



Guidance for school leaders on working with visitors who display threatening behaviour or are abusive or vexatious

Principles

- School staff should be able to come to work without fear of violence, abuse or harassment from visitors. In most cases, visitors will be appreciative towards those who educate children and young people, but a minority of people may be threatening, abusive or violent towards staff. Oxfordshire County Council and Schools' Leadership Teams (including Governors and Trustees) are committed to dealing with inappropriate behaviour.

Summary

- All members of the school community have a right to expect that their school is a safe place in which to work and learn. There is no place for violence, threatening behaviour or abuse in schools.
- Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Parents and carers of enrolled pupils have an 'implied licence' to come onto the school's premises at certain stated times, and it is for schools to define and set out the extent of such access. Day-to-day access to a school's premises is within the control of the head teacher.
- Parents and carers are typically granted 'limited licence' to visit the grounds and buildings of a school; as such, most schools will establish a protocol that will set out the acceptable purposes for such visits, the areas of the school that may be entered at particular times and the standard of expected behaviour, etc. . Parents of younger pupils will commonly be allowed into the playground, or part of the playground, at the beginning and end of the school day.
- Usually, visitor access to the school's premises will be by appointment or invitation to a school's event or meeting.
- Some school users may have cause to complain. Whilst some complaints may relate to serious and distressing incidents, it is never acceptable to be threatening or harass school staff or pupils. Malicious and vexatious complainants must be identified and challenged.
- Staff and pupil conduct is managed through the professional conduct and behaviour policies.

Tips for Prevention

- Violence, threatening behaviour and abuse against school staff or other members of the school community will not be tolerated.
- Schools should have an agreed approach for visitor access and make it known to visitors.
- Schools should consider establishing a protocol (or 'Code of Conduct') that will set out the acceptable purposes for such visits, the areas of the school that may be entered at particular times and the standard of expected behaviour.
- The 'Code of Conduct' can be publicised by displaying suitable posters in areas of the school that may be entered and therefore seen by visitors. [Click here](#) to view and download posters with permission of the National Association of Head Teachers (NAHT). Potential violence can be reduced and even prevented if members of staff have the skills to identify conflict or distress before it leads to aggression and use techniques to reduce aggression before violence occurs. De-escalation techniques do not come naturally. Children and

adults are driven to fight, flight or freeze when confronted by a very angry person. Staff must appear calm, allow space and be respectful even when firmly setting limits or calling for help. Lowering and slowing the voice is a well-known de-escalation technique, acknowledging the visitor's reason for anger and seeking clarification. In addition, being empathic and non-judgemental, respecting personal space and using non-threatening non-verbal communication techniques, such as slight nodding and smiling, can help. Staff should focus on feelings, ignore challenging or unreasonable questions, allow silence for reflection and allow time for decisions. Ultimately, it is reasonable to state clearly that the visitor's behaviour is unacceptable and advise of choices and consequences.

- Whether school leaders draw up a policy or not, an assessment of risk to staff and others from abusive or violent visitors should be prepared.
- Schools should publicise their Complaints Policy so that anybody who wishes to engage with the school formally about an unresolved matter knows the correct procedures to follow.

What is a vexatious complaint?

A vexatious complaint is one that is pursued, regardless of its merits, solely to harass, annoy or subdue somebody; something that is unreasonable, without foundation, frivolous, repetitive, burdensome or unwarranted.

In identifying vexatious complaints, school leaders must be careful to:

- Distinguish between complainants who are raising genuine concerns; and
- Recognise when people are simply being difficult.

This can be achieved by recognising that complainants may often be aggrieved, frustrated or have other reasons for their behaviour; the focus must be on careful consideration of the merits of the case rather than the attitude of the complainant.

However, a complainant may be regarded as vexatious where they:

- Persist in pursuing a complaint which has already been investigated by another or the same person and provides no new or material information.
- Seek to prolong contact by continually changing the substance of a complaint or by continually raising further concerns or questions whilst the complaint is being addressed.
- Fail to clearly identify the substance of a complaint, or the precise issues which may need to be investigated despite reasonable efforts to assist them.
- Complain solely about trivial matters to an extent which is out of proportion to their significance.
- Make excessive contact with the school or seek to impose unreasonable demands or expectations on resources, such as responses being provided more urgently than is reasonable or necessary.
- Operate a scatter-gun approach by lodging the same complaint in parallel with several bodies for investigation.

What is a malicious complaint?

A malicious complaint is one that is made with the intention of causing harm, for example:

- Deliberately seeking to defame somebody and raising a complaint with this intent;
- Through lying about an issue or incident in the knowledge that this will cause harm;
- Through knowingly basing a complaint on rumour and gossip with the intention of causing harm.

A malicious complaint is defined as one:

- That the investigation has shown to be without foundation; and/or
- Where the investigation evidence demonstrates that the complainant knowingly lied to the investigator and Where there is sufficient evidence to demonstrate this at a disciplinary hearing on the basis of the balance of probabilities.

Some suggestions for managing vexatious or malicious complaints include:

- Placing limits on the number and duration of contacts with staff per week or month.
- Offering a restricted time slot for necessary calls.
- Limiting the complainant to one medium of contact (telephone, letter, email, etc.), ideally face-to-face.
- Requiring the complainant to communicate only with one named member of staff.
- Requiring any personal contacts to take place in the presence of a witness and in a suitable location.
- Refusing to register and process further complaints about the same matter.
- Reflecting on personal bias and removing yourself from the situation, if appropriate.
- Seeking legal advice.

Responding to breaches of school protocol

- In the event of a breach of school protocol, the school can respond in one of the following ways:
 - Initiate a face-to-face meeting or dialogue with the visitor.
 - Write to the visitor, describe their misconduct and its impact on the school.
 - Adjust the person's 'licence', say, through the imposition of visiting conditions.
 - Warn of the possibility of a ban from the school if the misconduct is repeated.
 - Impose a ban with a review after a fixed period or impose a permanent ban.
- It is possible for a headteacher to initiate any of the above actions on their own authority; however, personal confrontation is less likely if the more serious sanctions are initiated by the governing or the employing body, as appropriate.
- Where necessary, the headteacher should ask their employing body for advice and the employing body should take the lead in initiating action.
- Should a school or employing body require legal advice, Oxfordshire County Council offer legal support as a traded service. For more information on how to access Legal Services, go to: <https://schools.oxfordshire.gov.uk/cms/content/legal-services>
- For matters of a criminal nature, the school must contact the police.
- Where a complainant is vexatious or malicious, inform them in person or in writing that their behaviour is considered by the school to be unreasonable or unacceptable. Cease all correspondence and communication with the complainant other than that necessary for the health and safety of any child/adult in school and seek advice from the employing body, union and/or the Local Authority.

Sources of information

- 'Dealing with violent and abusive visitors' – National Association of Head Teachers
- [Advice on school security: Access to, and barring of individuals from, school premises \(December 2012\)](#) - Department for Education
- [Guidance for safer working practice for those working with children and young people in education settings \(May 2019\)](#) – Safer Recruitment Consortium

