



Policy for abusive or threatening behaviour on school premises

York is a city making history and its children are our future. Every child and young person in York deserves the chance to reach their full potential and live their dreams. We will stretch the most able, support those who start at a disadvantage, and protect and nurture the most vulnerable.

The Children and Young People's Plan 2009–2012 for the City of York

Policy on abusive or threatening behaviour on school premises

- All members of the school community have a right to expect that their school is a safe place in which to work and learn.
- Violence, threatening behaviour and abuse against school staff or other members of the school community will not be tolerated. There should be zero tolerance of such behaviour within the school.
- Where such behaviour does occur, action will be taken to deal with the person or persons concerned.

Action to be taken if an incident occurs

- **Incident report**

If an incident involving violence, threatening behaviour or abuse does occur 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. The pupil should read what has been written agree the contents and sign it.

- **Step 1: first warning**

The headteacher will speak to the person or persons perpetrating such an incident privately. (However, they may wish to have someone with them). It will be put to the person that such behaviour is unacceptable and an assurance will be sought that such an incident will not be repeated. It will be stressed on this occasion that repetition of such an incident will result in further more serious action being taken.

The headteacher will write to the adult(s) informing them that this conduct is unacceptable.

- **Step 2: final written warning**

If a second incident occurs involving the same person or persons, the Chair of Governors will write to the adult(s) giving a final warning that this abusive and threatening behaviour is unacceptable, and that a repetition of this conduct will leave the governors no option but to involve the local authority (LA) and / or the police. The process may be accelerated according to the level of behaviour.

- **Step 3: local authority ban letter**

If such an incident recurs, or if an initial incident is considered serious enough by the headteacher, the LA would be involved to enforce any action deemed necessary. This may result in a person or persons being excluded from school premises. The LA may consider taking legal action to enforce a ban. Therefore an assurance will need to be sought from members of the school community who witnessed the offence that they will be prepared to give evidence in court should the need arise.

- **Step 4: involvement of the local authority and police**

If following a decision to ban a person from the school premises, that person nevertheless persists in entering school premises and causes a nuisance or disturbance, such a person may be removed from the school premises as a trespasser and prosecuted under Section 547 of the Education Act 1996. They may also be charged with an offence under the Public Order Act 1986 or other such legislation (Appendix 2).

- All parents, even if excluded from school premises following action by the LA, have a right to be informed about their child's educational progress. This could be achieved through a meeting with the other parent or through a written report.

Appendix One

Abusive or threatening behaviour – incident report form

1. Details

Date of incident:

Day of the week:

Time:

Location:.....

2. Member of staff reporting incident

Name:

Position:

3. Details of person assaulted / verbally abused

Name:

Job / Position (if member of staff):

4. Details of trespasser / assailant / verbal abuser (if known)

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5. Witness(es) if any

Name:

Address:

.....

Other information / relationship between member of staff / abuser if any

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6. Details of incident (please attach witness statement)

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.....

Location of incident:

7. Outcome (see policy):

Step

Has abuser been involved in any previous incidents?

Name and contact details of police officer involved / incident number:

.....
.....

Form completed by :

Signed:

Date:

Please return to the Headteacher as soon as possible.

Appendix Two

This policy was drawn up using the DCSF guidance “Abusive behaviour on school premises” and the DCSF “Legal Toolkit for Schools”.

Police involvement would make reference to the Public Order Act 1986

(Criminal conduct / police remit)

Section 5 “Disorderly conduct” (paraphrased)

Verbal abuse, threatening abusive or insulting words or behaviour or any disorderly behaviour whereby a person is caused alarm, harassment or distress

Section 4 “Threatening behaviour”

A person fears that violence or threat of violence is likely to be provoked