**Background**

1. **Who can go on school premises?**

Schools are private property. People do not have an automatic right to enter. Parents have an ‘implied licence’ to come on to school premises at certain times, for instance:

* for appointments
* to attend a school event
* to drop off or pick up younger children

Schools should set out their rules for this and tell parents what they are. Anyone who breaks those rules would be trespassing.

If a parent/carer enters the school at inappropriate times or behaves in such a way that their behaviour is not conducive to the proper function of the school, then their implied license to enter the school premises can be revoked. Thereafter, if they seek to enter the school uninvited, they may be trespassing.

**2. Barring individuals from school premises**

Trespassing is a civil offence. This means that schools can ask someone to leave and take civil action in the courts if someone trespasses regularly. The school may want to write to regular trespassers to tell them that they are potentially committing an offence.

Schools can bar someone from the premises if they feel that their aggressive, abusive or insulting behaviour or language is a risk to staff or pupils. It’s enough for a member of staff or a pupil to feel threatened.

The school should tell an individual that they’ve been barred or they intend to bar them, in writing. Letters should usually be signed by the headteacher, though in some cases the local authority, academy trust or proprietor may wish to write instead. The individual must be allowed to present their side. A school can either:

* bar them temporarily, until the individual has had the opportunity to formally present their side
* tell them they intend to bar them and invite them to present their side by a set deadline

After the individual’s side has been heard, the school can decide whether to continue with barring them. The decision should be reviewed within a reasonable time, decided by the school.

The Department for Education (DfE) does not get involved in individual cases.

**3. Removing individuals from school premises**

Section 547 of the Education Act 1996 makes it a criminal offence for a person who is on school premises without legal permission to cause or permit a nuisance or disturbance. Trespassing itself does not constitute a criminal offence.

To have committed a criminal offence, an abusive individual must have been barred from the premises or have exceeded their ‘implied licence’, then also have caused a nuisance or disturbance.

If a school has reasonable grounds to suspect that someone has committed an offence, then they can be removed from the school by a police officer or a person authorised by the appropriate authority such as the:

* governing board
* local authority
* proprietor of that school

**Procedure at Russell Lower School**

**4. Procedure at Russell Lower School**

1. Visitors will be informed of our expectations of behaviour, as set out in our ‘Polite notice’ on arrival, and via our Newsletter
2. If a visitor needs to be barred, this will be temporary in the first instance. If the Headteacher has reasonable grounds to suspect that someone has committed an offence, then they can be removed from the school by a police officer or a person authorised by the appropriate authority such as a member of staff or the Headteacher/Deputy Headteacher.
3. The Headteacher will write to the barred person within 5 working days, stating that they have been barred temporarily and invite them to present their point of view, within 10 working days.
4. The school will them decide whether to continue barring them, or allow them back onto school premises. A decision will be made and communicated in writing within 10 working days.
5. If an on-going bar has been put in place by the school, this will be reviewed 6 months from the date of the original ‘offence’ or 6 months from the last review. The result of the review will be communicated in writing.

**Access to Premises – Russell Lower School**

**Polite notice to all Visitors**

Visitors to school will be asked to leave if our staff or children feel threatened.

Visitors will be asked to leave if they are:

Aggressive, abusive or insulting and, either their behaviour or language, may present a risk to our staff or pupils.

Our Access to Premises Policy and Procedure is on the school website.

Thank you for your support.