



Unacceptable Conduct and Parental Dispute Policy

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Unacceptable Conduct

OAK Multi Academy Trust is a place where children, their parents/carers and our staff are entitled to feel safe and free from harm or abuse. Relationships between staff and parents/carers should demonstrate mutual respect and reflect the shared responsibility for pupils' wellbeing.

The vast majority of parents, carers and visitors to the schools within our trust demonstrate positive behaviour. However, on rare occasions, individuals behave in a way which is unacceptable. This can include aggressive behaviour, verbal or physical abuse, or harassment, towards members of staff or members of the wider school community. Abusive behaviour towards trust staff or the wider school community will not be tolerated. We follow our Trust Communication Charter, contained at Appendix 1 of this policy.

If a parent/carer behaves in an aggressive, harassing or otherwise abusive manner towards a member of the trust community, the Headteacher of the relevant school or a member of Senior Leadership Team will initially seek to resolve the situation through discussion and mediation. If the parent/carer wishes to do so, the trust complaints procedure may also be implemented.

Inappropriate conduct or behaviour also includes: disrupting, or threatening to disrupt, school operations (including events on the school grounds and sports team matches; sending abusive messages to another member of the school community, including via text, email or social media; posting defamatory, offensive or derogatory comments about the school, its staff or any member of its community, on social media platforms; use of physical punishment against your child while on school premises; disciplining another person's child; smoking, vaping or drinking alcohol on the school premises (unless alcohol has been allowed at a specific event); possessing or taking drugs (including legal highs)

Incidents of unacceptable conduct or threatening/violent behaviour may be documented by staff on an incident report form. The template of this form is available at Appendix 2. Where appropriate, a risk assessment may also be undertaken in order to identify and assess any potential risk to staff or wider school community members and to determine and implement an appropriate course of action.

Where all procedures in the Communication Charter have been exhausted, and aggression or intimidation continues, or where there is an extreme act of violence or aggression, a parent or carer may be banned by the Headteacher from the school premises for a period of time, subject to review.

In imposing a ban, the following steps will be taken:

- the parent/carer will be informed, in writing, that she/he is banned from the premises, subject to review, and what will happen if the ban is breached, e.g., that police involvement or an injunction application may follow;

- where an assault has led to a ban, a statement indicating that the matter has been reported to the local authority and the police will be included;
- the chair of the Governing body will be informed of the ban;
- where appropriate, arrangements for pupils being delivered to, and collected from the school gate will be clarified

Should a parent/carer attend school grounds while a ban is in place, the school may call the police to remove the person under s547 of the Education Act 1996.

Parental Dispute

Parental Responsibility (PR) is defined within the Children Act 1989 as: "All the legal rights, duties, powers, responsibilities and authority a parent has for the child and the child's property". Both parents may exercise their rights and responsibilities for the child. A Child Arrangements Order can also share PR with a person specified in that Order.

Information provided to the school on enrolment, detailing who has PR and the address or addresses of that pupil, is presumed to be correct unless an original Birth Certificate or Court Order is provided to us demonstrating otherwise.

PR can be applied jointly and severally. In practice, this means that parents can act in agreement to make decisions, or they can act independently and separately. OAK Multi Academy Trust does not have the legal authority to act at the request of one parent to restrict the other, unless we have been provided with a Court Order allowing for this, such as a Prohibited Steps Order or a Specific Issue Order. This applies to consents and to information sharing. If such an Order is made, it is the responsibility of the parents to inform the school and provide relevant documentation to us.

OAK Multi Academy Trust expects all parents to adhere to your relevant school's Code of Conduct. Complexities can arise where there is a parental dispute and parents hold different views about what is in the best interests of their child. The trust will focus on the welfare of the pupil as being paramount. In the absence of a Court Order, parents are responsible for resolving conflicts between themselves and it is not appropriate for the school or trust to intervene in disputes within families other than where our involvement is necessary for safeguarding.

The trust will balance requests of parents with our statutory duties – having parental responsibility does not allow a parent to obstruct the trust from carrying out our duties under legislation, including the effective provision of education or meeting our welfare and safeguarding obligations to a pupil.

If there has been a serious breakdown in the relationship between child and parent, or where there is a risk of domestic abuse or other such factor, it may be necessary for the trust to limit information shared or consent for some activities. Where parental consent is required

for outings, activities or residential trips, the relevant school will seek consent from the resident parent.

Pupils over 13 years of age

With regard to information sharing with parents, under the principles of UK GDPR and the Data Protection Act 2018, pupils from the age of 13 onwards may assert control over their personal data and restrict access to it. The Data Protection Act states that when a child is aged 13 years and has sufficient capacity, they should be directly consulted about issues that relate to the sharing and use of their personal data. Parents are, however, permitted to request access to a pupil's educational record, up until the age of 18. Where consent is not given by the pupil, this may be a limited amount of data. The guidance is clear that non-resident parents should have access to exam outcomes. However, there may be exceptional circumstances where this is withheld.

This policy will be reviewed every 12 months but may be revised as necessary.

Appendix I: Trust Communication Charter

Communication between home and school is vital to good communications and for the well-being of pupils, parents, carers and staff.

This Charter sets out how communication will be managed to make sure it is productive.

In addition to parents' evenings, school events, etc., there may be occasions when parents or carers wish to communicate with the school directly with questions or information related to their child.

To make sure that this is effective these principles will be applied.

If an emergency situation arises, it is important that you contact us as soon as possible and explain what has or is happening.

Our commitment as a trust

We 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 three working days;
- if there is an urgent matter, the relevant 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;
- acknowledge receipt of an email – and confirm that a fuller response will be sent within two/three working days.

Our expectations of parents and carers

You will:

- ensure that any communication with the school or wider trust, whether by email or telephone, is polite and respectful;
- make use of information channels in place, such as the school or trust 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 office email 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

If there is an in-person meeting, everyone must show mutual respect. The meeting will focus on resolving the issues that are relevant to that family or pupil.

No offensive language, insults or personal attacks on school staff will be tolerated. If any such incidents occur, the meeting or call can be terminated with immediate effect.

A parent, carer or pupil may only record a meeting or conversation with the express permission of all parties to that call or meeting.

The constraints on school resources make it essential that parents and carers use authorised school procedures in order to avoid diverting time and attention that must be invested directly in pupils' learning and wellbeing.

Please note that unreasonable, abusive or offensive communication is unacceptable, and the trust reserves the right to address any such problems as they feel are appropriate. This can include restricting correspondence to a specified email address, using a single person as a point of contact or using hard copy post and/or by placing restrictions on phone calls. Parents and carers have an implied licence to enter a school site, in cases where behaviour is inappropriate, threatening or argumentative, this licence can be revoked.

If a response has been given to a query, unless matters change, further responses will not be sent.

Our aim is to ensure that all communications and discussions about pupils and their families are positive and move matters forward in a mutually respectful manner.

Appendix 2: Incident Report Form

| Incident report form | |
|--|--|
| Recording date | |
| Recording time | |
| Witness name School job title (if applicable) | |
| Date of incident | |
| Time of incident | |
| Name of individual(s) | |
| Incident location | |
| Incident details | |
| | |
| Outcome/planned action | |
| | |

Appendix 3: 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 Dealing with Unacceptable Behaviour on School Premises.

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,

Appendix 4: Imposing an 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,

XXX