



MANAGING CONFLICT ON SCHOOL SITE POLICY

APPROVED BY GOVERNORS	October 2020
TO BE REVIEWED BY	October 2023

MANAGING CONFLICT ON SCHOOL SITE

At Longmeadow Primary School, we feel that the safety of our pupils and members of staff is paramount to promoting their wellbeing, as well as promoting the best quality of education for all. This policy has been created with the aim of ensuring that all adults who have an 'implied licence' in terms of access to our premises do not engage in any inappropriate or harmful behaviour which may be damaging to the health and safety of pupils and / or staff.

The school has zero tolerance towards aggression and violence and will therefore use this policy in order to prevent and effectively control any disturbances caused by inappropriate behaviour.

1. LEGAL FRAMEWORK

1.1. This policy has due regard to the following legislation, including, but not limited to:

- [The Education Act 1996](#)

1.2. This policy also has due regard to the following guidance:

- [Controlling Access to School Premises \(Department for Education, 2018\)](#).

Under this guidance Longmeadow agrees that:

'Schools are private property. People do not have an automatic right to enter. Parents have an 'implied licence' to come on to school premises at certain times, for instance:

- *for appointments*
- *to attend a school event*
- *to drop off or pick up younger children*

Schools should set out their rules for this and tell parents what they are. Anyone who breaks those rules would be trespassing.' (DfE, 2018: p1).

2. RULES FOR ACCESS UNDER AN 'IMPLIED LICENCE':

2.1. The school recognises that adults have an implied licence to come on to the school property. The only times adults shall access our premises is:

- At the beginning of the school day.
- At the end of the school day.
- By appointment or invitation.

2.2. As our school is classed as private property, any adult who breaches these access limitations is deemed to be trespassing. Trespassing is a civil offence. This means that schools can ask someone to leave and take civil action in the courts if someone trespasses regularly. Longmeadow will inform regular trespassers to tell them that they are potentially committing an offence.

2.3. The DfE guidance (2018) makes it clear that:

'Schools can bar someone from the premises if they feel that their aggressive, abusive or insulting behaviour or language is a risk to staff or pupils. It's enough for a member of staff or a pupil to feel threatened.' (DfE, 2018: p.1)

2.4. The school may decide that certain behaviour conducted by adults, such as inappropriate language and aggressive or insulting behaviour, could pose a risk to pupils and staff and, as a result, may result in the individual being barred from our property. Longmeadow and its Governors will always seek to ensure that staff and pupils feel safe at our school.

3. TYPES OF INAPPROPRIATE BEHAVIOUR

3.1. The school takes instances of inappropriate behaviour very seriously and will not tolerate any circumstances which may make our pupils or members of staff feel threatened. A perceived threat, or any action which makes another individual feel threatened, can be enough to bar the adult from the premises. Staff perceiving adults to be behaving aggressively is enough evidence for senior staff to support.

3.2. The following are examples of inappropriate behaviour which may result in sanctions being issued against the individual:

- Trespassing on school property without prior permission.
- Causing intentional damage to school property.
- Breaching the school's security procedures.
- Verbal abuse: swearing, talking in an aggressive manner, using offensive language or raising their voice at another individual.
- Making racist or sexual comments.
- Using aggressive hand gestures: raising fists, fingers, pointing in another's face.
- Physical violence: hitting, slapping, punching, kicking and pushing.
- Physically intimidating an individual such as by standing in very close proximity to him/her.
- Overly unnecessary physical contact with an individual.
- Writing or emailing abusive comments regarding an individual, including on social media and / or repeatedly emailing an individual.
- Psychological harassment: displaying vexatious behaviour which is humiliating for the individual and is damaging to their self-esteem. This can be conducted through repeated instances of any of the above.

NB. This list is not exhaustive and displays only common examples of unacceptable behaviour. The school recognises there may be other examples of insulting behaviour which cause harm to an individual and these will be dealt with following the process outlined in this policy.

4. PREVENTING INAPPROPRIATE BEHAVIOUR

4.1. The school understands that there are certain measures which can be taken to significantly reduce the potential harm to members of staff and pupils.

4.2. All members of staff will be aware of how to keep themselves safe as part of school STEPs training, in order for them to be able to:

- Recognise conflict before it leads to aggression.
- Effectively manage and diffuse conflict on site.
- Recognise verbal and non-verbal indicators which may lead to conflict.
- Develop their confidence in managing conflict and the resulting stress.
- Minimise the risk of an individual experiencing harm due to conflict / aggression.
- Seek support from senior members of staff where necessary.

5. Managing inappropriate behaviour

5.1. In the instance of inappropriate behaviour, the school will follow a number of procedures, depending on the severity of the situation.

5.2. In the first instance, the adult who is creating a nuisance or disturbance will be asked to leave the premises or will be invited into a separate room to take some time out and meet with a member of the senior leadership team.

5.3. If the adult has been previously barred from the premises, or has exceeded their implied licence and is causing a disturbance, the school will contact the police in order for the individual to be removed from the premises.

5.4. The school will also contact the police in the event of any serious aggression, violence and assault, and in the event of any actual harm caused to an individual. Refusal to work with school staff may also result in the police being contacted.

5.5. Instances of inappropriate behaviour will be recorded in writing by all members of staff involved on the schools CPOMs system and the headteacher will be alerted.

5.6. The headteacher will invite the individual to attend a meeting in which to discuss their inappropriate behaviour and explain that further disturbance may result in the individual being barred from the premises. This meeting may be delegated to a member of the senior leadership team.

5.7. If disturbance continues after meeting with the headteacher (or representative), or where there is a one-off extreme case of violence, the school has the power to bar the individual from entering the school property for a limited time, subject to review. (DfE, 2018: p.4)

5.8 If the individual refuses to meet with either a member of the SLT or the headteacher then the police will be called. If the police are required to attend the school grounds then this will result in an automated ban from the school site due to the detriment this will cause to the reputation of the school.

5.9. Prior to barring an individual, the following process will be followed:

- The headteacher (or representative) will warn the individual in writing explaining why the incident was unacceptable, informing them that the governing body and LA will consider barring them and when this decision will be made. In certain circumstances, particularly in incidences when the police have attended the setting; the governors may make the decision to immediately bar them from the school premises due to the detrimental impact this has to the reputation of the school. This will be communicated in writing.
- The letter will also give the adult a chance of a review of the circumstances by contacting the chair of governors to express their views. If necessary, the school's complaints procedure will be followed in accordance with the Complaints Policy.
- If a bar has been conducted due to a serious assault, a statement will also be given to the individual indicating that the local council and police have been informed.
- Responsibilities remain with parents to ensure children attend school on time with good levels of punctuality. If necessary, the headteacher (or representative) will clarify any arrangements for collecting, or delivering pupils to, the school gates. This will be communicated clearly to the individual.
- All bars will be reviewed by the headteacher, governing body and LA on a termly basis, and will take into account any subsequent patterns of behaviour.
- If the school decides to allow the adult back on to the premises, the individual will be informed of this in writing, following a meeting with a member of the Governing Board and the Headteacher (or representative).
- Any adults wishing to complain about being barred can do so by following the school's complaints procedure.
- If an adult wishes to lodge a further appeal, complaints cannot be escalated to the DfE; the only remaining avenue of appeal is through the Courts and therefore, independent legal advice must be sought.²
- Example letters are found in Appendices B to G. These will be adapted to meet the specific circumstances of individual events.

5.9. The school understands that parents retain the right to an annual consultation about the educational progress of their child(ren); however, the headteacher (or representative) will decide who will be present at this meeting and determine its location / how this meeting is conducted.

6. Monitoring and review

This policy will be reviewed on a three yearly basis by the headteacher, who will make any necessary changes and communicate this to all staff.

2 DfE (2016) 'Best Practice Advice for School Complaints Procedures 2016', p.14

APPENDIX B

BAN LETTER-1

Letter to Parent with child/ren at the school

RECORDED DELIVERY

Dear Sir/Madam,

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

[Add summary of the incident and of its effect on staff, pupils, other parents.]

I am writing to inform you that the Governors will not tolerate conduct of this nature on its premises and will act to defend its staff and pupils. I am therefore instructing that you are not to reappear on the premises of the school for a temporary period. If you do not comply with this instruction, I shall 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.

The Governors will take steps to review the continuance of this decision on [date] at the end of the [term] in preparation for the [term]. When deciding whether it is necessary to extend the withdrawal of permission to come onto the school's premises, Governors will take into account the extent of your compliance with the decision, any appropriate expressions of regret and assurance of future good conduct received from yourself 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 a review of the circumstances of this case by contacting the Chair of Governors. I am further requesting that any contact with the school is conducted via email or in writing and have instructed staff not to discuss matters with you via telephone.

Yours faithfully

APPENDIX C
BAN LETTER-1(a)

Letter to member of the public

RECORDED DELIVERY

Dear Sir/Madam,

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

[Add summary of the incident and of its effect on staff, pupils, other parents.]

I must inform you that Longmeadow Primary School will not tolerate conduct of this nature on its premises and will act to defend its staff and pupils. I am therefore instructing that you are not to reappear on the premises of the school. If you do not comply with this instruction I shall arrange for you to be removed from the premises and prosecuted under Section 547 of the Education Act 1996. If convicted, you are liable to a fine of up to £500.

Yours faithfully,

APPENDIX D
BAN LETTER 2

Letter to parent with child/ren at the school

RECORDED DELIVERY

Dear Sir/Madam,

On (give date) I wrote to you informing you that I had withdrawn permission for you to come onto the premises of Longmeadow Primary School. 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 (give date).

I have not received a written response from you / I have now received a letter from you dated (insert date), the contents of which I have noted. (delete either sentence as appropriate).

In the circumstances, and after further consideration of the initial 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 my prior knowledge and/or approval. If you do not comply with this instruction I shall arrange for you to be removed from the premises and prosecuted under Section 547 of the Education Act 1996. If convicted, you are liable to a fine of up to £500.

Notwithstanding this decision myself and the staff at Longmeadow Primary School remain committed to the education of your child/children (delete as appropriate), who must continue to attend school as normal under the arrangements set out in my previous letter.

The school will take steps to review the continuance of this decision on (give date). When deciding whether it is necessary to extend the withdrawal of permission to come onto the school's premises, I will take into account the extent of your compliance with the decision, any appropriate expressions of regret and assurance of future good conduct received from yourself and any evidence of your co-operation with the school in other respects.

[Include where the incident has arisen within the context of a parental complaint against the School:]

Finally I would advise you that your complaint that (give brief details) will be considered under the appropriate stage of the school's complaints procedure. You will be contacted about this in due course.

If you wish to pursue the matter further, you have a right to a review of the circumstances of this case by contacting the Chair of Governors.

Yours faithfully,

APPENDIX E
BAN LETTER 3

Letter to parent with child/ren at the school

RECORDED DELIVERY

Dear Sir/Madam,

I wrote to you on (give date) withdrawing permission for you to come onto the premises of Longmeadow Primary School until further notice. In that letter I also advised you that I would take steps to review this decision on (give date).

I have now completed the review. However, after consultation, I have determined that it is not yet appropriate for me to withdraw my decision. (Give a brief summary of reasons.) I therefore advise that the instruction that you are not to come onto the premises of the school without my prior knowledge and approval remains in place until further notice.

I shall undertake a further review of this decision on (give date).

If you are dissatisfied with this decision because you consider it to be unfair, or not to have been made in a correct way, or believe there has been a case of maladministration, you have a right to a further review by the Local Government Ombudsman. They can be contacted at:

21 Queen Anne's Gate
London
SW1H 9BU

Or alternatively on 020 7915 3210.

Yours faithfully,

APPENDIX F
UNBAN LETTER 1

RECORDED DELIVERY

Dear Sir/Madam,

On (insert date) I wrote to you informing you that I had temporarily withdrawn permission for you to come onto the premises of Longmeadow Primary School. To enable me to determine whether to confirm this decision for a longer period, I gave you the opportunity to let me have your written comments on this incident by (insert date).

I have not received a written response from you / I have now received a letter from you dated (insert date), the contents of which I have noted. (delete either sentence as appropriate).

[However] In the circumstances, and after consulting with the Governing Body, I have decided that it is not necessary to confirm the decision, and I am therefore restoring to you the permission to come onto the school premises, with immediate effect.

Nevertheless I remain very concerned at the incident which occurred on (insert date), and I must warn you that if there is any repetition of your behaviour on that occasion, I shall not hesitate to withdraw permission for you to come onto the premises again.

Yours sincerely,

APPENDIX G
UNBAN LETTER 2

RECORDED DELIVERY

Dear Sir/Madam,

I wrote to you on (give date) informing you that I had withdrawn permission for you to come onto the premises of Longmeadow Primary School until further notice. In that letter I also advised you that I would take steps to review this decision on (give date).

I have now completed the review. After consultation with the Governing Body, I have decided that it is now appropriate to change that decision and I am therefore restoring to you the permission to come onto the school premises, with immediate effect.

I trust that you can now be relied upon to act in full co-operation with the school and that there will be no further difficulties of the kind which made it necessary for me to prevent you entering the premises. I should point out that if there is any repetition of your behaviour, I shall not hesitate to withdraw permission for you to come onto the premises again.

Yours sincerely,