



Staploe Education Trust:
Primary Schools

Controlling Access to School Premises Policy

This policy applies to Kennett, The Shade and The Weatheralls Primary Schools	
Version:	2.0
Author:	Headteachers
Approved by:	Advisory Bodies
Date:	Summer 2021
Review date:	Summer 2024

Overview

Kennett, The Shade and The Weatheralls Primary Schools endeavour to communicate effectively with parents and carers. We aim to develop trusting relationships, where parents and carers feel comfortable raising issues in school. This ensures that they do not become a serious concern or cause unwanted anger or upset. This policy is a last resort, if previous communication has broken down or a one-off incident results in anti-social behaviour on school premises.

Who can access school premises?

Schools are private places, even though they serve a public function. Parents and carers of pupils on the school roll have an implied license to enter school premises. This means parents and carers of enrolled pupils can access school premises at certain stated times, for example, a playground at the beginning and end of the school day.

Under section 576 Education Act 1976, parent includes a child's natural parents, anyone with Parental Responsibility for the child or anyone who is caring for the child. The public has no automatic right of entry onto school premises.

When can parents and carers be banned?

It is for schools to define the extent of access to the school premises. If a parent or carer exceeds this it could be considered trespass. Trespass is a civil offence and schools can take court action if an individual repeatedly trespasses onto school premises.

The school has the power to withdraw the license to enter school premises if a parent or carer is using abusive or insulting language, or behaving in any other manner that presents a risk to staff or pupils. It is enough for staff to feel threatened by this behaviour.

What is the procedure when considering imposing a ban?

If the ban relates to a specific event, the Headteacher will ask witnesses to independently complete and submit signed, dated incident reports. Incident reports will be completed as soon as possible after the incident. Incident reports will be essential if court action is pursued. The incident report form ([Appendix 1](#)) will be used. The Headteacher will make it clear that incident reports *may* be shared with the alleged perpetrator. If witnesses are not willing to submit their incident reports, the Headteacher will consider the case based on the submitted evidence.

Once the Headteacher has considered submitted incident reports, they will determine whether it is appropriate for: no further action; a warning letter ([Model Letter One](#)); a temporary ban ([Model Letter Two](#)) or a fixed-term ban from the premises is to be issued ([Model Letter Three](#)). The Headteacher will discuss the incident and agree an appropriate course of action with the Executive Headteacher. Consideration will be given to determine whether legal advice needs to be sought at this time.

What will happen when a temporary or fixed-term ban from school premises is imposed?

The headteacher will write a letter to the parent or carer stating that they are being banned from the premises. In the first instance, a temporary ban will be implemented to allow parents and carers time to respond or find representation. Parents and carers will be given a reasonable opportunity to make representations. Following the issue of a temporary ban, there may be need to progress to a fixed-term ban from the premises. If this is the case, notification of the fixed-term ban will be communicated to the relevant party in writing.

When imposing a ban, the Headteacher will share: the procedures that a parent or carer should follow if they wish to raise concerns about their child with a member of staff; how the school will keep them informed and how the school will view attendance at events such as school plays, sports day or parent consultations.

How can the ban be removed?

Any ban will be subject to review within a reasonable, pre-determined time scale. Parents and carers are invited to make written representations to the school if it is felt that the ban is no longer necessary. It is important that written representation demonstrates why the reasons that the ban was first put in place no longer apply. Once the period that the ban was enforced has elapsed and it is deemed that it is appropriate to formally lift the ban, this will be communicated to the parent or carer in writing ([Model Letter Four](#)).

Can there be criminal consequences to breaching a banning order?

Under section 547 Education Act 1996, it is a criminal offence for a person who is on school premises without lawful authority to cause or permit a nuisance or disturbance.

Therefore, if a parent or carer has been banned and still accesses school premises and caused or allowed a nuisance or disturbance to occur, they may be guilty of a criminal offence. The police would have power to remove the parent or carer from the school in this situation.

A parent or carer of a child attending a school normally has implied permission to be on the school's premises at certain times and for certain purposes, but if a parent or carer's behaviour is unreasonable this permission may be withdrawn, and they will be viewed as a trespasser and may be guilty of a criminal offence.

Advice and Assistance

Kennett, The Shade or The Weatheralls Primary School - with support from the Staploe Education Trust - may seek advice from a solicitor and receive guidance on writing to parents or carers where it becomes necessary to implement a ban.

In the event of a parent, carer or other person becoming aggressive or violent, Trust schools will not hesitate to contact the police using 999. When the situation does not require an immediate police response, but there is prior knowledge that gives rise to

grounds for concern, the Headteacher may contact the police via the non-emergency number 101.

Where appropriate, advice may be sought from the Local Education Authority to discuss and agree an appropriate way to proceed.

Policy Review

This policy will normally be reviewed on a 3-year cycle. This review may be brought forward as required by the School or Trust to reflect changes in supporting advice/guidance.

Appendix 1: Incident Report Form

This includes trespass, nuisance or disturbance on school premises, verbal abuse, sexual or racial abuse, threats, aggression, physical violence and intentional damage to personal property.

This form should be completed as fully as possible (please use a continuation sheet if necessary). For an incident involving or witnessed by a pupil, a member of staff should complete the form on their behalf. However, any discussion between one witness and another should not precede completion of the form, as this might lead to allegations of collusion.

Date of Incident:		Time of Incident	
Adult reporting incident			
Address of Adult			
Position			
Name of Victim			
Address of Victim			
Position			

Name of Perpetrator	
Address of Perpetrator	
Position	

Location of incident

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Relationships between Victim and perpetrator *if any*

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Details of incident

If trespass, was the trespasser causing a nuisance or disturbance and how; if assault, give details of any injury suffered, treatment received etc

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Other Details

Describe incident, including, where relevant, events leading up to it; relevant details of victim/perpetrator not given above; if a weapon was involved, who else was present.

Outcome

(e.g. Whether police called; whether trespasser was removed from premises under section 547; whether parents contact; what happened after the incident; any legal action)

Other information (to be completed as appropriate)

Possible contributory factors, is perpetrator known, previous incidents, if so date and details, measures taken to prevent an incident of this type occurring?

Police Details

Name and contact details of police officer involved, and incident number or crime reference number, as appropriate.

Name of Person completing form	
Signature	
Date:	

Appendix 2: Model Letters

Model Letter 1 - Warning Letter from Headteacher/Head of School

Dear

Re. Your conduct on school premises on (insert date)

I refer to the incident that took place on school premises today (or insert relevant day) when you (insert details of the incident).

If the Headteacher/Head of School did not witness the incident they may wish to use the following text: I have considered the witness accounts of the incident, (if relevant: including your own), and it would appear (insert details of incident).

Your behaviour falls short of the standard of conduct expected of those visiting the school. I must therefore warn you that if you are involved in a similar incident again, you will leave me with no alternative other than to ban you from coming onto the school site without my written permission. I do hope that this will not be necessary and that I can rely on your co-operation in this matter.

Yours sincerely

Headteacher

Model Letter 2 – Temporary Ban from School Premises; whilst Obtaining the Parent's Account and Views from SLT

Dear

Your conduct on school premises on (insert date)

I refer to the incident that took place on school premises today *(or insert relevant day)* when you *(insert details of the incident)*

If the Headteacher did not witness the incident, the following text may be used: I have considered the witness accounts of the incident, (if relevant: including your own), and it would appear (insert details of incident).

Your behaviour falls short of the standard of conduct expected of those visiting the school.

(Omit if this is a first incident - As you will remember, I have previously warned you about your behaviour when I wrote to you on (date)). I have considered the matter very carefully and have decided that you should not be allowed on to the school premises from now until (insert date). During that time I will review the situation. Before I make a final decision you may, if you wish, write to me to give me any further information you want me to take into consideration. You have until (insert date) to write to me.

If you need to speak to me or a member of staff about any matter, please telephone and I will make the necessary arrangements and confirm them to you in writing. You will not be allowed to come onto the school site unless you have a letter from me giving you authorisation.

If you do not comply with this ban, you will be guilty of causing a nuisance or disturbance on educational premises. This is a criminal offence under section 547 of the Education Act 1996. If you were to commit this offence, you would be liable to prosecution in the magistrates' court. If you were to be convicted, you would be liable to a fine and a criminal conviction. I regret that I have had to take this action and hope that I can rely on your co-operation.

Yours sincerely

Headteacher

Model Letter 3 – Fixed Term Ban from School Premises for Specified Period from Headteacher

Dear

Your conduct on school premises on (insert date)

I refer to the incident that took place on school premises on (insert relevant day) when you (*insert details of the incident*). In my letter dated (*insert date*), I referred to my intention to ban you from the premises and I invited you to make representations to me about this.

I have considered the points you have made to me and I have decided to proceed with the ban for a period of (*insert number of weeks or an indefinite period*), until (*insert date*) after which the ban will be reviewed by the Chair of the Advisory Body and myself. I will write to you again when this review is going to take place so that you may make written representations, which we will take into account. When we have made our decision, I shall write to you to inform you of it together with our reasons.

If you need to speak to me or a member of staff about any matter, please telephone and I will make the necessary arrangements and confirm them to you in writing. You will not be allowed to come onto the school site unless you have a letter from me giving you authorisation.

If you do not comply with this ban, you will be guilty of causing a nuisance or disturbance on educational premises. This is a criminal offence under section 547 of the Education Act 1996. If you were to commit this offence, you would be liable to prosecution in the magistrates' court. If you were to be convicted, you would be liable to a fine and a criminal conviction.

I regret that I have had to take this action and hope that I can rely on your cooperation.

Yours sincerely

Headteacher

Model Letter 4 - Unban from School Premises from Headteacher

Dear

Your conduct on school premises on (insert date)

On *(insert date)* I wrote to you informing you that, I had temporarily withdrawn permission for you to come onto the school premises. 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, *(insert detail)* I have decided to restore 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 premise again.

Yours sincerely

Headteacher