Review date – December 2027

Trust vision

Growing in faith, serving with love. Transforming our world; together in Christ.

God shines within our hearts.
Jesus walks by our side.
The Holy Spirit gives us strength.

St. Mary's Catholic Voluntary Academy

Unacceptable Conduct Policy

Statement of Intent

St. Mary's Catholic Voluntary Academy, at all times and in every circumstance will engender and promote an ethos of caring and respect as encapsulated in the school's community code The community code values are respect, aspiration, faith, trust, forgiveness, determination and curiosity.

We expect our community code to be upheld throughout any interactions or communication carried out by staff, children, parents/guardians, visitors or the local community.

The school has developed a positive and supportive relationship with the vast majority of parents, carers and visitors and the children in turn have benefited from this. However, in exceptional circumstances, a person/persons can have a negative attitude towards the school which can result in aggressive or anti-social behaviour both in person, on the phone or via social media. It is important to note that the school may record or screen shot such messages/conversations and use this to support any decisions the school may feel appropriate at the time or at a later date.

Aggressive or anti-social behaviour from parents/guardians is unacceptable and can have a very intimidating and stressful effect on members of staff. The law is **not** suspended in the school context and situations will be dealt with accordingly. A person, upon request, refusing to leave a school site can be deemed as trespassing, while intended or actual assault or battery can lead to legal action. The Head Teacher and Governors of the school are committed to taking prompt and decisive action when excessive or prolonged aggressive and anti-social behaviour occurs.

The school expects its staff to behave professionally at all times and attempt to defuse difficult situations where possible, seeking the involvement where necessary of other colleagues. However, all staff have the right to feel safe and to work without fear of threats, violence or abuse. They have the right in extreme cases, of using appropriate self-defence in order to keep themselves safe.

The school expects parents, carers and other visitors to behave in a reasonable way towards school staff. This policy outlines the steps that will be taken where a person or persons' behaviour is unacceptable.

Unacceptable Behaviour

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

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

a. Loud, raised voices or shouting, either in person or over the phone.
b. Physically intimidating a member of staff or invading their own personal space [standing over or too close to them].
c. The use of aggressive or impolite hand or face gestures e.g. two raised fingers.
d. Threatening school staff
e. Showing or holding a fist towards another person
f. Writing abusive comments about a member of staff, whether through direct communication with the school or social media.
g. Abusive language and swearing
h. Pushing, spitting or tripping
i. Hitting e.g. slapping, punching or kicking
j. Racist, ageist or sexist comments
k. Breaking the school's security procedures
l. Written or verbal accusatory comments (refer to vexatious complaints/harassment)
m. Slanderous or libellous comments, whether through direct communication with the school or social media

Continuation of unacceptable behaviour will result in the Head Teacher, Governors, St Ralph Sherwin CMAT and the police being informed of the incident. The school and CMAT will look to prosecute any individual whose behaviour is deemed a criminal act.

Policy for Dealing with Persistent or Vexatious Complaints/Harassment in Schools

Introduction

The head teacher and staff deal with specific complaints as part of their day-to-day management of the school in accordance with the **School's Complaints Procedure.**

The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant.

However, there are occasions when complainants behave in an unreasonable manner when raising and/or pursuing concerns. The consequences are that the actions of the complainants begin to impact negatively on the day-to-day running of the school and directly or indirectly the overall well-being of the children or staff in the school. In these exceptional circumstances the school may take action in accordance with this policy.

Review date – December 2027

Trust vision

Growing in faith, serving with love. Transforming our world; together in Christ.

1. Aims of Policy

1.1 The aims of this policy are to:

- uphold the standards of courtesy and reasonableness that should characterise all communication between the school and persons who wish to express a concern or pursue a complaint;
- support the well-being of children, staff and everyone else who has legitimate interest in the work of the school, including governors and parents;
- deal fairly, honestly, openly and transparently with those who make persistent or vexatious complaints and those who harass members of staff in school while ensuring that other stakeholders suffer no detriment.

2. The school will:

- ensure that there is regular, proactive communication about your child's achievement and wellbeing
- respond to emails, phone calls or requests for meetings usually within [two / three] working days
- if there is an urgent matter, the school receptionist will ask an appropriate member of staff to deal with the issue as soon as possible
- display polite, professional conduct at all times

3. Our expectations of parents and carers

You will:

- ensure that any communication with the school, whether by email or telephone, is polite and respectful
- make use of information channels in place, such as the school website, for keeping up to date with routine information
- give an outline of what the issue is, to make sure the query is directed to the right person
- use the school mailbox or main reception telephone number as first point of contact (the school will forward your request to the appropriate staff member)
- ensure your emails are brief and clear
- refrain from sending multiple emails regarding the same query
- limit the number of people you send an email about a query
- understand that a teacher or member of staff may be unable to respond on the same day on which a query is made
- understand that teachers or other school staff will not respond outside of school hours, i.e., evenings or weekends

4. Who is a Persistent Complainant?

4.1 For the purpose of this policy, a persistent complainant is a parent/carer or member of the public who complains about issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of the school, and whose behaviour is unreasonable. Such behaviour may be characterised by:

a) actions which are obsessive, persistent, harassing, prolific, repetitious;
b) prolific correspondence or excessive e-mail or telephone contact about a concern or complaint;
c) uses Freedom of Information requests excessively and unreasonably
d) an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;
e) an insistence upon pursuing complaints in an unreasonable manner;
f) an insistence on only dealing with the head teacher on all occasions irrespective of the issue and the level of delegation in the school to deal with such matters;
g) an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the school because it is unlawful.

4.2 For the purpose of this policy, harassment is the unreasonable pursuit of such actions as in (a) to (g) above in such a way that they:

a) appear to be targeted over a significant period of time on one or more members of school staff and/or
b) cause on-going distress to individual member(s) of school staff and/or
c) have a significant adverse effect on the whole/parts of the school community and/or
d) are pursued in a manner which can be perceived as intimidating and oppressive by the recipient. This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, well-being and health.

5. The School's Actions in Cases of Persistent or Vexatious Complaints or Harassment

5.1 In the first instance the school will verbally inform the complainant that his / her behaviour is considered to be becoming unreasonable / unacceptable and, if it is not modified, action may be taken in accordance with this policy.

5.2 This will be confirmed in writing (Model Letter 1).

5.3 If the behaviour is not modified the school will take some or all of the following actions as necessary, having regard to the nature of the complainant's behaviour and the effect of this on the school community:

a) inform the complainant in writing that his/her behaviour is now considered by the school to be unreasonable/unacceptable and, therefore, to fall under the terms of this policy (see Model Letter 2);
b) inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties (see Model Letter 2);

c) inform the complainant that, except in emergencies, all routine communication with the complainant to the school should be by letter only (see Model Letter 2);

d) (in the case of physical, or verbal aggression) take advice from SRSCMAT HR / Legal Services John Walker : Solicitor, Data Protection Officer & Director and consider warning the complainant about being banned from the school site; or proceed straight to a temporary ban;

e) consider taking advice from SRSCMAT on pursuing a case under Anti-Harassment legislation;

f) consider taking advice from the HR / Legal Services of the Trust about putting in place a specific procedure for dealing with complaints from the complainant, i.e. the complainant will not be able to deal directly with the head teacher but only with a third person to be identified by the governing body of the school, who will investigate, determine whether or not the concern / complaint is reasonable or vexatious and then advise the head teacher accordingly.

5.4 Legitimate new complaints may still be considered even if the person making them is, or has been, subject to the Policy for Dealing with Persistent or Vexatious Complaints and/or Harassment in Schools. However, the school will be advised by the HR / Legal Services of the Trust.

5.5 If a complainant's persistent complaining/harassing behaviour is modified and is then resumed at a later date within a reasonable period of time, the school may resume the process identified above at an appropriate level. In these circumstances advice may be sought from the HR/Legal Services of the Trust.

Diffusing a situation

The following strategies may help staff to calm a situation and should be used whenever possible;

- Stand back and listen. Give the situation your full attention
- Speak in a quiet, slow and friendly voice
- Frequently summarise what is being said and the situation.
- Be aware of your body language eg do you smile where appropriate, look suitably engaged and open to hear the complaint
- Empathise where you can but be careful not to give them the means to use you in further conversations e.g. 'Miss X said…'
- Try to give them some indication of what is going to happen next

Procedure

Where a parent/guardian or a member of the public behaves in an unacceptable way to a member of staff both on and off school premises the following procedures should take place;

1. Staff should always seek to have another member of staff present if possible.

2. Where a person is being verbally aggressive, rude, racist or otherwise antisocial over the phone, the member of staff is encouraged to inform the person that the conversation is being placed on speakerphone to ensure the teacher has a witness to give account of the tone and content of the conversation. If the inappropriate conversation persists then the teacher should warn the caller in a polite and professional way that the conversation will be terminated unless there is an improvement. If the caller, still persists then the member of staff should tell the parent that they are putting down the phone in a polite and professional way and then replace the handset to terminate the conversation. If the member of staff feels confident that the person has calmed down sufficiently to have a reasonable conversation with them during the same day, they should contact them again at a mutually convenient time. If not, contact should resume 24 hours later.

3. Where a person is being verbally aggressive, rude, racist or antisocial in a face to face meeting, the member of staff is encouraged to inform the parent that the tone and/or content of the conversation is becoming inappropriate. If the inappropriate conversation persists then the teacher should warn the person in a polite and professional way that the conversation will be terminated unless there is an improvement. If the person, still persists then the member of staff should tell the parent that the conversation is now finished until the parent is calmer, the member of staff should walk away.

4. At all times the member of staff should seek to defuse the situation and try to speak in a calm and approachable way.

5. If a member of staff has experienced aggressive or anti-social behaviour they must seek to inform the Head or a senior member of staff as soon as possible after the event.

6. If the member of staff feels confident that the person has calmed down sufficiently to have a reasonable conversation with them, they should contact them again at a mutually convenient time. There should be another senior member of staff present with them for any face to face meetings.

7. If the member of staff feels that they are going to be subject to a difficult phone call or meeting they should inform their line manager and have them present at the time, with the call on speakerphone. It is important that staff do not expose themselves to unnecessary risk e.g. meeting taking place in an isolated part of the school.

8. Where an incident or conversation has had to be referred to the Head Teacher, the member of staff must make written notes of the event.

9. Where the Head teacher has been unable to resolve the issue he/she will need to make a thorough investigation into all the facts and write a detailed and accurate report for the Governors and Trust. The form shown as appendix 1 will need to be completed.

10. Where the Head Teacher and Governors, in liaison with the Trust, seek to ban a person or persons from the school site for a set period of time, they must also complete appendix 2. The person/persons being banned should be informed in writing. The letter should state the reason, consequences, set period of time and where they may go if they wish to appeal.

11. It is important that the member of staff who has experienced aggressive behaviour from a parent/guardian or member of the public should be given the opportunity to talk over events with their line manager and the Head Teacher and that they should be monitored after the event to see if there are any signs of stress or continuing fear.

12. Incidents occurring in the school need to be recorded and the Head Teacher and Senior Staff need to gauge whether there are any widespread or increased incidents that are occurring. If there are any increased trends appearing this in turn needs to be analysed and brought before the attention of the Governors.

13. In all cases of physical assault or threats of such action, these will be reported to the Police and Trust and will automatically result in a ban.

7. Review

7.1 The School will review as appropriate, and at a minimum once in a school year, any sanctions applied in the context of this policy.

Model Letter 1:

Initial Letter Informing a Complainant that His/Her Behaviour is Considered to Fall Below a Reasonable/ Acceptable Standard

Recorded Delivery

Dear

This letter is to inform you that the school considers your actions in *[describe actions, dates, behaviour]* on [date] when you *[details]* to be unreasonable/unacceptable *[delete as appropriate*].

We would ask you to bear in mind the fact that such behaviour on a school site can be disruptive and distressing to pupils, staff and parents/carers *[delete if behaviour complained of did not occur on school site e.g. persistent use of e-mail, verbally abusive telephone calls].*

We are aware that you have raised some concerns, and would advise you that these are usually dealt with most effectively through the School's Complaints Procedure.

At the moment we are dealing with these issues by *[describe actions being taken to resolve concern].*

Please note that the School's Policy for Dealing with Persistent or Vexatious Complaints/Harassment sets out standards of behaviour expected of all people in their dealings with the School. These include:

- behaving reasonably;
- treating others with courtesy and respect;
- resolving complaints using the School's Complaints Procedure;
- avoiding physical and verbal aggression at all times.

The Policy also indicates the steps that we may take if these standards are breached. These include:

- making special arrangements for meetings and communication with the school;
- considering a ban from the school premises;
- considering legal action.

I would ask that you allow school time to resolve the issues according to the correct procedures, and would assure you that we shall take every step to move this process forward as quickly as possible.

Yours sincerely

Headteacher

Model Letter2:

Informing a Complainant that His/Her Behaviour is Now Considered to Fall Under the Terms of the Policy for Dealing with Persistent or Vexatious Complaints/Harassment

Recorded Delivery

Dear

You will recall that I wrote to you on *[insert date]* telling you that I felt your behaviour was unreasonable.

I am now writing to inform you that in view of your behaviour on *[date]*, when you *[describe actions/behaviour]* it has been decided that the School's Policy for Dealing with Persistent or Vexatious Complaints/Harassment Policy will apply from the date of this letter.

In the circumstances I have made the following arrangements for your future contact with the school:

*[*Delete A or B as applicable]*

*A For the foreseeable future, should you wish to meet with any member of staff, I would ask you to note:

(a) all routine communication, including any request for a meeting between you and the school, will be by letter only. Letters from you need to be addressed to *[Staff Members name]* at the school address; email correspondence will not be responded to;
(b) an appointment will be arranged and confirmed in writing as soon as possible;
(b) a third party from the school will be present;
(c) in the interests of all parties, formal notes of this meeting may be made.

*B For the foreseeable future, all meetings arising from any written communication with the school will not be conducted by a member of staff, but will be conducted by *[Staff Members name]* representing the school. I would ask you to note:
(a) all routine communication, including any request for a meeting between you and the school, will be by letter only. Letters from you need to be addressed to *[Staff Members name]* at the school address; email correspondence will not be responded to;
(b) an appointment will be arranged and confirmed in writing as soon as possible;
(b) a third party will be present;
(c) in the interests of all parties, formal notes of this meeting may be made.

Exceptionally, these arrangements do not apply to any emergency involving *[insert name of pupil]* – in which case you should contact the school in the usual way.

While these arrangements are in place, with respect to normal access to information available on parents' evenings, this will be provided in a summary written report. These arrangements take effect straightaway. If you wish to make a representation about the contents of this letter, which may include any expressions of regret on your part and any assurances that you are prepared to give about your future good conduct, you can do so by writing to me at the school by *[state ten working days from the date of the letter].* If on receipt of your comments I consider that the arrangements outlined above should continue, you will be supplied with details of how to review a circumstance of your case.
I do hope that the difficulties we are currently experiencing can soon be resolved.

Yours sincerely

Headteacher

TEMPLATE LETTER TO PARENT – WARNING BEFORE IMPOSING BAN

INSERT NAME
ADDRESS
POSTCODE

DATE

Dear XXXX

I have received a report about your unacceptable behaviour on DATE(S) when I have been informed that you [SUMMARY OF INCIDENT(S), INCLUDING EFFECT UPONS STAFF, PUPILS OR OTHER PARENTS].

I must inform you that [NAME OF SCHOOL] will not tolerate conduct of this nature on its premises and will act to defend its teachers, members of staff, students and their parents, and other members of the school community.

Therefore, I am writing this letter as a formal warning. If I receive a further report of unacceptable conduct from you, I will have no option but to instigate the school's formal procedure to withdraw your permission to enter or be on the premises of [NAME OF SCHOOL].

A copy of the school's Communication Charter to remind you of acceptable behaviour has been attached along with our policy for Unacceptable Behaviour Policy.

I should warn you that, if your permission to enter or be on school premises is withdrawn, you can be removed from the premises by a police officer and you may be prosecuted under Section 547 of the Education Act 1996. If convicted under that section, you will be liable to a fine of up to £500.00 and have a criminal conviction recorded against you.

If you have any concerns about the school which have led to your unacceptable conduct, you should raise these with the school in accordance with the school's Complaints Policy, a copy of which is attached for your consideration.

Yours sincerely,

TEMPLATE LETTER TO PARENT – IMPOSING INTERIM BAN

INSERT NAME
ADDRESS
POSTCODE

DATE

Dear XXX

Further to my warning letter dated [DATE], I have received a further report about your unacceptable behaviour on [DATE] when it was alleged that you [SUMMARY OF INCIDENT, INCLUDING EFFECT UPON STAFF, PUPILS OR OTHER PARENTS].

[NAME OF SCHOOL] will not tolerate behaviour of this nature on its premises and will act to defend its teachers, members of staff, students and their parents, and other members of the school community. I am therefore instructing you that, for a temporary period, you are not to enter or be on the school's premises.

If you do not comply with this instruction, I shall arrange for a police officer to remove you from the premises, and 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 £500.00 and a criminal conviction will be recorded against you.

The withdrawal of permission for you to enter or be on the school premises takes effect immediately.

The Chair of Governors will need to decide whether my decision should be confirmed.

Before the review of my decision takes place, you have the opportunity to provide in writing any comments of your own in relation to the report of your conduct. These comments may include any concerns about the school which led to your unacceptable behaviour, expressions of regret on your part and any assurances you are prepared to give about your future good conduct.

To enable the Chair of Governors to review my decision at an early stage, you are asked to send any written comments you wish to make within [five school days] from the date of this letter, by [DATE]. The Chair of Governors will review my decision within [ten school days] of the date of this letter, whether or not any written comments are received from you.

If, after considering your written comments, the Chair of Governors takes the view that my decision should be confirmed, you will be provided with written details of when a further review of the decision will take place.

Until the review has taken place, you may bring your son/daughter/children to school and collect him/her/them at the end of the school day. Nevertheless, you must not go beyond the school gate or cross the boundary of the school premises.

If you wish to raise a complaint regarding this matter, please do so in line with the school's Complaints Policy, a copy of which is attached for your consideration.

Yours sincerely,

XXAppendix 1

Record of aggressive or anti-social behaviour

Head Teacher's name _____

Person or Persons involved _____

Date and time of incident _____

Relationship to child/children in the school _____

Child / children's name _____

Incident or Problem [please give as much detail as possible]

Further action or recommendation

Signature of person compiling report _____

Date _____

Appendix 2

Notice of an exclusion from St. Mary's school site

Name of person being denied access to the school.

_____

Names of members of staff who witnessed the abuse.

_____

People or bodies notified over the exclusion notice.

_____

Reason for the exclusion;

Length and dates of the exclusion;

From _____ To_____

Length of time _____

Head Teacher's signature _____

Chair of Governor's signature _____