



The Oldershaw School

Banning From School Premises Statement

1 Introduction

- 1.1 This Banning from School Premises statement is to be read in conjunction with the Department for Education's guidance 'Controlling Access to School Premises', November 2018.
- 1.2 The School is private property and no one has an automatic right to enter. Students are entitled to be on the premises during the school day. Parents have an 'implied licence' to enter the school premises at certain times.
- 1.3 The decision is taken by the Principal to ban an individual from the premises this decision will be communicated to the affected party as soon as possible. The decision will then be confirmed in writing and will explain why the individual has been banned.

2 Behaviour

- 2.1 At School we value a calm and positive learning environment with kindness as one of our core values. The School recognises that this is essential to creating an effective teaching and learning environment in which all pupils are able to progress.
- 2.2 The School recognises that at times the behaviour of an individual or an individual might be so extreme that it impacts upon the learning environment and the welfare of pupils and the School's employees. This behaviour might be;
 - 2.2.1 aggressive;
 - 2.2.2 abusive;
 - 2.2.3 insulting; or,
 - 2.2.4 violent.
- 2.3 If the Principal decides that the behaviour is extreme or impacts others, they can make the decision to ban the individual for a fixed period of time or permanently.

3 Fixed Period Ban

- 3.1 A fixed period ban is when an individual is temporarily banned from the School's premises. The Principal will confirm the date the ban is effective to in writing to the individual
- 3.2 Until the ban is lifted the individual must not enter school premises. Failure to respect the ban may result in a permanent ban or further legal action.

4 **Permanent Ban**

- 4.1 If the School has taken the decision to permanently ban an individual from the school premises it will mean that they will at no point have access to the school premises.
- 4.2 Failure to comply with the ban may result in the School taking further legal action.

5 **Appeal**

- 5.1 If an individual believes that they have been unfairly banned from the school premises they are permitted to appeal the decision and present their side of the story to the School.
- 5.2 After the individual's side has been heard the School will decide whether to continue barring them. This decision will be;
 - 5.2.1 reviewed in a reasonable time;
 - 5.2.2 decided by the school;
 - 5.2.3 subject to no further appeal.

6 **Communication Plan**

- 6.1 In the event of a parent/carer being subject to a ban from the school premises we will put in place a communication plan which we will maintain communication in either telephone or writing about pupil progress and any key information related to their child.

7 **Trespass**

- 7.1 The School's premises are private property. If an individual has been banned from the property (verbally or in writing) yet still enters this will be considered trespass. Trespassing is a civil offence and the School can take civil action against the trespasser.
- 7.2 The school will write to the trespasser to inform them that they are committing an offence prior to taking legal action.

8 **Forceful Removal**

- 8.1 If an individual barred from the premises has returned and is causing a nuisance or disturbance this will constitute a criminal offence under section 547 Education Act 1996. In this situation School will take steps for the banned individual to be forcibly removed from the site by a police officer.