threatening behaviour and abuse against Academy staff or other members of the Academy community must not be tolerated. All members of the Academy community have a right to expect that their Academy is a safe place in which to work and learn. There is no place for violence, threatening behaviour or abuse in academies.

2 Statement of Principles

The Board of Directors of The Park Federation Academy Trust and the Academy Council of the academy encourages close links with parents and the community. It believes that pupils benefit when the relationship between home and the academy is a positive one.

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

The Board of Directors and the Academy Council 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 Academy staff. This policy outlines the steps that will be taken where behaviour is unacceptable.

3 Unacceptable Behaviour

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

- shouting at members of the Academy staff, either in person or over the telephone;
- physically intimidating a member of staff, e.g. standing very close to her/him;
- the use of aggressive hand gestures; threatening behaviour;
- shaking or holding a fist towards another person;
- pointing aggressively;
- swearing;
- pushing;
- hitting, egg slapping, punching and kicking;
- spitting;
- unwanted physical contact that results in no injury;
- abusive telephone calls, letters, emails, social media entries
- breaching the Academy's security procedures.

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

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

4 Procedure to be followed

If a parent/carer behaves in an unacceptable way towards a member of the Academy community, the Principal or appropriate senior staff will seek to resolve the situation through discussion and mediation. If necessary, the Academy's complaints procedures should be followed.

Where all procedures have been exhausted, and aggression or intimidation continue, or where there is an extreme act of violence, a parent or carer may be banned by the Principal from the Academy premises for a period of time, subject to review.

In imposing a ban the following steps will be taken:

1. The parent/carer will be informed, in writing, that she/he is 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
2. Where an assault has led to a ban, a statement indicating that the matter has been reported to the police will be included
3. The Chair of the Academy Council and CEO will be informed of the ban
4. Where appropriate, arrangements for pupils being delivered to, and collected from the Academy gate will be clarified.

5 The Banning Process

The Principal will assemble the full facts before proceeding, making sure that all those involved in any incidents, or witnesses to those incidents, make a full written record as soon as possible.

Crucial elements:

- write to parent/carer/intruder to record in detail the incident and why it is unacceptable;
- explain that the Academy Council will consider banning the parent, giving the parent a period in which they may respond in writing giving their version and why they should not be banned;
- tell the parent when a decision will be made.

5.2 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.

5.3 What does a ban achieve?

- it confirms to a parent that the Academy will not tolerate misbehaviour;
- shows the Academy takes health and safety of its staff, visitors and pupils seriously;
- it provides a key element in making it easier to use legal remedies to prevent repeated misconduct, including use of Section 547 of the 1996 Education Act to enable Police removal and possible prosecution of those on Academy premises without permission;
- it may form the basis for an application for an injunction to curtail repeated instances of misbehaviour.

6 Parental Rights

Every attempt should be made to maintain normal communications with parents/carers. Even where a parent/carer has been banned from the Academy premises, they retain their right to an annual consultation in relation to the educational progress of their child/ren. However, the Academy 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). Alternatively, the consultation could be conducted via video conferencing.

The interests of the child should continue to be paramount.

7 Recording the incident

See appendix 1, this will assist with the recording of any incidents of abuse, threatening behaviour or violence against any members of the Academy community. A record of an incident will help in the collection of evidence where necessary, such as when proceedings are being brought against an alleged assailant.

Available photographic evidence of any injuries or damage, or relevant CCTV footage, can also be helpful. Recording details of incidents will also help in reviewing the Academy's policy, and should ideally inform future risk assessments.

If there is an injury to staff from an assault, the employer may need to report the injury to the health and safety executive (HSE) under the requirements of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR), as amended in 2012.

8 Section 547, Education Act 1996

The model letters illustrated in the appendix suggest how the Academy might use section 547 of the Education Act 1996.

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

A parent/carer of a child attending an Academy normally has implied permission (limited licence) to be on the Academy's premises at certain times and for certain purposes but if their behaviour is unreasonable this permission may be withdrawn and they will become a trespasser.

A person who nevertheless persists in entering the Academy premises and displaying unreasonable behaviour may be removed and prosecuted under section 547.

In the case of an Academy, the Academy Council can independently authorise the removal of someone from the premises and may also authorise a person to bring proceedings against that individual. Additionally, in all situations the police are authorised to remove someone from Academy premises and to bring proceedings for an offence under this section.

9 Model letters

In the appendix there is a model examples of a letter to parents/carers or other visitors to Academy premises whose permission to be on the premises is to be, or has been, withdrawn by the Board of Directors, CEO or Academy Council on behalf of the Academy.

The letters show that where such a parent re-enters Academy premises and causes a nuisance or disturbance, section 547 might be used.

A Principal has the right to decide who can come onto Academy premises but the letter should only be sent after consultation with the CEO and Academy Council.

Using powers under section 547 allows for action which the Board of Directors or Academy Council can take on behalf of an Academy and which can be straightforward, quick and effective in removing violent, aggressive or abusive people from Academy premises. In practice, it is amongst the most widely used remedies.

Section 547 will not be the most appropriate remedy in every circumstance. Serious violence, repeated harassment or racially aggravated behaviour for example, may warrant stronger criminal sanctions.

10 Conclusion

The Trust may take action where behaviour is unacceptable or there are serious breaches of health and safety legislation.

In implementing this policy, the Academy will, as appropriate, seek advice from its solicitors and the Department for Education, education, health and safety and legal departments, to ensure fairness and consistency.

Appendix 1

Incident report form

Relevant incidents include trespass, nuisance or disturbance on Academy 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 student or parent/carer/visitor, a member of staff should complete the form on their behalf.

Date of incident	
Time of incident	
Name of person reporting incident	
Date incident reported	
Member of staff reporting incident	
Date incident recorded	
Details of person(s) causing incident	
Status(es) (parents/carers/visitors/trespassers) Where identity is unknown, provide other details that may assist in identifying them	
Full description of incident (names of persons involved; location; nature of any injuries; attendance of emergency services)	

Names of any witnesses and their statuses

Initial action/outcome

Summary of subsequent actions taken by the Academy including risk assessments
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Linked incidents (if any)

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Appendix 2

Warning letter from the Principal: to parent/carer with child/ren at the Academy

Recorded delivery

Dear.....

I have received a report about your conduct at the Academy on (enter date and time).

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

I must inform you that the Academy Council will not tolerate conduct of this nature on its premises and will act to protect its staff and pupils. Therefore if, in the future, I receive any further reports of conduct of this nature I will be forced to consider removing permission (licence) for you to enter the Academy grounds and buildings.

If you do not comply with that instruction, I will be able to arrange for you to be removed from the premises and prosecuted under Section 547 of the Education Act 1996. If convicted under this section, you are liable to a fine of up to £500.

Nevertheless, 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. These comments may include any expressions of regret on your part and any assurances you are prepared to give about your future good conduct.

To enable me to take a decision on this matter at an early point, you are asked to send me any written comments you wish to make by (state date ten working days from the date of letter).

Yours sincerely,

Principal.

Appendix 3

Banning Letter from the CEO/ Board of Directors/ Academy Council: to parent/carer with child/ren at the Academy

Recorded delivery

Dear

I have received a report from the Principal at **(insert name)** Academy about your conduct on **(enter date and time)**.

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

I must inform you that the **CEO/ Board of Directors/ Academy Council** will not tolerate conduct of this nature on its premises and will act to protect its staff and pupils. On the advice of the Principal I am therefore instructing that until **(add date)** you are not to reappear on the premises of the Academy.

If you do not comply with this instruction I may arrange for you to be removed from the premises and prosecuted under Section 547 of the Education Act 1996. If convicted under this section, you are liable to a fine of up to £500.

Arrangements have been made for your son(s)/daughter(s) (insert child/ren's names) to be collected, and returned to you, at the Academy gate/reception (alter as necessary) by a member of the Academy's staff.

The withdrawal of permission for you to enter the Academy premises takes effect straightaway. However, 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 which I have received from the Principal.

These comments may include any expressions of regret on your part and any assurances you are prepared to give about your future good conduct. To enable me to take a decision on this matter at an early point, you are asked to send me any written comments you wish to make by **(state date ten working days from the date of letter)**.

If on receipt of your comments I consider that my decision should be confirmed, or extended, you will be supplied with details of how to pursue a review of the circumstances of your case. In any event, the decision to withdraw your licence to enter the Academy premises will be reviewed by **(complete as appropriate)**. That review will take account of any representations that you may have made and of your subsequent conduct.

Yours sincerely,

CEO/ Board of Directors/Chair of Academy Council

Appendix 4 Useful websites

The Department for Education's Academy security website.

<https://www.education.gov.Uk/publications/standard/publicationDetail/Page1/RR419#downloadableparts>

The Department for Education's publication Health & Safety: advice on legal duties and powers for local authorities, head teachers, staff and governing bodies.

<http://www.education.gov.uk/Academys/adminandfinance/healthandsafety/f00191759/departental-health-and-safety-advice-on-legal-duties-and-powers-for-local-authorities-headteachers-staff-and-governing-bodies>

Guidance on Police-Academy Protocols: Principles and guidance on Safer Academy Partnerships.

<http://www.justice.gov.uk/downloads/youthjustice/prevention/SaferAcademyPartnershipsGuidancefinal0509.pdf>

Health and Safety Executive (HSE) guidance on risk assessments.

<http://www.hse.gov.uk/pubns/raindex.htm>

<http://www.hse.gov.uk/pubns/edis1.him>

The HSE RIDDOR website.

<http://www.hse.gov.uk/riddor/index.htm>