



Unreasonable Behaviour Policy and Procedure

Hayward's Primary School



Written by:

Devon County Council Model Policy
adapted by Hayward's Primary
School

Signed:

Approved by Governors:

Next review due by:

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Introduction

At Hayward's Primary School we recognise that parents and carers are the single biggest influence on their children and their achievements. We are therefore committed to building positive and responsive relationships with parents and carers so that together we can ensure that our young people get the most out of their time at Hayward's.

All members of the school community have a right to expect that their school is a safe place. We encourage partnerships with our parents and carers and work hard to maintain mutual respect and recognition of shared responsibility for the children. However, very occasionally, parents' or carers' behaviour can be disruptive, abusive or aggressive. This will not be tolerated.

This policy relates to unreasonable behaviour that is connected to an ongoing concern or complaint which an individual has raised with the school. It also refers to behaviour that is not connected to a complaint. This policy applies to all those that engage with the school, including parents, carers and visitors. 'Parent' below refers to any of these individuals.

Unreasonable behaviour linked to a complaint

We are committed to resolving difficulties in a constructive manner, through an open and positive dialogue. However, we understand that everyday issues can cause frustrations and have a negative impact on our relationships. Where concerns arise there are a number of avenues which can be followed. You could:

- Ask to speak to your child's class teacher. Please understand that this may not be something that occurs immediately, due to the teacher having class-based responsibilities, but they will aim to speak with you before the end of the day.
- Contact the office by email (office@haywards.devon.sch.uk) addressing this to the member of staff that you would like to speak with. Again, the member of staff will aim to speak with you before the end of the day or communicate with you by telephone or email.
- Speak with Mr Smith, Mrs Bedford, Mrs Seller or Miss Raychell (Family Support Worker) who are based on the entrance gates to the school at the start or the end of the day.

Where issues remain unresolved, please follow the school's complaints procedure. This is available on the school website or a copy can be requested from the school office.

Hayward's is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, especially that which is abusive, offensive or threatening, whether it occurs on the school site or elsewhere.

Hayward's defines unreasonable behaviour as that which hinders our consideration of complaints, or ability to communicate with an individual effectively, such as if the complainant or individual:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought, despite offers of assistance

- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information or questions and insists on a rapid response
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff in person, in writing, by email and/or by telephone
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence

Whenever possible, the headteacher or chair of the governing board will discuss any concerns with the complainant informally before considering the behaviour 'unreasonable'.

Complainants should try to limit their complaint-related communication with the school while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

Other Unreasonable Behaviour

Hayward's is also committed to protecting the school community from unacceptable behaviour, whether or not it is linked to a complaint. This behaviour may include, but is not limited to:

- Disrupting, or threatening to disrupt, school operations (including events on the school grounds and sports team matches)
- Swearing, or using offensive language
- Displaying a temper, or shouting at members of staff, pupils or other parents
- Behaving in a manner which is perceived to be intimidating
- Threatening another member of the school community
- Damaging or destroying school property.
- Making racist, sexist, Lesbian, Bisexual, Gay and Transgender (LBGT+) or other discriminatory comments
- Sending abusive messages to another member of the school community, including via text, email, voicemail or social media
- Posting defamatory, offensive or derogatory comments about the school, its staff or any member of its community, on social media platforms

- Recording conversations, without the express consent of all people present (this can be during face-to-face conversations or via the telephone or an online platform such as MS Teams or Google Meet)
- Use of physical punishment against your child while on school premises
- Any aggressive behaviour (including verbally or in writing) towards another child or adult
- Aggressive behaviour between families on the school site
- Accessing the school site without the office/or a designated member of staff opening the gates
- Approaching someone else's child in order to discuss or chastise them because of the actions of this child towards their own child. (Such an approach to a child may be seen to be an assault on that child and may have legal consequences). Please bring these concerns to a member of staff's attention
- Smoking, vaping or drinking alcohol on the school premises (unless alcohol has been allowed at a specific event) or being under the influence of alcohol or drugs on the school site
- Possessing or taking drugs (including legal highs)
- Bringing dogs onto the school premises (other than guide dogs)

Sanctions

In response to any serious incident of aggression or violence, we will consider barring an individual from school premises. Schools are not public places and although parents and carers have rights to enter school premises for legitimate purposes, the Education Act of 1996 states that it is an offence for a trespasser on school premises to cause a nuisance or disturbance. The school is entitled to withdraw the implied right of a parent or carer to enter the school if that parent or carer is violent or aggressive. If the parent or carer then enters the premises, they are in breach of the law, and they can be prosecuted in the criminal courts.

The headteacher will decide whether the behaviour merits proposing a premises ban.

Behaviour which can lead to a ban includes:

1. Physical or verbal threats towards staff, pupils, or other parents
2. actual violence,
3. damage to property
4. refusal to leave when asked
5. disruption of the running of the school
6. general abusiveness

In extreme circumstances, i.e. if the incident is considered to be very serious, then s/he can issue an immediate short-term ban.

If the issue presents a less immediate threat, then the headteacher can issue a warning letter which states that repeats of such behaviour will likely result in a ban. A warning letter may be triggered by an emerging pattern of behaviour, rather than a single incident.

The school will write to the parent/carer or individual setting out:

- what has happened and why it is unacceptable
- that the school will consider banning the parent/carer from the school premises
- give the parent/carer 5 working days to respond in writing if required
- state the length of the proposed ban and give a review date

Following the letter being sent, some (or all) of the following steps may be followed. The precise process is at the headteacher's discretion, based on the situation.

- The headteacher will decide whether to ban the parent/carer
- The parent/carer will be informed in writing within 3 days of the decision taken
- The terms of any ban will be clear, with explicit paths of communication between the school and the parent. Pick up and drop off arrangements for children will be taken into consideration
- A date for the review will be given, which will take account of what has happened in the interim period
- If no further concerns have arisen regarding the parent's behaviour, a meeting date will be set which will seek to re-establish a productive working relationship between the school and the parent/carer

If a parent/carer wishes to appeal against a ban, they may do so in writing (following the complaints procedure). The first stage of this appeal will be undertaken by an appointed governor who would invite the headteacher to review the matter with a view to lifting the ban. If the outcome to this stage is that the ban is still in place, then the parent may appeal further to a panel of governors according to the usual complaints process.

In extreme cases (for example, an assault on a member of staff), the headteacher may feel that there is no alternative but to impose a lengthy or permanent ban.

Involvement of the Police

In the event of someone being banned from the school site, the police will be notified.

In criminal cases the headteacher will inform the police and will contact the school's legal advisors (DCC Solicitors in maintained schools).

Governor oversight

Any incidents of unacceptable behaviour resulting in a warning letter or premises ban, whether arising from a complaint or otherwise, will be reported to the governing body.