



The Bishop Konstant Catholic Academy Trust

Learning Communities, Inspired by Faith

Trust Zero Tolerance Policy and Procedure for Barring Adults from the Academy Site 2022



The Bishop Konstant Catholic Academy Trust,
St Wilfrid's Catholic High School & Sixth Form College, Cutsyke
Road, Featherstone WF7 6BD

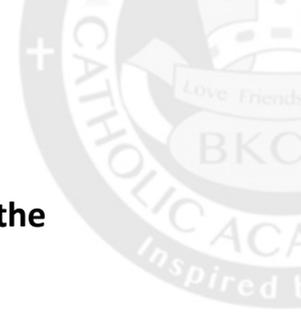
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POLICY DOCUMENT	Trust Zero Tolerance Policy
Legislation/Category: Academy Schools	Highly Recommended
Lead Member of Staff:	Trust Governance Manager
Approved by:	BKCAT Trust Board
Date Approved:	March 2022
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Review Frequency:	3 year

All policies are written in line with our Trust Mission statement:

With Jesus Christ at the centre of the life of the Trust, we seek to provide learning communities offering the highest possible standards of education. We are committed to working in partnership and trust for the common good. We strive to encourage and empower children and young people to recognise and realise their God-given potential and to discern their vocation in life. As learning communities inspired by faith, we celebrate achievement, offering each other challenge and support, as together we follow Christ in self-giving love and service.



Trust Zero Tolerance Policy and Procedure for Barring Adults from the Academy Site

Introduction

The Bishop Konstant Catholic Academy Trust (hereafter referred to as the Trust) is committed to ensuring that academies are safe and welcoming places. Staff work positively towards developing a working partnership with all visitors to academies. It is acknowledged that the vast majority of visitors, whether they are parents/carers, other family members, members of the community or other guests, demonstrate the values which the Trust and academies wish to promote to pupils.

The Trust owes a duty of care to all persons in academies. Sadly, there are occasions where visitors choose not to behave as the academy or Trust would deem acceptable. All academies have been encouraged to take action where unsatisfactory behaviour arises.

Scope

Section 547 of the Education Act 1996 makes it a criminal offence for a person who is on academy premises without lawful authority to cause or permit a nuisance or disturbance.

Who can go onto academy premises?

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

- for appointments
- to attend an event
- to drop-off or collect children

Anyone who breaks the academy's rules would be trespassing. Trespassing itself does not constitute a criminal offence.

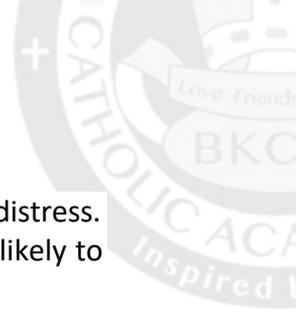
Rights and Expectations of Trust and Academy Communities

All pupils and employees of the Trust have a right to expect that they are in a safe place in which to work and learn.

There will be zero tolerance of violence, threatening behaviour and disorderly conduct including abuse in all forms against pupils, staff, volunteers or other members of the academy community.

Where such behaviour does occur, action will be taken to deal with the person(s) concerned.

What do we mean by disorderly or threatening behaviour?



Disorderly behaviour is whereby a person is caused alarm, harassment or distress. Threatening behaviour is when a person fears that violence, or threat of violence is likely to be provoked.

Examples of behaviour that are not acceptable on academy premises are:

- Screaming, shouting, loud intrusive language
- Threats or threatening behaviour
- Malicious allegations relating to others
- Harassment and bullying
- Offensive language, including derogatory remarks
- Intimidating behaviour – verbal or non-verbal
- Inciting hatred or hostility towards others
- Wilful damage to property
- Theft
- Violence to person or property
- Offensive sexual gestures or remarks
- Unreasonable or repeated demands on staff time

Action to be taken should an incident occur

If an incident involving unacceptable behaviour does occur, then an incident report form will be completed (Appendix A) by the person against whom the behaviour was directed. In the case of this being a pupil, a member of staff may complete the form on their behalf.

Procedure

The following procedure will apply:

Stage 1 – Verbal Warning from Headteacher

The Headteacher will speak to the person(s) perpetrating such an incident. The Headteacher will put to them that the behaviour is unacceptable and an assurance will be sought that such an incident will not be repeated. It will be stressed that repetition of such an incident will result in more serious action being taken. If the Headteacher has been subject to abuse this will be done by the Chair of the Academy Council (or other appointed Governor, if the Chair is involved in the incident in any way).

Stage 2 – Written Warning from Headteacher (model letter 1 – Appendix B)

If a second incident occurs involving the same person(s), the Headteacher/Chair of Academy Council (if the incident was against the Headteacher) will write to the person informing them once again that the behaviour is unacceptable and further incidents may result in them being barred from the academy premises. Before a ban is considered, the person should be given the chance to make representations as to why they should not be barred from the premises; this may not always be possible if the person's behaviour results in a ban being required immediately.



Stage 3a – Interim ban Issued by Headteacher whilst obtaining the person’s account of and views of the Headteacher/Chair of Academy Council (model letter 2 – Appendix C)

If a third incident occurs involving the same person(s), or if an initial incident is considered serious enough by the Headteacher/Chair of Academy Council, a letter should be sent to inform the person that they are barred from the premises. The letter should state the length of the ban. The person must be able to present their case.

Stage 3b – Ban issued by Headteacher/Chair of Academy Council for a specified period (model letter 3 – Appendix D)

If at Stage 3a, the Headteacher/Chair of Academy Council deem that the ban should be extended, a letter should be sent to inform the person that they are barred from the premises for a specified period. The person must be able to present their case.

Stage 4 – Ban lifted (model letter 4 – Appendix E)

Once the ban comes to an end, a letter should be sent to the person to inform them that the ban has been lifted (model letter – Appendix E).

Removing individuals from academy premises

If following a decision to ban a person from the academy premises, that person nevertheless persists in entering the premises and is displaying unreasonable behaviour, such a person may be removed from the premises as a trespasser by a police officer or person authorised by the Trust to do so i.e. Headteacher/Senior Leader, Chair of Academy Council (or designated Governor), representative of the Trust Central Team.

Monitoring and Review of this Policy

The Trust shall be responsible for reviewing this policy from time to time to ensure that it meets legal requirements and reflects best practice.

The Bishop Konstant Catholic Academy Trust is an exempt charity regulated by the Secretary of State for Education. It is a company limited by guarantee registered in England and Wales, company number 8253770, whose registered office is at St Wilfrid’s Catholic High School & Sixth Form College, Cutsyke Road, Featherstone WF7 6BD



Trust Zero Tolerance Policy - Incident Report Form

Name of Academy	
Name of person completing form	
Date of incident	
Time of incident	
Location of incident	

Name of alleged perpetrator	Age	Gender M/F

Name of perceived victim	Age	Gender M/F

Brief details of the incident:

Action taken:

Is this a repeated incident/offence?	Yes / No
How severe was the incident?	Very / Fairly / Not Severe



Appendix B

Model Letter 1 – Written Warning Letter from Headteacher

Dear

Your conduct on academy premises on *(insert date)*

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

If the Headteacher 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 academy. 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 academy 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



Appendix C

Model Letter 2 – Interim ban from academy premises for one week/10 days whilst obtaining the person’s account and views of the Headteacher/Academy Council

Dear

Your conduct on academy premises on *(insert date)*

I refer to the incident that took place on academy 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 academy. *(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 academy premises from now until *(insert date one week/10 days from date of letter)*. 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, after considering your written comments the Headteacher/Chair of Academy Council takes the view that the ban should be extended, you will be provided with written details of when a further review will take place.

If you need to speak to me or a member of staff about any matter, please telephone the academy. I will make the necessary arrangements and confirm them to you in writing. You will not be allowed to come onto the academy 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 and may 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 in this matter.

Yours sincerely

Headteacher



Appendix D

Model Letter 3 – Ban from academy premises for a specified period from Headteacher /Chair of Academy Council

Dear

Your conduct on academy premises on *(insert date)*

I refer to the incident that took place on academy premises today **(or 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 the number of weeks or an indefinite period)**, until **(insert date)**, after which the ban will be reviewed by the Chair of the Academy Council and myself. You may make written representations by **(insert date)** which we will take into account. When we have made our decision, I shall write 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 the academy. I will make the necessary arrangements and confirm them to you in writing. You will not be allowed to come onto the academy 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 and may 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 in this matter.

Yours sincerely

Headteacher



Appendix E

Model Letter 4 – Lifting a ban from academy premises from Headteacher/Chair of Academy Council

Dear

Your conduct on academy 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 academy 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 carefully considered. ***(delete either sentence as appropriate)***.

I have decided to restore to you the permission to come onto the academy 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

Headteacher