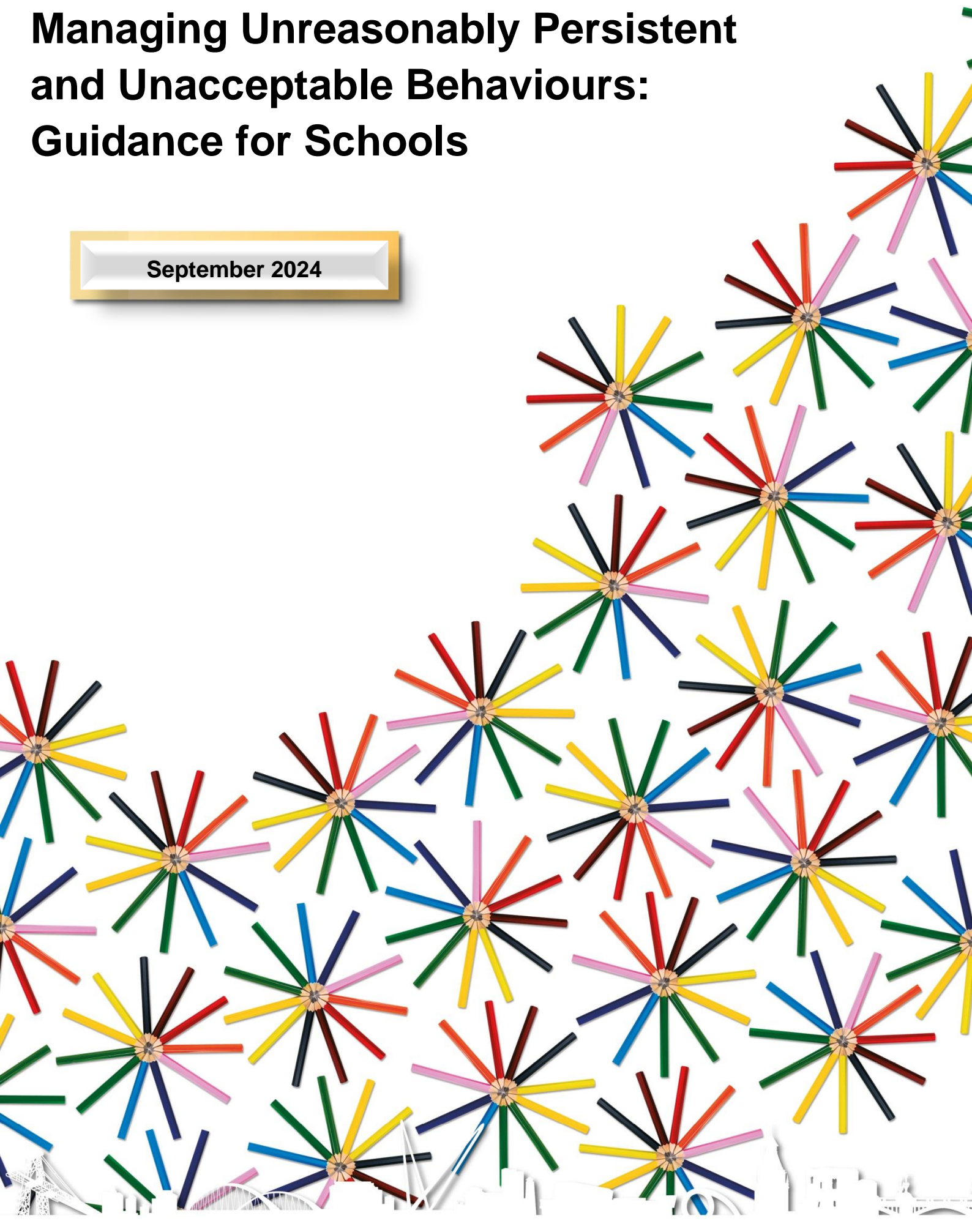


# Managing Unreasonably Persistent and Unacceptable Behaviours: Guidance for Schools

September 2024



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## INTRODUCTION

This guidance aims to assist Headteachers and governing bodies in cases where the behaviour of visitors to the school gives cause for concern. It also provides advice and guidance on how to manage an 'unreasonably persistent parent, carer or other stakeholder' where there are serious concerns about the frequency or nature of an individual's contact with the school. In these instances, the parent, carer or other stakeholder may take up a disproportionate amount of time and resources and disrupt the effective running of the school.

The guidance deals with situations where stakeholders are being threatening, abusive or aggressive towards members of the school community or making persistent and excessive demands on school staff. Such behaviour clearly cannot be tolerated. Staff and pupils have a right to expect their school to be a safe place in which to work and learn, and for reasonable demands to be placed on their time. This document includes advice on a range of possible measures that can be taken to ensure appropriate protection for schools.

Newport City Council advises that schools should have a written policy setting out the behaviour expected of parents/visitors, and the procedures to be followed when a school wishes to restrict a parent, carer, or visitors, access to the premises and/or communication with school staff. Example policies (Appendix A – Version 1 and 2) are included and clearly specify the expected conduct and behaviour of visitors. It is recommended that this policy is considered and approved by the governing body.

This guidance document outlines options available to Headteachers and governing bodies, including a graduated response for dealing with escalating situations (Appendix B – Model Letters), but also recognises the need for more immediate action to be taken in the event of a violent incident. A diagrammatical representation has been included to illustrate the options available to Headteachers for varying scenarios.

In addition to the graduated response using the letters, culminating in restrictions placed on communication or a possible ban from school premises, this guidance incorporates the option to utilise the expertise of the Community Safety Partnership Team/ Environment and Public Protection Team to support schools to work with visitors to achieve the level of behaviour expected on school site and towards school staff.

Corporate incident forms to report events of violence at work have been included within the document (Appendix C).

In addition, the guidance provides suggestions as to how to deal with difficult or abusive telephone calls (Appendix D) and abuse using cyber technology, an increasing area of challenge for schools (Appendix E).

In this guidance, the definition in the Education Act 1996 of the word 'parent' is somewhat extended and includes an individual who has care of the child whether or not she/he is the natural parent or has parental responsibility for the child. This includes stepparents. Where an individual does not fall within this broad definition, the principles of this guidance should still be applied, but the wording of the model letters should be amended accordingly.

Headteachers and school governors are encouraged to make all staff aware of this guidance and to consider the guidance in relation to their school's social media policy, emergency planning policies and school/parent charters.

Schools can obtain further advice and support to manage these challenging situations by contacting: the Health and Safety and Well-being Manager.

## RISK ASSESSMENT

In the event of a parent, carer or stakeholder behaving in an inappropriate way, each situation will need to be considered individually by the headteacher or a designated member of school staff. The following factors should be considered as a risk assessment, before deciding on the most appropriate course of action:

### Has the individual:

- been verbally aggressive/threatening/intimidating?
- been physically aggressive/threatening/intimidating?
- published unacceptable material or been abusive or threatening via social media or other public forums about the school, its staff or pupils?
- been unreasonably persistent with their correspondence?

### and:

- What evidence is there to support any of the above findings? What do any witnesses say happened?
- Does the individual have a known previous history of aggression/violence? (Information can only be sought from the police when an official complaint has been made).
- Do members of the school staff/community feel distressed or intimidated by the individual's behaviour?
- Have pupils witnessed aggressive/threatening/intimidating behaviour from the individual?
- Have pupils been approached inappropriately by the individual?
- Has the individual been abusive to school staff, pupils, or visitors?

- Has the individual been persistently abusive to school staff, pupils, or visitors?
- Was the individual provoked in **any** way prior to their behaviour and/or does the individual claim to have been provoked?
- Is there evidence of provocation?
- How frequently have the behaviours occurred?
- Is there a risk (low, medium or high) that the behaviour may be repeated?

All incidents where staff feel they are threatened or vulnerable must be recorded in full including line managers comments and reported via the Violence at Work incident recording form (Appendix C) to:

Health and Safety and Wellbeing Manager  
Civic Centre  
Newport  
NP20 4UR

Tel: 01633 656 656

or e-mail: [HealthandSafety@newport.gov.uk](mailto:HealthandSafety@newport.gov.uk)

Certain incidents involving violence must also be reported to the Health and Safety Executive. The duty for reporting any such incident lies with the Council's Health and Safety Team at the address above. Further information is contained in the Newport City Council's Violence at Work Policy.

## OPTIONS FOR HEADTEACHERS

### **Expected Behaviour Contracts**

It is recommended that prior to a pupil starting in a school that an 'Expected Behaviour Contract' be entered into with the parent(s)/carer(s) that highlights expectations of both the parent(s)/carer(s) and school. Appendix F gives an example contract.

Should an incident occur and after evaluating all available information and any other relevant factors, there are several actions the Headteacher may wish to take. These can include:

#### **Clarifying to the parent what is considered acceptable behaviour by the school**

In some instances, it may be appropriate simply to ensure the parent/carer or stakeholder is clear about behaviour standards expected by the school. This could be explained at a meeting, or by letter, however any verbal explanation should be followed by a written confirmation of the discussion and the standards of behaviour outlined.

#### **Inviting the parent to a meeting to discuss events.**

This could be helpful where a planned and structured meeting has either not been held before or has previously been productive. A full restorative meeting may be considered, but if it is not safe to bring all the parties together at a meeting, a restorative process can still take place through an online

meeting or the exchange of information. The safety and wellbeing of those attending such a meeting must be carefully considered and risk assessed. It is strongly recommended that members of school staff should be accompanied by at least one other colleague at any such meeting. Consideration should be given to the seating arrangements, and care taken to ensure exits cannot be blocked by a parent, carer or stakeholder who could potentially become aggressive. The main points of discussion and any agreed actions should be noted, and a follow-up letter sent to confirm the school's expectations and any agreed actions. Some parents, carers or stakeholders may covertly record meetings and then seek to use the information obtained to support their case, and therefore schools should state explicitly that information obtained without permission will not be permissible. There is no obligation for staff to agree to the electronic recording of conversations/meeting. Covertly recording meetings will be considered unreasonable behaviour. The subsequent use of any such recordings is governed by Data Protection Legislation and advice can be sought from the Council's Information Management Team should this issue arise.

### **Involvement of the Community Safety Partnership**

There are several stage actions in place that can be used by the Community Safety Partnership/ Environment and Public Protection Team within Newport City Council to tackle anti-social behaviour committed by individuals. In conjunction with key agencies, the team will look to tackle this behaviour by way of interventions or enforcement action if this is needed. There are several processes in place ranging from warning letters through to more serious sanctions. This process is flexible and although most cases will follow the below stages, there are occasions where individuals can enter the process at a higher stage if all agencies agree that this is appropriate:

- Stage 1 – First Stage Warning Letter
- Stage 2 – Second Stage Warning – letter and meeting
- Stage 3 – Acceptable Behaviour Contract (ABC)
- Stage 4 – Referral to the police. Full details of these stages can be found in Appendix G.

Should a Headteacher feel that the level of behaviour being displayed by a parent, carer or stakeholder towards a member of school staff warrants the intervention of the Community Safety Partnership/ Environment and Public Protection Team alongside school intervention, they can make a referral to the team via the referral form in Appendix H.

Restorative meetings, as outlined as part of the suggested process in the flowchart, could include a representative from the Community Safety Partnership to support the school during these discussions. To request this support, please contact Community Safety Partnership Team/ Environment and Public Protection Team, 01633 656 656.

### **Forming strategies to manage future situations of potential conflict**

It is sometimes possible to identify situations of potential conflict and to plan for these in a way that minimises potential risks. For example, where a parent persistently engages in arguments with staff in corridors at the beginning or end of the school day, the parent or carer could be informed that any discussions with school staff must be held by prior appointment. Alternatively, the parent or carer

may be asked not to approach the class teacher but should instead arrange to meet the Headteacher (or other member of the senior leadership team), who will deal with their concerns. In more serious cases a further option may be to advise the parent or carer that in future their concerns should be dealt with by written communication and within prescribed timescales. Any such arrangements should be confirmed in writing to the parent.

### **Unreasonably Persistent Behaviour**

An 'unreasonably persistent' or 'vexatious' parent, carer or stakeholder is categorised as such because of the frequency or nature of their contacts or complaint. The individual may take up what the Headteacher/Governing Body regards as a disproportionate amount of time and resources which may disrupt day-to-day delivery at the school.

Behaviours could include:

- aggressive, intimidating, threatening behaviour displayed during telephone calls or when visiting the school which may upset staff. These are criminal offences and should be referred to the police.
- numerous repeat calls or communications which disrupts the smooth running of the school and causes upset to school staff.
- insistence that issues be dealt with by a the Headteacher or the chair of governors.
- making excessive and repeated demands on staff time whilst a complaint is being investigated.
- refusing to accept that a complaint is outside the remit of the school.
- refusing to co-operate with staff dealing with the issue of concern.
- seeking to have a complaint investigated by someone else, once the Complaints Procedure has been exhausted.
- making false, malicious, unwarranted, or defamatory comments against staff.
- refusing to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
- refusing to co-operate with the complaint's investigation process
- refusing to accept that certain issues are not within the scope of the complaint's procedure.
- insistence on the complaint being dealt with in ways which are incompatible with the complaint's procedure or with good practice.
- introducing trivial or irrelevant information which they expect to be considered and commented on raising many detailed but unimportant questions, and insistence they are fully answered, often immediately and to their own timescales.
- making unjustified complaints about staff who are trying to deal with the issues and seek to have them replaced.
- changing the basis of the complaint as the investigation proceeds.

- repeatedly making the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
- refusal to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed.
- seeking an unrealistic outcome.
- making excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
- knowingly providing falsified information.

The process outlined in this document can be utilised for unreasonably persistent parents, carers and/or other stakeholders. School related processes for managing unreasonable persistent behaviour should be referenced in the School Complaints Policy and in a policy relating to the Management of Unreasonably Persistent or Unacceptable Behaviours in Schools. This should be approved by the Governing Body and made accessible to stakeholders on the school website.

***When a parent, carer or stakeholder begins to show signs of such unreasonably persistent behaviour Headteachers/Governing Bodies should inform the individual of the impact their behaviour is having at an early stage and that if the unreasonably persistent behaviour continues it may be necessary for restrictions to be imposed as to future communication and contact with the school and staff.***

#### **Withdrawing permission for the parent to enter the school site and/or buildings.**

In more serious cases of actual or threatened aggression/violence, or persistent abuse/intimidation, Headteachers and governors may need to consider whether it is safe for the parent, carer or stakeholder to continue to come onto the school site or enter the buildings. In such circumstances, Headteachers may wish to seek advice from the Health, Safety and Wellbeing Manager before making such a decision. However, suitable alternative arrangements would need to be put in place for example, in relation to the dropping off and collection of children and parental consultations.

Cases of actual assault should be reported to the police and the Council's Health and Safety department by completing Violence at Work Incident Report Form (Appendix D) Headteachers do have the power to ban parents or carers from entering school premises, however, before doing so, they inform the parent or carer of the proposed ban and provide an opportunity for the parent or carer to make representations.

Model letters are attached as **Appendix C** to this document and are provided for Headteachers to adapt as necessary.

#### **Calling for police assistance**

If the situation escalates to such a degree that you feel the wider school community are at potential risk, then you are to instigate the school's formal lockdown procedure. In an emergency, police assistance should be sought; if the individual(s) is(are) still on the school site, and staff are feeling

threatened, then **999** should be dialled immediately. In cases where a ban is in place but is ignored and the person comes onto the school site, the police should be notified immediately. (Staff will need to be aware of the ban and have agreed procedures in place should the person come onto the school site).

In situations where there is no immediate threat to staff, pupils, other members of the school community or the school's property, Headteachers may still wish to make their Local Neighbourhood Policing team aware of the situation. This must be done via 101, where a record of the incident will be made, and the appropriate neighbourhood team supervisor notified. They, in turn, will then ensure that the matter is referred to the most suitable resource.

## LEGAL PROCEEDINGS

Where individuals persist in coming onto the school site even when permission to do so has been withdrawn, it is possible for legal proceedings to be pursued. The options include:

### **Prosecution under section 547 of the Education Act 1996**

This requires substantial evidence to be gathered and presented by the police. Clearly it is not a quick process, and whilst in most cases the threat may prove to be a sufficient deterrent, prosecution can only be seen in the last resort as a punitive measure.

### **Appropriate behaviour contracts**

These are voluntary agreements made between people involved in anti-social behaviour, and the agency/school concerned. They are flexible in terms of content and format and can be an effective means of encouraging young adults, children, and parents to take responsibility for unacceptable behaviour. The person named does not always agree with the contract, but it can be used as evidence at a later stage for an application for an anti-social behaviour Injunction or Community Protection Notice. Conditions can be put on the contract, e.g., not to enter school grounds.

### **Anti-Social Behaviour Crime and Policing Act 2014**

The focus for the Act was on putting victims first, and the powers are designed to be quicker to implement so that victims get respite from Anti-social behaviour faster.

To put victims first, there were also two measures introduced in this Act to enable victims to have their say:

1. Community Remedy - whereby victims can have a say in what type of punishment would be appropriate for the offender (e.g., clean up graffiti)
2. Anti-Social Behaviour Case Review - also called Community Trigger. A victim can insist on a multi-agency review of their case if they have reported the problem 3 times in the past 6 months and yet the problem has not yet been resolved.

### **Restraining orders (Protection from Harassment Act 1997)**

Section 2 of the Protection from Harassment Act 1997 provides for criminal or civil prosecution, for cases where someone causes alarm or distress to another person on more than two occasions. Section 4 provides for criminal or civil prosecution where people have been put in fear of violence on at least two occasions. In each case the sanctions include both criminal penalties (fines,

imprisonment or community sentences) and a restraining order. These orders are generally quicker and easier to obtain but are part of a criminal conviction.

### **Prosecution for criminal damage/assault**

Prosecutions for causing deliberate damage or injury (including Actual Bodily Harm/Grievous Bodily Harm and wounding pursuant to the Offences Against the Person Act 1861), may occasionally be the most appropriate course of action. If the police are called, the option to make criminal allegations is readily available, and they may arrest suspected offenders there and then. Official allegations should only be made if there is no intention of later withdrawing the complaint. Criminal proceedings can be initiated at a later date. All possible steps should be taken to prevent the loss of evidence. In particular, witnesses should be asked to make a record of exactly what they saw and heard at the earliest opportunity.

Individual cases should be discussed with the Head of Attendance and Wellbeing and Community Safety and Strategic Partnerships Service Manager and the police, who will work with Headteachers and where necessary, Legal Services to decide the most appropriate response.

Whilst the emphasis will usually be on ensuring safety and security of persons and property, and therefore a referral should be made to the police.

## **RECORD KEEPING**

There should be clear and detailed records of all events which must be kept up to date. Any witness statements (where appropriate) and notes of any subsequent meetings held to discuss the events should also be retained by the school. Notes should be signed and dated by those individuals involved.

Any physical evidence should be retained, and witnesses should be asked to make a record of exactly what they saw and heard at the earliest opportunity, to the police.

It is also advisable to ensure that in every case, even where a formal letter is not required, parents receive a written confirmation of the events and the Headteacher's response.

If the police are asked to deal with an incident as a criminal investigation, there are several actions that may thwart this process. Witness details should not be made known to suspected offenders or their families. Groups of witnesses or suspects should not be left together, or allowed to discuss what happened, before the police interview them. If in doubt always seek the advice of the police officer first.

All incidents culminating in a parent, carer or stakeholder being banned from a school site should be reported to the Health, Safety and Wellbeing Manager. This should include details of the perpetrator, date the ban came into force, length of the ban, dates of review and brief overview of the incident. The local authority via the Health, Safety and Wellbeing Manager should be notified of this within 5 working days of the ban being enforced.

The Violence at Work Incident Report Form is attached as **Appendix D** to this document and is provided for Headteachers.

## SUPPORT FOR EMPLOYEES

If a member of staff is unfortunate enough to be one of the very small minority subject to serious physical and/or verbal abuse, there are a variety of sources of potential support available to them.

In such circumstances, the immediate and ongoing support of colleagues will be invaluable.

All employees will be made aware of Care First and the services it can provide which may include counselling. Any employee wishing to seek support from the Unit should ask their line manager to make a referral or contact the freephone number 0800 174 319. You can also access information on the portal at [www.carefirst-lifestyle.co.uk](http://www.carefirst-lifestyle.co.uk)

Education Staff should be alerted to the Education Support Partnership 08000 562 561, a UK charity providing mental health and wellbeing support services to all education staff, organisations and trade unions are also likely to be a source of assistance.

## APPENDICES

### APPENDIX A MODEL POLICIES

#### **Model policy for the expected behaviour of parents, carers or visitors to the school**

Schools should have a written policy setting out the behaviour expected of parents/carers or visitors on the premises and the procedures that will be followed when the school wishes to restrict a parent's access to school premises. Schools may find the following wording useful when drawing up their policy:

***We welcome visitors to our school. We will act to ensure it remains a safe place for pupils, staff and all other members of our community. If a parent/carer has concerns, we will always listen to them and seek to address them.***

***However, abusive, threatening or violent behaviour will not be tolerated. If such behaviour occurs, we will follow the procedures outlined in the Newport City Council's guidance, 'Managing Unreasonably Persistent and Unacceptable Behaviours'.***

The following are examples of actual policies from schools that can be used or adapted to match the specific requirements of your school.

## **School - Parent/Carer Code of Conduct – VERSION 1**

At (SCHOOL NAME) we value the strong relationship with parents and carers. Together, this helps us achieve the very best for the children in a mutually supportive partnership between parents, class teachers and the school community.

As a partnership, parents and carers understand the importance of a good working relationship with the school. We continually welcome and encourage parent and carers to participate in the life of the school. Parents and carers are always encouraged to contact the school with any concerns and/or issues. The school would appreciate the opportunity to resolve any matter with parents and carers.

### **School's Expectations of Parents and Carers**

Parents, carers and visitors are reminded:

- To respect the caring ethos and values of the school.
- To play a full and active part in their child's education.
- That both teachers and parents need to work together for the benefit of their children
- Approaching school staff for help to resolve an issue is done in an appropriate manner.
- All members of the school community are treated with respect using appropriate language and behaviour.

### **Unacceptable Verbal and Physical Behaviour/Abuse**

The school will not tolerate:

- Disruptive behaviour which interferes or threatens to interfere with any of the school's operation or activities anywhere on the school premises.
- Any inappropriate behaviour on the school premises.
- Use of loud or offensive language or displays of temper.
- Threatening, in any way, a member of staff, visitor, fellow parent/carers or pupil.
- Damaging or destroying school property.
- Sending abusive or threatening e-mails or text, voicemail, phone messages or other written communications to anyone within the school community.
- Defamatory, offensive or derogatory comments regarding the school or any of the pupils/parents/staff at the school on social media including Facebook, Twitter, Instagram or other social sites (see Social Media section).
- Unreasonable persistent communication with the school which impedes the day-to-day work of the school

Should any of the above occur on school premises, the school may feel it necessary to take action by contacting the appropriate authorities and / or consider banning the offender from entering the school premises.

### **Social Media**

'**Social media**' is the term commonly given to web-based tools which allow users to interact with each other in some way – by providing information, signposting to services, sharing opinions,

knowledge, and interests online. As the name implies, social media involves the building of online communities or networks to encourage participation, engagement, pass information and services over a wide network of people. This could include blogs, message boards, social networking websites (such as Facebook, Twitter, LinkedIn, Instagram) and content sharing websites (such as Flickr, YouTube) and many other similar online channels.

### **Definitions of Misuse or Inappropriate Behaviour on Social Media**

The following actions may constitute misuse of social media or inappropriate behaviour; it is however by no means exhaustive:

- Publishing materials that might be considered inappropriate, offensive, or libellous.
- Publishing materials considered to be defamatory or to the detriment of the school and its community.

In the event that any pupil/parent/carer of the school is found to be posting libellous or defamatory comments on Facebook or other social media network sites, they will be reported to the appropriate “report abuse” section of the social network site. The school will also expect the pupil/parent/carer to remove such comments immediately. The school will consider its legal options to deal with any such misuse or inappropriate behaviour.

## **School - Parent/Carer Code of Conduct – VERSION 2**

**We believe staff, parents/carers, other adults and children are entitled to a safe and protective environment in which to work. Behaviour that will cause harassment, alarm or distress to users of the premises is contrary to the aims of the school.**

We ask that all stakeholders (pupils, parents, staff, Governors, visitors) respect the professional judgments made by the Headteacher and teaching staff. Those who disapprove of professional decisions and School Management policies have the choice of either discussing and understanding issues raised or making a complaint following the Complaints Procedure Policy.

### **Respect and Concern for Others and Their Rights**

Whilst disrespectful behaviour from stakeholders is very rare, we need to have a Code of Conduct in place to safeguard the children and staff. Therefore, we ask that stakeholders give all members of staff the same level of respect as staff afford to them.

#### **Aim**

It is the aim of this Code that all members of the school's community treat each other with respect.

#### **Expectations**

The following are the expected outcomes of the Code:

- That adults always set a good example to children, showing them how to get along with all members of the school and the wider community.
- That no members of staff, parents/carers, other adults, or children are the victims of abusive behaviour or open to threats from other adults on the school premises.
- Physical attacks and threatening behaviour, abusive or insulting language whether verbal or written to staff, governors, parents/carers, children, and other users of the school premises will not be tolerated and will result in withdrawal of permission to be on School premises.
- Any parent who is asked to leave the school premises will have the right to appeal the decision by writing to the Chair of Governors.

#### **Roles and Responsibilities**

It is the responsibility of the Headteacher and Governors to monitor and review this policy.

#### **Guidelines**

Types of behaviour that are considered serious and unacceptable and will not be tolerated towards any member of the school's community may include:

- Shouting, either in person or over the telephone
- Inappropriate posting on social networking sites that is deemed as bullying or derogatory
- Speaking in an aggressive/threatening tone
- Physically intimidating e.g., standing very close or invading another's personal space
- The use of aggressive hand gestures or sudden and or exaggerated movements
- Physical threats, in person or by any other means

- Shaking or holding a fist towards another person
- Swearing
- Pushing
- Hitting, e.g., slapping, punching or kicking
- Any other unwanted physical contact
- Spitting
- Racist, sexist, homophobic or any other comments deemed offensive to an individual or group.

This is not an exhaustive list but seeks to provide illustrations of such behaviour.

### **Inappropriate use of social media**

Social media websites are being used increasingly to fuel campaigns and complaints against schools, Headteachers, school staff and, in some cases, other parents/pupils.

The Governors of **(school name)** consider the use of social media websites being used in this way as unacceptable and not in the best interests of the children or the whole school community. Any concerns you may have must be made through the appropriate channels by speaking to the class teacher, the Headteacher or the Chair of Governors, so that they can be dealt with fairly, appropriately, and effectively for all concerned.

If any pupil or parent/carer of any child being educated in **(school name)** is found to be posting libelous or defamatory comments on Facebook or other social media websites, they will be reported to the appropriate 'report abuse' section of the network site and to the Police.

All social network sites have clear rules about the content which can be posted on the site, and they provide robust mechanisms to report content or activity which breaches this. The school will also expect that any parent/carer or pupil removes such comments immediately.

In serious cases, the school will also consider its legal options to deal with any such misuse of social networking and other sites. Additionally, the issue of cyber bullying and the use by one child or a parent/carer to publicly humiliate another by inappropriate online communication. We will take and deal with this as a serious incident of school bullying. Thankfully such incidents are extremely rare.

### **Consequences**

The above behaviours on school premises will be reported to the appropriate authorities and Governors may prohibit an offending adult from entering the school grounds to safeguard our school community.

The school reserves the right to take any necessary actions to ensure that members of the school's community are not subjected to abuse. Therefore:

1. Incidents of rudeness will be logged with the Headteacher and Chair of Governors
2. Abusive adults will have one written warning from the Headteacher
3. **In the event of unreasonably persistent communications, restrictions on the communication received and response times might be imposed**

4. School premises are private property and parents/carers have been granted permission from the school to be on school premises. **However, in case of abuse or threats to staff, pupils or other parents, School may ban parents/carers from entering the school.**
5. Unacceptable behaviour may result in the Police and the Anti-Social Behaviour Team being informed
6. It is also an offence under *section 547 of the Education Act 1997* for any person (including a parent) to cause a nuisance or disturbance on school premises. The police may be called to assist in removing the person concerned and it is possible a fixed penalty notice and/or an anti-social behaviour order may be issued.

Disrespectful and unacceptable behaviour will not be tolerated, and the necessary actions will be enforced:

- The parent will be given the opportunity to discuss matters with a senior member of staff to discuss and resolve the issue
- If the matter cannot be resolved immediately, the parent will be asked to leave the school premises until a meeting is held to discuss and resolve the issue
- In the event of severe or continual abuse, the Local Authority and police will be informed, and the parent/carer may be banned from the premises and other possible sanctions imposed.

School is **not** responsible for organising arrangements for children in the above circumstances. Parents/carers will need to provide alternative arrangements for bringing children into School.

### **Appeal**

Parents/carers have the right of appeal by writing to the Chair of Governors within ten days of permission to enter the school premises being withdrawn.

We trust that parents and carers will assist our school with the implementation of this policy and thank you for your continuing support.

## **Appendix B - Model Letters**

### **Model letter 1a:**

This is a re-iteration and reminder to all those coming to the school site of their expected behaviour and conduct, with a statement that abusive, threatening, or violent behaviour will not be tolerated in this school – this can include incidents of ‘parent on parent’ violent behaviour.

### **Model letter 1b:**

This is an initial warning letter which can be sent by the Headteacher when it is felt that further serious incidents will warrant a ban.

### **Model letter 2:**

It is suggested that this letter is sent by the chair of governors when, after full consideration, it is felt a ban is necessary.

Normally this would follow from a warning (letter 1), **though there may be occasions where it is appropriate to move directly to a ban. It is strongly recommended that the local authority is advised in such cases.**

At this point, consideration should also be given to any practical issues, in particular to ensure that the pupil(s) concerned can be properly accompanied to and collected from school, and to ensure there can be an effective exchange of necessary information between the school and parent.

At this stage, the ban takes effect immediately, but as the letter indicates, the parent must be enabled to make representations. A period of ten days is recommended to allow for this, at the end of which the chair of governors should consider any representations made and then decide to either confirm the ban or discontinue it (see model letters 3a and 3b).

### **Model letters 3a/b:**

These letters confirm the outcome of the review of the ban by the Chair of Governors. If the decision is made to confirm the ban, a date should be included for a further review. This should be for a reasonable period, possibly extending up to three months, but preferably not longer than six months.

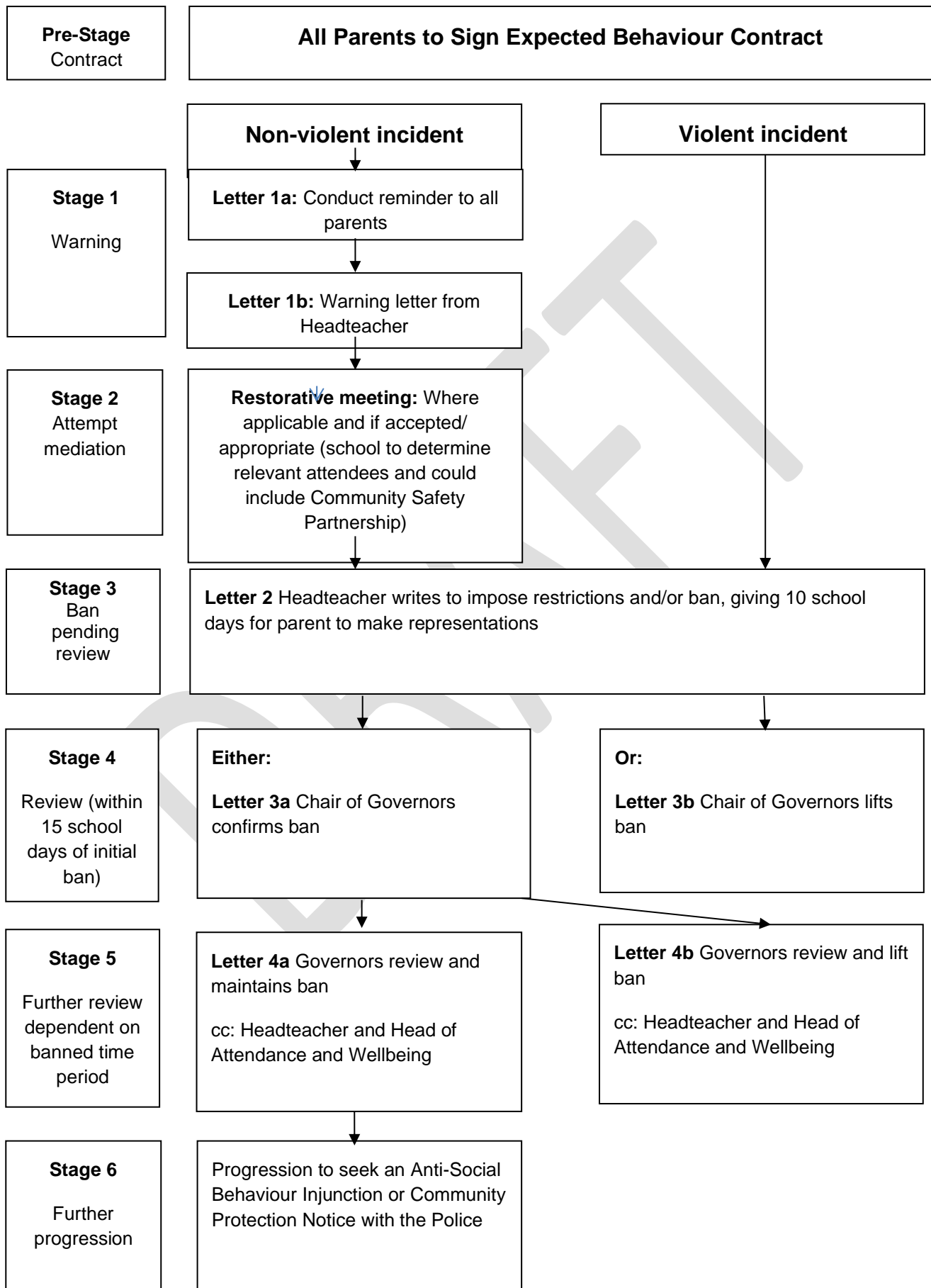
If the parent is dissatisfied with this decision, it is suggested in the model letter that the matter is then appropriately considered by a panel of school governors.

### **Model letter 4a/b:**

These letters can be used to confirm the outcome of further reviews of decisions where the ban has been extended. When a review is due to take place, it is advisable to notify the parent in advance and invite them to make any representations.

A flowchart showing the process to be followed for a ban is shown overleaf.

## Flowchart for Process of Managing the Escalation of Situations



**Letter 1a: Conduct Reminder - (sent to all parents)**

Dear Parent/Carer,

Following several incidents that have occurred in and around the school site recently (*inappropriate language and threatening/violent behaviour or unreasonable persistent communication*), I wish to inform you that any repetition of such behaviour towards any of the school staff, pupils or others connected with the school will be followed by an immediate ban to enter the school site. Names and information can also be shared with the police.

This has been a very upsetting time for many of our school community and, therefore, on behalf of the school and Newport City Council I would like to remind all parents that although, we welcome visitors to our school; I will always act to ensure it remains a safe place for pupils, staff, and all other members of our community.

If you have concerns, I will always listen to them and seek to address them, in a constructive and timely manner.

Please be aware, however, that abusive, threatening, or violent behaviour will not be tolerated in this school. Visitors behaving in this way are likely to be required to leave the premises and such behaviour may be referred to the police.

Yours faithfully,

Headteacher

## Letter 1b: Warning Letter

Dear (*name of perpetrator*),

In line with the school's expectations of visitors accessing the site, I am writing to formally advise you that your behaviour towards (*victim's name*) on (*date*) was totally unacceptable and I have taken advice on how to proceed.

### **Or**

I am very concerned about the unsatisfactory nature of our meeting/telephone conversation on (*date*), and I have taken advice on how to proceed.

### **Add a summary of incident and its effect on staff and pupils here**

I have now been able to investigate the incident further and I understand that .....

### **Or**

As I witnessed your behaviour myself there is no need for me to investigate the incident further.

**(Optional)** I am not prepared to continue to accept such behaviour. If parents or carers are unhappy about any aspect of their child's education, they can arrange to have a meeting with me at an appropriate place and time.

**(Optional)** In the circumstances I must ask you not to approach any of my staff directly until further notice, though you will still be able to make contact through me.

For the future, I must inform you that any repetition of such behaviour towards any of the school staff, pupils or others connected with the school may be followed by an immediate withdrawal of permission for you to enter the school premises.

Should you wish to discuss the contents of this letter please make an appointment to see me via the school office.

Yours sincerely,

Headteacher

cc: Health, Safety and Well-being Manager (*optional*)

## Letter 2: Withdraw Permission - Opportunity to Appeal

Dear (*name of perpetrator*),

**Either** - Further to my previous letter, dated (date), your behaviour towards the staff at (school name) has continued to be unacceptable which is having a detrimental impact on all who attend the school.

**Or** – I am writing to advise you that I have reviewed the details of your conduct on (date) at (time).

**Add a summary of incident(s), including dates and times, and their effect on staff and pupils here.**

I must inform you that I, in line with our school's policy for expected behaviour of parents and visitors to the school, will not tolerate conduct of this nature on the school premises and will act to defend school staff and pupils. I am therefore instructing you that you are not to reappear on the school premises for the next 15 school days, commencing immediately. If you do not comply with this instruction, I shall arrange for you to be removed from the premises. If you cause a nuisance or disturbance on the premises, I may contact the Police and you may be prosecuted.

For the duration of this decision you may bring your child(ren) to school and collect them at the end of the school day, but you must not go beyond the school gate.

**For children in the foundation phase**, arrangements have been made for your child(ren) to be collected and returned to you at the school gate by a member of the school staff (name of staff).

Special arrangements can be made for you to meet with myself, if necessary, but this may only be with the written permission of the governors.

The withdrawal of permission for you to enter the school premises takes effect immediately and will be in place for 15 school days in the first instance.

I wish to give you the opportunity to make any comments or observations of your own in writing in relation to the details of the incident that have been stated above. These comments may be to challenge or explain the facts of the matter, to express regret and give assurances about your future good conduct. These comments will be made available to the Chair of Governors to enable them to decide on this matter. Please forward me any written comments you wish to make by **(date - 10 school days from date of letter)**.

If, on receipt of your comments, the Chair of Governors considers that my decision should be upheld and a further period of removing your permission to enter the school premises is necessary, you will be provided with details of how to pursue a review of your case.

I am copying this letter to the Chair of Governors and the Education Welfare Service Manager at Newport City Council.

Yours sincerely,

Headteacher

CC: Chair of Governors  
Health, Safety and Well-being Manager, Newport City Council

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### Letter 3a: Withdrawal of Permission Confirmed

Dear *(name of perpetrator)*,

On *(date of letter 2)*, *(Headteacher's name)* wrote to inform you that he/she had withdrawn permission for you to come onto the premises of *(school name)*. To enable me to determine whether to confirm this decision for a longer period, you were given the opportunity to provide your written comments on the incident concerned by *(date 10 days from the date letter 2 was sent)*.

I have not received a written response from you/I have received a letter from you dated *(insert date)*\* ***delete as appropriate***, the contents of which I have carefully considered.

In the circumstances, and after further consideration of facts of the incident/behaviour, I have determined that the decision to withdraw permission for you to come onto school premises should be upheld. Therefore, I am instructing that, until further notice, you are not to come onto the premises of the school without the prior knowledge and approval of the Headteacher.

If you do not comply with this instruction, I shall arrange for you to be removed from the premises of the school. If you cause a nuisance or disturbance on the premises, you may be prosecuted under Section 547 of the Education Act 1996; if convicted under this section, you are liable to face a fine of up to £500.

Even though we have taken this decision, the Headteacher and staff at *(school name)* remain committed to the education and care of your child(ren), who must continue to attend school as normal under the arrangements set out in my previous letter and it is parent/carer responsibility to ensure that they continue to attend.

This decision will be reviewed again on *(insert review date which should be within a reasonable period and no longer than six months)*. When deciding whether it will be necessary to extend the withdrawal of permission to come onto the school premises, consideration will be given to the extent of your compliance with the decision, any appropriate expressions of regret and assurance of future good conduct received from you, 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 complain to a panel of school governors who have not been involved with this case previously and who will consider the circumstances of the decision to withdraw permission for you to come on to the school site. You can make your complaint by writing to the Clerk to the Governors, c/o *(school name)*.

The School and Newport City Council has a duty of care towards its staff, pupils and those who carry out work on behalf of the Council. To alert other Council employees of your behaviour in the above matter, information will be held about you and this incident, which can be checked by Council employees before they have contact with you in the future.

The data base, lists your name, address, details of the incident, and where appropriate, controls that are in place for managing future contact with you.

The information held by the Council may also be shared with other organisations, with whom the Council has an information sharing agreement for that purpose, or in other cases where it is judged that there is a potential risk to their staff. Further information about information sharing agreements may be obtained from the Council's Information Management Team, [information.managment@newport.gov.uk](mailto:information.managment@newport.gov.uk).

***(Where the incident has arisen in the context of a parental complaint against the school, the following may be inserted)*** Finally, I would advise you that I have asked the Headteacher to ensure that your complaint is considered under the appropriate stage of the school's parental complaints procedure. The school will contact you about this in due course.

Yours sincerely,

Chair of Governors

cc: Headteacher

cc: Health, Safety and Well-being Manager, Newport City Council

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### Letter 3b: Restore Permission After Review by Chair of Governors

Dear (*name of perpetrator*),

On (*date of letter 2*), (*Headteacher's name*) wrote to inform that he/she had temporarily withdrawn permission for you to come onto the premises of (*school name*). To enable me 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 (*date 10 days from the date letter 2 was sent*).

I have not received a written response from you/I have received a letter from you dated (*insert date*)\* **delete as appropriate**, the contents of which I have carefully considered.

In the circumstances, and after consulting further with the Headteacher, I have decided that it is not necessary to uphold the decision and therefore, I am restoring your permission to access the school premises with immediate effect.

**(Optional)** I must warn you, however, that if it should become necessary in the future, I shall not hesitate to withdraw permission for you to come onto the school premises once again.

Yours sincerely,

Chair of Governors

cc: Headteacher

cc: Health, Safety and Well-being Manager, Newport City Council

## Letter 4a: Continue Ban After Second Review

Dear (*name of perpetrator*),

I wrote to you on (*date of letter 3a*) confirming that permission for you to come onto the premises of (*school name*) had been withdrawn until further notice. I also advised you I would take steps to review this decision by (*review date*).

I have now completed the review. However, after consultation with the Headteacher, I have determined that it is not yet appropriate for me to withdraw my decision. **(Add brief summary of reasons.)**

Therefore, I must instruct that you are not to come onto the premises of (*school name*) without the prior knowledge and approval of the Headteacher and that this will remain in place until further notice. If you do not comply with this instruction, I shall arrange for you to be removed 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.

I shall undertake a further review of this decision by (*insert review date*).

In the meantime, you can write to me with a statement of your views, which I will consider.

Yours sincerely,

Chair of Governors

cc: Headteacher

cc: Health, Safety and Well-being Manager, Newport City Council

## Letter 4b: Restore Permission After Later Review

Dear *(name of perpetrator)*,

I wrote to you on *(date of letter 4a)* confirming that permission for you to come onto the premises of *(school name)* had been withdrawn until further notice. I also advised you I would take steps to review this decision by *(second review date)*.

I have now completed the review. After consultation with the Headteacher I have decided that it is now appropriate to restore permission for you to come onto the school premises with immediate effect.

I trust that you will now work together with the school and there will be no further difficulties of the kind which made it necessary to restrict your access to the school premises.

**(Optional)** I must warn you, however, that if it should become necessary in the future, I shall not hesitate to withdraw permission for you to come onto the school premises once again.

**(Optional)** Due to the threatening behaviour that you exhibited towards our staff, it is felt that in order to maintain the safety of our staff, you will be allowed to access the school site on a phased return. You are permitted access on *(defined dates/times)* only. For parents evening/concerts, etc. written requests must be made for my attention at *(school name)*, 10 school days in advance of the event, where this will be considered.

Yours sincerely,

Chair of Governors

cc: Headteacher

cc: Health, Safety and Well-being Manager, Newport City Council

## Appendix C: Violence at Work – Incident Report Form



Violence at Work  
Incident Reporting Fo

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## **Appendix D: Dealing with Abusive Telephone Calls**

Sometimes staff may have to deal with challenging, abusive, aggressive, or threatening telephone calls. It is unacceptable for any member of staff to be subjected to such abuse, but staff may not know how to handle such a call. This guidance has been produced to assist staff if they are faced with such a situation.

To reduce the likelihood of callers becoming abusive, staff should conduct themselves in a courteous and professional manner and make every attempt to meet the needs of the caller. Staff should also have the confidence that it is acceptable to end an abusive telephone call.

### ***Always***

- remain calm and polite
- stay in control of the situation
- actively listen – repeat information back to the caller to test understanding of the issue and gain their agreement. Inform the caller they are trying to help them
- be positive and say what you can do
- be clear and avoid using jargon
- if necessary, apologise for an error and take action to put it right
- if you must go and get some information, let the caller know why you are putting them on hold and do not leave them for a long time. Update them as necessary
- make notes of the conversation
- follow the procedure below if appropriate
- refer the caller to the Headteacher, the deputy Headteacher, etc. if necessary.

### ***Never***

- respond in the same manner as an abusive caller
- take it personally
- allow yourself to be bullied
- slam the phone down.

### **Script for abusive telephone calls**

#### **When the caller starts to raise their voice/be abusive:**

Mr/Mrs/Ms... please don't raise your voice/swear at me, I am not raising my voice/being rude to you. If you continue to raise your voice/be rude to me then I will be forced to terminate the call.

#### **When the caller continues to raise their voice/be abusive:**

Mr/Mrs/Ms..... I understand you are upset/frustrated however I am not prepared to continue to be shouted/sworn at so you can either call back when you have calmed down or if you prefer you can put your views in writing.

**If, despite the two warnings above, the caller continues to raise their voice/be abusive:**  
Mr/Mrs/Ms.... I advised you earlier during this call about raising your voice/swearing and you have continued to do this, so I am afraid I am going to have to terminate this call. **Hang up.**

### **Further actions**

Make a written note of the telephone call and/or enter onto your management information system and then use the incident report form (Appendix D) and report the incident to your line manager.

If the same caller ring back and continues to be abusive, replace the receiver and inform your manager. If, however, the purpose of the call is to apologise, then you should accept the apology, but still inform your manager of the initial call.

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## **Appendix E: Abuse/Bullying Using Cyber Technology**

Staff in schools may become targets of cyber abuse/bullying and, like other forms of bullying, it can have a significant impact on their health, and self-confidence. Protecting staff from abuse is best done within a prevention framework, including whole school policies and appropriate practices.

Cyber abuse/bullying may consist of threats, harassment, embarrassment, humiliation, defamation, or impersonation. It may take the form of general insults, or prejudice-based abuse, e.g., homophobic, sexist, racist or other forms of discrimination. It may also involve email, virtual learning environments, chat rooms, websites, social networking sites, mobile and fixed-point phones, digital cameras, games, and virtual world sites.

Abuse using cyber technology can occur at any time and incidents can intrude into the victim's private life. The audience for such messages can be very large and can be reached rapidly. The content of electronically forwarded messages is hard to control and the worry of content resurfacing can make it difficult for the victim to move on.

Newport City Council endorses the decision of any school to operate a zero-tolerance policy towards direct or indirect harassment or assault against any member of staff, volunteers and governors. This includes the use of social media and other forms of electronic communications to facilitate the act.

### **Cyberbullying and the law**

While there is not a specific criminal offence called cyberbullying, activities can be criminal offences under a range of different laws, including:

- The Protection from Harassment Act 1997
- The Malicious Communications Act 1988 Section 1
- Communications Act 2003 Section 127
- Public Order Act 1986 Sections 4 & 5

It is the duty of every employer to ensure, so far as reasonably practicable, the health, safety and welfare at work of all employees. Incidents that are related to employment, even those taking place outside the hours or place of work may fall under the responsibility of the employer.

For further information, please refer to the social media policy.



HR-Social-Media-(Acceptable-Use)-Policy.pdf

## **Appendix F: Expected Behaviour Contract - Example**

### **School Name: Expected Behaviour Contract**

This contract is an agreement between the school, its pupils, and their parents/carers, outlining their responsibilities whilst at (school name).

#### **Responsibility of the school to:**

- Develop each individual pupil's talent as fully as possible.
- Inform parents/carers regularly about how their children are progressing.
- Inform pupils, parents, and carers about what the teachers aim to teach the pupils each term.
- Teach effectively and to set the highest standards in work and behaviour.
- Take reasonable steps to ensure the safety, happiness, and self-confidence of all pupils.
- Be open and welcoming at all reasonable times and offer opportunities for parents and carers to become involved in the school community.
- Clearly articulate the school's expectations regarding the responsible behaviour plan for pupils and the school's uniform policy.
- Ensure that the parent is aware of the school's record keeping policy including the creation of the central transfer file should the pupil enrol at another school.
- Set, mark, and monitor homework regularly in keeping with the school's homework policy.
- Contact parents and carers as soon as is possible if the school is concerned about the child's schoolwork, behaviour, attendance, or punctuality.
- Deal with complaints in an open, fair and transparent manner.
- Consult parents on any major issues affecting pupils.
- Treat pupils and parents with respect and tolerance.

#### **Responsibility of pupils to:**

- Attend school regularly, on time, ready to learn and take part in school activities.
- Act at all times with respect and show tolerance towards other students and staff.
- Work hard and comply with requests or directions from the teacher or principle.
- Abide by school rules, meet homework requirements, and wear school uniform.
- Respect the school environment.

#### **Responsibility of parents/carers to:**

- Attend open evenings for parents.
- Ensure my child is in school on time every morning.

- Inform the school of the reason my child's absence, providing supporting documentation if required.
- Let the school know immediately if there are any reasons that may affect my child's ability to learn.
- Treat school staff, other pupils and parents with respect and tolerance at all times.
- Support the authority and discipline of the school enabling my child to achieve maturity, self-discipline, and self-control.
- Abide by school's policy regarding access to school grounds before, during and after school hours.

I accept these rules and regulations of (school name) as stated above and in the supporting policies.

Signed:

Parent - \_\_\_\_\_

Date: \_\_\_\_\_

School - \_\_\_\_\_

Date: \_\_\_\_\_

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## **Appendix G: Anti-Social Behaviour Stages**

There are several staged actions in place that can be used by Newport City Council to tackle anti-social behaviour committed by a perpetrator. Agencies will look to tackle this behaviour by way of interventions or enforcement action if this is needed. There are several processes in place ranging from warning letters through to more serious sanctions. The process is flexible and although most cases will follow the below stages, on certain occasions individuals can enter the process at a higher stage if all agencies agree that this is appropriate.

- **Stage 1 – First Stage Warning 1 Letter**
- **Stage 2 - Second Stage Warning 2 Letter**
- **Stage 3 – Community Protection Warning**
- **Stage 4 – Community Protection Notice**

### **Stage 1 – First Stage Warning 1**

When a perpetrator has committed Anti-Social Behaviour within Newport City Council and this behaviour has been referred to the Community Protection Team, they will receive a Stage 1 Warning letter.

#### ***Stage 1 Warning Letter – Adult***

The Stage 1 Warning Letter may be the first contact that the perpetrator has received regarding their behaviour and serves as an initial warning about their actions and the anti-social behaviour they have committed.

The letter will outline the wrong-doing that they are alleged to have committed and will also include the details of the Police Officer/Housing Officer/Other Agency, etc. who has submitted the referral.

The letter states the consequences for the individual if they continue to commit anti-social behaviour within the community and explains the future actions that could be taken by the Local Authority and Police.

#### ***Stage 1 Warning Letter – Youth***

If the perpetrator is under 18 years of age, the letter will be addressed to the youth's parents. It will contain all of the information that is included in the adult warning letter and also explain that they can expect to be contacted by the Prevention Team from Newport City Council's Youth Offending Service who will offer voluntary support regarding the behaviour of the young person. The letter will also highlight that Parents/Guardians have a responsibility for their child's behaviour and that such behaviour should not cause distress to people living in the community.

A 'Duty to Report' referral will also be made to Social Services.

### **Stage 2 – Second Stage Warning 2**

If further anti-social behaviour is committed by the perpetrator within 6 months of a Stage 1 letter being issued, this will lead to a Stage 2 Warning Letter being issued.

### ***Stage 2 Warning Letter – Adult***

This letter is similar to the Stage 1 letter, describing the specific behaviour that the perpetrator has committed, it reminds them that they have already been warned about their unacceptable behaviour within the community and outlines the consequences for them if they continue to commit acts of anti-social behaviour.

### ***Stage 2 letter – Youth***

If a Stage 2 warning letter is sent to a youth, the letter will also explain that the Prevention Team from Newport City Council's Youth Offending Service will contact the Parents/Guardian to address any issues regarding the youth's behaviour. This intervention will take the form of a home visit to the youth and their Parents/Guardian by a Case Officer from the YOS Prevention Team. A 'Duty to Report' referral will also be made to Social Services.

### ***Warning Meeting***

Further anti-social behaviour within 6 months of a Stage 2 Warning Letter being issued will trigger a discussion about the individual in a multi-agency meeting. With the agreement of all parties, an appointment letter will be sent to the perpetrator inviting them to their local Police station for a formal Stage 2 Warning Meeting.

Before a warning meeting is arranged with a youth, factors such as the number of ASB referrals received and the gravity of the incidents that they have been involved in will be taken into account. If the young person is not already engaging with the Youth Offending Service, a Case Officer will conduct a home visit to encourage participation with the Prevention Team. If the youth engages, then there may be no need to conduct a warning meeting at that point as this will be addressed by the YOS Case Officer. If on the other hand the youth refuses to engage, a warning meeting will take place.

Warning Meetings are carried out by an Anti-Social Behaviour Liaison Officer for Newport City Council along with a Police Officer and a Youth Offending Team Officer if the Perpetrator is a youth. If there is a need for other agencies to be invited, this will be decided during the Multi Agency meeting.

During this meeting, officers will discuss the referrals that have been submitted and seek to address any reasons for and circumstances behind the perpetrator's behaviour. Perpetrators will also be informed of the further actions that could be taken against them if they continue to commit anti-social behaviour within the community.

### **Stage 3 – Community Protection Warning**

If further referrals are received within 6 months of the Stage 2 Warning Meeting taking place, the perpetrator will be included on the agenda for the Multi Agency meeting and progression to a Stage 3 Acceptable Behaviour Contract (ABC) will be discussed.

### ***Acceptable Behaviour Contract***

An Acceptable Behaviour Contract (ABC) is a voluntary contract, offered to a perpetrator that stipulates the level of behaviour expected of the individual and specific behaviours that they should refrain from.

Before an Acceptable Behaviour Contract is issued the conditions to be contained within the contract are discussed at the Multi Agency meeting. The conditions contained within the Acceptable Behaviour Contract will be a mixture of both prohibitive and positive requirements. If the perpetrator is under 18 years of age, there will always be a condition for them to engage with the Youth Offending Service. For perpetrators under the age of 18, details will be sent to the Multi Agency Safeguarding Hub and to a representative from the school they attend to request further information which may be relevant to the decision-making process. Once they are agreed between all parties, these conditions will be included within the ABC.

Once the Acceptable Behaviour Contract is drafted, a letter is sent to the perpetrator inviting them to their nearest Police Station to read the contract and be given the opportunity to agree to abide by the contract and sign it. If the Perpetrator is under 18 years of age, they must be accompanied by their Parent/Guardian. The Acceptable Behaviour Contract is a voluntary agreement, and it is the decision of the Perpetrator if they want to sign it or not. Refusal to sign the Acceptable Behaviour Contract will be recorded as a non-engagement.

If the perpetrator signs the Acceptable Behaviour Contract, they will receive a copy and the Environment and Community Safety Department will also retain a copy. Both copies of the Acceptable Behaviour Contract will be signed by the Perpetrator and a representative from the Environment and Community Safety Department and will last for 6 months.

### ***Acceptable Behaviour Contract Breach Warning Meeting***

If there is a breach of the conditions contained within the Acceptable Behaviour Contract within a 6 month period, the Perpetrator will receive another letter from the Community Safety Department inviting them back to their nearest Police Station to discuss the breach. During this meeting the breaches of the ABC will be outlined to the Perpetrator and potential enforcement actions for further breaches will be outlined.

### **Stage 4 – Community Protection Notice**

If further referrals are received following the Acceptable Behaviour Contract breach meeting taking place a Civil Injunction will be considered.

Before Civil Injunction proceedings begin, a Multi-Agency meeting will be called including all of the relevant agencies and a representative of Newport City Council's Legal Department. They will meet to discuss if a Civil Injunction is the best option or if there are any other measures that can be taken to prevent the Anti-Social Behaviour. They will also consider whether there is enough evidence to support the application before proceedings start.

Prior to applying for a Civil Injunction, the two following conditions must be satisfied under Part 1 of the Anti-Social Behaviour, Crime and Policing Act 2014:

- a) Firstly, that on the balance of probabilities, the respondent has engaged or threatens to engage in Anti- Social Behaviour.
- b) Secondly the Court considers it just and convenient to grant the injunction for the purpose of preventing the respondent from engaging in Anti-Social Behaviour.

If the Civil Injunction is to be applied for against a youth, all options will be exhausted by every agency to divert the youth away from Anti-Social Behaviour before applying for a Civil Injunction.

The Civil Injunction will be heard in the County Court for adults and the Youth Court for those under 18 years of age. A Civil Injunction can contain prohibitions and positive requirements which will attempt to address the Anti-Social Behaviour that the Perpetrator is committing.

### ***Case Preparation***

Once a decision has been made to apply for a Civil Injunction, an Officer from the Environment and Community Safety team will compile the relevant evidence that will make up the injunction file. The person who is to be subject to the Civil Injunction will be informed that an injunction is being applied for. They can be informed of this by letter/email.

The Injunction file will then be passed to the Legal Department for Newport City Council who will review the case and make any necessary recommendations. They will also make court arrangements and contact any victims or witnesses and other involved parties as required.

## **Appendix H: Community Safety Partnership Referral Form**



Child Protection  
referral form.docx