

Keeping schools safe from abuse, threats and violence

Guidance for Schools
January 2018



Havering
LONDON BOROUGH

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Introduction

This document is being issued to take into account guidance from the Department of Education, and to provide information on a range of issues. This guidance should be read in conjunction with the H&S Manual issued by the LBH School's Health & Safety team, where the school subscribes to this service.

This guidance aims to assist Head Teachers and Governing Bodies in cases where the behaviour of visitors to the school gives cause for concern.

In particular, the guidance deals with situations where visitors are being threatening, abusive or aggressive, including online, towards other members of the school community. 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. This document includes advice on a range of possible measures that can be taken to ensure appropriate protection for schools.

The Department for Education 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's access to the premises. Useful wording (Appendix A) and a poster (Appendix B) are included and clearly specify the expected conduct and behaviour of visitors.

In addition, the guidance provides suggestions as to how to deal with difficult or abusive telephone calls and online abuse which is an increasing area of challenge for schools.

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 they are the natural parent or have parental responsibility for the child and includes step parents. 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).

Head Teachers and school governors are encouraged to make all staff aware of this guidance and also to consider the guidance in relation to their school's emergency plan.

Risk assessment

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

- Has the parent been verbally aggressive / threatening / intimidating?
- Has the parent been physically aggressive / threatening / intimidating?
- Has the parent aggressive / threatening / intimidating online?
- What evidence is there? What do witnesses say happened?
- Does the parent 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 intimidated by the parent's behaviour?
- Have pupils witnessed aggressive / threatening / intimidating behaviour from the parent?
- Have pupils been approached inappropriately by the parent?
- Has the parent been abusive to school staff, pupils or visitors?
- Has the parent been persistently abusive to school staff, pupils or visitors?
- Was the parent provoked in **any** way prior to their behaviour and/or does the parent 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?

Options for Head Teachers

After evaluating all available information, and any other relevant factors, there are several actions the Head Teacher may wish to take. These can include:

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. Skilled facilitators may need to be used. 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 the exchange of information. The safety and well-being of those attending such a meeting must be carefully considered. It is strongly recommended that members of school staff 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 who could potentially become aggressive. The meeting must be minuted, and a follow-up letter sent to confirm the school's expectations and any agreed actions. Some parents 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.

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

In some instances it may be appropriate simply to ensure the parent 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.

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 could be informed that any discussions with school staff must be held by prior appointment. Alternatively, the parent may be asked not to approach the class teacher, but should instead arrange to meet the Head Teacher (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 that in future their concerns should be dealt with by written communication. Any such arrangements should be confirmed in writing to the parent.

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, Head Teachers may need to consider whether it is safe for the parent to continue to come onto the school site or enter the buildings. In such circumstances, it is strongly recommended that Head Teachers first consult with their Governing Body.

Cases of actual assault should be reported to the Local Authority by completing the relevant forms which are available via the LBH Health and Safety guidance.

A legal case in 1999, involving Wandsworth London Borough Council, established:

1. That the parent of a child has a license to enter the child's school premises.
2. That the license may be terminated, but that public law requires that the parent must first be given an opportunity to make representations about this.
3. That failure to afford an opportunity to make representations would provide a defence against any subsequent proceedings for trespass (if the ban is breached).

This means that Head Teachers must ensure that they follow the correct procedures before taking the decision to withdraw permission for a parent to enter the school premises who must be given ample opportunity to represent themselves.

Model letters are attached as Appendix C to this document, and are provided for Head Teachers and Governors to adapt as necessary.

Calling for police assistance

In an emergency, police assistance should be sought. 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, Head Teachers may still wish to make their local community police officer (e.g. safer neighbourhood team) aware of the situation.

The police could give consideration to warning the offender of formal action, which may include legal proceedings.

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 and/or local authority. 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 as the last resort as a punitive measure.

Appropriate/Acceptable behaviour contracts

These are voluntary agreements made between people involved in anti-social behaviour, and the 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 order. Conditions can be put on the contract, e.g. not to enter school grounds.

Community Protection Notice (CPN)

A CPN is a quick response tool, used to tackle a range of behaviours, ranging from low level nuisance to serious acts of anti-social behaviour. Breaching the order is a Criminal Offence which can lead to a fine or other legal remedial actions, such as seizure or forfeiture orders.

Civil Injunction

These are sought in the same manner as the old ANTI-SOCIAL BEHAVIOUR INJUNCTIONS or ANTI-SOCIAL BEHAVIOUR ORDERS however, the legal burden of proof is much lower than previously expected by the Courts. A Civil Injunction can be sought against anyone from the age of 10 upwards. The Order can include both prohibitive and positive measures as a means to control Anti-Social Behaviour. Breaching a Civil Injunction is not a criminal offence but can lead to stronger legal measures being considered.

Criminal Behaviour Orders (CBO's)

A Criminal Behaviour Order must be sought at Court via the Crown Prosecution Service. As such, it is a power mainly used by the Police. Additionally the CBO can contain conditions and prohibitions that do not relate to the offence which resulted in Court action (i.e. the perpetrator might have been arrested for robbery in the Town Centre but his/her CBO can relate not loud music in his home). CBO application must be lodged before sentencing at Court. As with a Civil Injunction, the Criminal Behaviour Order can include both prohibitive and positive measures as a way of controlling Anti-Social Behaviour. Breach of the order is a criminal offence.

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 four 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 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.

Seeking further advice

Legal advice is available for schools via the Havering Legal Services, and individual cases should always be discussed with Legal Services to decide the most appropriate response.

Whilst the emphasis will usually be on ensuring safety and security of persons and property the injunction route is likely to be the most effective deterrent legal action, it does not however necessarily guarantee against the behaviour of the more persistent offender.

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 contemporaneous notes of any subsequent meetings held to discuss the events should also be retained. Notes should be signed and dated. There is often a tendency to use generic language eg “he was threatening and abusive.” Reporting must be precise eg “ he pointed his finger at my face from a distance of two feet and shouted that he was “going to f...ing kill me.” Words used and body actions/demeanour/voice volume and pitch should all be included

If there is recorded information, such as CCTV, this should be retained, and witnesses should be asked to make a record of exactly what they saw and heard at the earliest opportunity.

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 Head Teacher’s response.

If the police are asked to deal with an incident as a criminal investigation, there are a number of actions that may hinder 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.

A template incident recording form is attached as **Appendix D** to this document, and is provided for Head Teachers and Governors to adapt as necessary.

Any incident should also be reported to the Local Authority using the on-line Accident Incident Reporting (AIR) form, available by following the link below;
https://online.havering.gov.uk/officeforms/accident_report1.ofml

Support for employees

If a member of staff is unfortunate enough to be 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.

Where schools subscribe to the employee assistance programme, staff can obtain confidential specialist support by calling the Employee Assistance Helpline 0800 0800 328 1437 (the service is provided by a company called WSM Ltd). The helpline is available 24 hours a day, 365 days a year and can be called as often as needed.

The Employee Assistance website is also available for staff and can be accessed via www.employeeassistance.org.uk using the access code: **havering**

The staff associations/trade unions are also likely to be a source of assistance.

Appendix A – Useful wording for the expected behaviour of parents / visitors to the school

The Department for Education advises that schools should have a written policy setting out the behaviour expected of parents/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 own 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/carers 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 London Borough of Havering's guidance – 'Keeping Schools Safe' and within the schools own policy.

Schools may also wish to inform parents that no meeting at the school may be electronically recorded without the express permission of all parties, and that information obtained without such permission will not be admissible in any potential proceedings.

(add school logo)

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 you have concerns we will always listen to
them and seek to address them.**

**Please be aware that abusive, threatening or
violent behaviour will not be tolerated in this
school.**

**Visitors behaving in this way are likely to be
removed from the premises and prosecuted.**

Appendix C – Model letters

Model letters are provided in appendix's C(a)-C(f)

Model letter 1:

This is an initial warning letter which can be sent by the Head Teacher 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.**

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 a week is recommended to allow for this, at the end of which the Chair of Governors should consider any representations made before making a decision 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. In the event that 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.

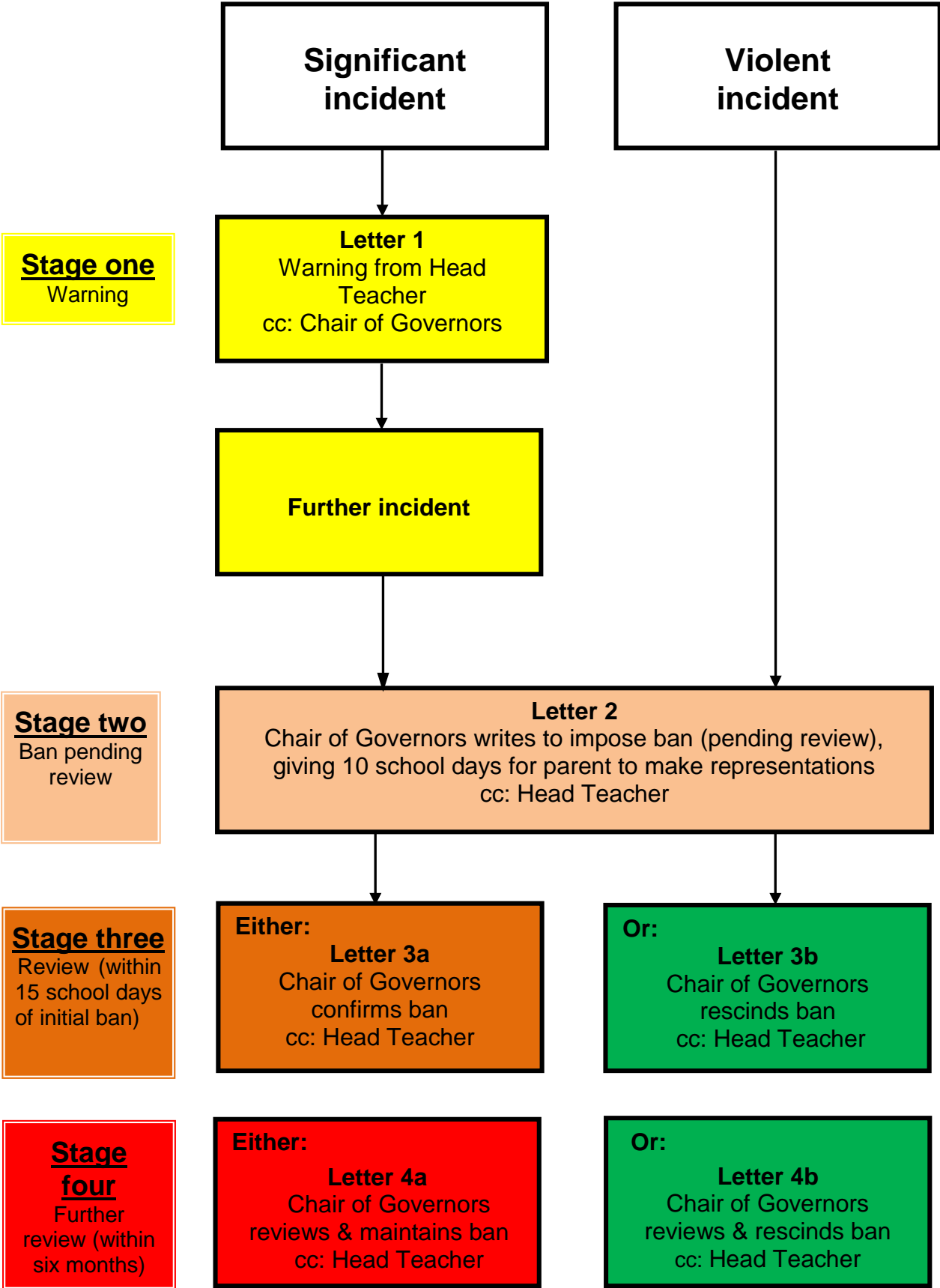
If the parent is dissatisfied with this decision, it is suggested in the model letter that the matter is then appropriately considered by a panel of school governors.

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 to ban a parent from the school premises



Appendix C(a) - Letter 1

Warning (sent by Head Teacher)

Dear

In line with expectations of adult visitors to the school, as outlined in our policy, I am writing to advise you formally that your behaviour towards on 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 and I have taken advice on how to proceed.

(add summary of incident and its effect on staff and pupils)

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 are unhappy about any aspect of their child's education or school they can arrange to have a meeting 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 will be followed by an immediate withdrawal of permission for you to enter the school premises.

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

Yours sincerely

Head Teacher
cc: Chair of Governors

Appendix C(b) - Letter 2

Withdraw permission pending review (sent by Chair of Governors)

Dear

I have received a report from the Head Teacher ofSchool about your conduct on at

(add details of incident and its effect on staff and pupils)
(optional reference to first letter from Head Teacher)

I must inform you that the governors, in line with our policy, will not tolerate conduct of this nature on the school premises and will act to defend school staff and pupils. On the advice of the Head Teacher, I am therefore instructing you that until I have reviewed this incident, you are not to reappear on the school premises. 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 you may be prosecuted under section 547 of the Education Act 1996; if convicted under this section, you are liable to a fine of £500.

Until this decision is reviewed if you cannot arrange for another parent/carer to bring/collect your child(ren) 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 primary children – 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.

Special arrangements can be made for you and a representative/friend to meet with the Head Teacher, 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 will in that time decide whether it is appropriate to confirm this decision. Before I do so, I wish to give you an opportunity to give me in writing any comments or observations of your own in relation to the report that I have received from the Head Teacher. These comments may be to challenge or explain the facts of the incident, to express regret and give assurances about your future good conduct. To enable me to take a decision on this matter, please send me any written comments you wish to make by **Advice earlier in the document does suggest 1 week.**

If on receipt of your comments, I consider that my decision should be confirmed, you will be supplied with details of how to pursue a review of your case.

I am copying this letter to the Head Teacher.

Yours sincerely

Chair of Governors
cc: Head Teacher

Appendix C(c) - Letter 3a

Withdrawal of permission confirmed (sent by Chair of Governors)

Dear

On I wrote to inform you that on the advice of the Head Teacher I had withdrawn permission for you to come onto the premises of School. 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

I have not received a written response from you/I have received a letter from you dated, the contents of which I have carefully considered.

In the circumstances, and after further consideration of the Head Teacher's report, I have determined that the decision to withdraw permission for you to come onto school premises should be confirmed. I am therefore instructing that, until further notice, you are not to come onto the premises of the school without the prior knowledge and approval of the Head Teacher.

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 a fine of up to £500.

Even though we have taken this decision, the Head Teacher and staff at School remain committed to the education of your child(ren), who must continue to attend school as normal **(if Primary add)** and under the arrangements set out in my previous letter.

This decision will be reviewed again **(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 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.

(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 Head Teacher to ensure that your complaint that..... 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: Head Teacher

Appendix C(d) - Letter 3b

Restore permission after review by Chair of Governors (sent by Chair of Governors)

Dear

On I wrote to inform you that on the advice of the Head Teacher I had temporarily withdrawn permission for you to come onto the premises of School. 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

I have not received a written response from you/I have received a letter from you dated, the contents of which I have carefully considered.

In the circumstances, and after consulting further with the Head Teacher, I have decided that it is not necessary to confirm the decision and I am therefore restoring to you permission to come onto 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: Head Teacher

Appendix C(e) - Letter 4a

Continue ban after second review (sent by Chair of Governors)

Dear

I wrote to you on confirming that permission for you to come onto the premises of School had been withdrawn until further notice. I also advised you I would take steps to review this decision by

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

I therefore advise that you are not to come onto the premises of School without the prior knowledge and approval of the Head Teacher. This instruction remains 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 which should be within a reasonable period and no longer than six months).**

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

Yours sincerely

Chair of Governors
cc: Head Teacher

Appendix C(f) - Letter 4b

Restore permission after later review (sent by Chair of Governors)

Dear

I wrote to you on confirming that permission for you to come onto the premises of School had been withdrawn until further notice. I also advised you I would take steps to review this decision by

I have now completed the review. After consultation with the Head Teacher 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.

Yours sincerely

Chair of Governors
cc: Head Teacher

Appendix D – Template: Incident recording form

PAGE 1

Date and time of incident	
Details of person(s) assaulted/ verbally abused	
Name	
Address and telephone number	
Role	
Details of perpetrator	
Name	
Address and telephone number	
Relationship to the school	
Details of witnesses	
Witness 1: Name, contact details and relationship to the school	
Witness 2: Name, contact details and relationship to the school	
Witness 3: Name, contact details and relationship to the school	

PAGE 2

Description of the incident (include relevant events leading up to the incident, details of those present, whether weapons were involved etc) There is often a tendency to use generic language eg "he was threatening and abusive." Be precise eg " he pointed his finger at my face from a distance of two feet and shouted that he was "going to f...ing kill me." Words used and body actions/demeanour/voice volume and pitch should all be included	
Location of incident (attach sketch if appropriate)	
Outcome (were police called, what happened after the incident)	

PAGE 3

Other information to be recorded as appropriate

Any possible contributory factors	
Is the perpetrator known to have been involved in any previous incidents? (if yes, give details)	
Were measures in place to try to prevent an incident of this type occurring? Could these be improved? If no measures were in place, could action be taken now to prevent reoccurrences?	
Name and contact details of police officer(s) involved. Incident number/ crime reference number	
Any other relevant information	

Form completed by (name and role)	
Date form completed	

Appendix E – 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 telephone 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 any error and take action to put it right
- if you have to go and get some information, let the caller know why you are putting them on hold and do not leave them on hold for a long time. Update them as necessary
- make notes of the conversation
- follow the procedure below if appropriate
- refer the caller to the Head Teacher, deputy etc.

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 concerns in writing.

If, despite the two warnings above, the caller continues to raise their voice/be abusive:

Mr/Mrs/Ms.... I advised you earlier 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 or use the incident report form (Appendix D) and report the incident to your Head Teacher.

Appendix F – Online Abuse / bullying

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

Online 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 involve social networking sites, email, , chat rooms, websites, , mobile and fixed-point phones, digital cameras, games and virtual world sites.

Online Abuse 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 shared and forwarded messages is hard to control and the worry of content resurfacing can make it difficult for the victim to move on.

The London Borough of Havering 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.

Online Bullying and the law

While there is not a specific criminal offence called online bullying, activities can be criminal offences under a range of different laws, including those identified in the Legal Proceedings section

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.

Effectively tackling abuse using cyber technology

School behaviour policies and procedures should explicitly refer to and outline how the school will deal with online abuse/ bullying of both staff and pupils. They should include:

- rules on the use of equipment, software and network access provided by the school,
- the use of staff and pupil owned equipment and internet access routes, where they are used on school premises and within school hours, eg mobile phones, digital cameras and laptops
- acceptable behaviour including behaviour outside of school e.g. use of social networking services and other sites, with regard to harming others and bringing the school into disrepute.

Appendix F – Responding to incidents

- Staff should never retaliate i.e. personally engage with online bullying incidents.
- Keep any records of abuse – texts, emails, voice mails, or instant messages. Take screen shots of messages or web pages. Record the time, date and address of the site.
- Inform the appropriate person e.g. Head Teacher, or designated safeguarding lead at the earliest opportunity.
- Where the perpetrator is known to be a current pupil or co-worker, this should be dealt with through the school's own behaviour management / disciplinary procedures.
- Monitoring and confiscation must be appropriate and proportionate - parents, employees and learners should be made aware in advance of any monitoring (for example, of email or internet use) or the circumstances under which confiscation might take place. The situation and process for monitoring and confiscation must be described in the schools Behaviour Policy.
- A designated member of the leadership team should contact the police where it appears that a law has been broken – for example, where death threats, assault, or racially motivated criminal offences are involved. Where a potential criminal offence has been identified, the school should ensure that any internal investigation does not interfere with police inquiries. School staff are able to report incidents directly to the police.
- If a potential criminal offence has been committed and the school is not able to identify the perpetrator, the police may issue a Regulation of Investigatory Powers Act 2000 (RIPA) request to a service provider, enabling them to disclose the data about a message or the person sending it.
- The London Borough of Havering Legal Services team is available to offer support and advice via currently Stephen Doye

Getting offensive content taken down

Where online content is upsetting / inappropriate and the person(s) responsible for posting is known, the quickest way to get material taken down is likely to be to ensure that the person who posted it understands why the material is unacceptable and to request that they remove it.

If the person responsible has not been identified, or will not take the material down, the school will need to contact the host (i.e. the social networking site) to make a request to get the content taken down. The material posted may breach the service provider's terms and conditions of use and can then be removed.

Help and advice is available from the POSH. Very often the content you wish to remove does not breach terms and conditions. The POSH can help you with removal of content that would be a risk to an adult or a child.

POSH helpline

UK Safer Internet Centre - Professionals Online Safety Helpline

- helpline@saferinternet.org.uk
- 0844 381 4772
- <https://www.saferinternet.org.uk/professionals-online-safety-helpline>

Open 10am - 4pm Monday to Friday

POSH support all professionals working with children and young people - teachers, social workers, doctors, police, coaches, foster carers, youth workers and so on.

The team can help with any online safety issues - privacy, online reputation, gaming, grooming, cyberbullying, sexting, inappropriate behaviour on social media and so on. As the only helpline in the UK solely dedicated to supporting the children's workforce, POSH are unique in their relationships within industry- having direct channels to escalate concerns to social media companies and many websites.

It is important to be clear about where the content is – for example by taking a screen capture of the material that includes the URL or web address. If you are requesting they take down material that is not illegal, be clear how it contravenes the site's terms and conditions.

In cases of actual/suspected illegal content, the school should contact the police.