



Zero Tolerance Policy 2023 - 2025

Equality Impact Assessment: Askham Bryan College recognises the importance of the Equality Act 2010 and its duties under the Act. This document has been assessed to ensure that it does not adversely affect staff, students or stakeholders on the grounds of any protected characteristics.

1. DOCUMENT HISTORY

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SLT Owner: CEO
Author: Legal and Compliance Adviser
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2. POLICY STATEMENT

- 2.1 College staff have the right to work or be at College without being subjected to unacceptable behaviour.
- 2.2 In the event that a member(s) of staff is subjected to unacceptable behaviour, then the College will decide on an appropriate response, depending on the circumstances of the incident(s) concerned (see section 5, below).

3. DEFINITION OF 'UNACCEPTABLE BEHAVIOUR'

- 3.1 Examples of the types of behaviour that the College regards as unacceptable are:
 - using foul or abusive language or swearing at College staff;
 - any physical violence or threat of physical violence;
 - verbal abuse;
 - raising of voice so as to be intimidating;
 - any kind of insult as an attempt to demean, embarrass or undermine;
 - harassment (especially racial or sexual)/sexual misconduct;
 - persistent or unrealistic demands that cause stress to staff (requests will be met wherever possible and explanations given when they cannot);
 - allegations which turn out to be vexatious or malicious;
 - causing damage/stealing from the College premises, staff, students or others.

Please note this is not an exhaustive list.

4. SCOPE AND PURPOSE

- 4.1 This Policy applies across all sites, to all staff, students and visitors to College premises.
- 4.2 The purpose of this Policy is to define what is/is not acceptable behavior towards staff by individuals other than members of staff, for instance, parents, guardians, carers, visitors to the College, member of the public, etc.
- 4.3 Unacceptable behavior by staff towards other members of staff is subject to the Staff Code of Conduct and Staff Disciplinary Procedure. Unacceptable behavior by students is subject to the Student Behaviour Policy and Procedures.

5. THE COLLEGE'S RESPONSE

- 5.1 Staff, in the first instance, should raise any concerns they have about inappropriate behaviour with their line manager who will then determine whether the matter falls to be dealt with under this Policy. In the event that it does, line managers should then consider whether an informal resolution is possible. This will depend on the circumstances, and nature of the unacceptable behaviour complained of.
- 5.2 For instance, this could involve simply speaking to the parent/guardian/carer, member of the public concerned, etc or sending them an email and explaining to them why their behavior is felt to be unacceptable and what behavior the College expects to see from them in future. It may, however, be more appropriate for the parent/guardian/carer, member of the public concerned, etc to be invited to an informal meeting to discuss this.
- 5.3 If the unacceptable behaviour is by a member of staff, then the matter should be brought to the attention of People Services.
- 5.4 If the unacceptable behaviour is by a student, then the matter should be referred to the Head of Student Services and or Assistant Principal (Students), as appropriate.
- 5.5 In the event that the unacceptable behavior continues, or in circumstances where the unacceptable behavior complained of is sufficiently serious to involve the College Executive, for instance, where there have been acts of violence or threats of violence against staff members, then the matter should be reported immediately to the College Executive who will decide what action is appropriate in the circumstances.
- 5.6 Action taken by the College Executive could include one or more of the following:
 - a) clarify what is considered acceptable behaviour by the College;
 - b) invite the individual in breach of this policy to an informal meeting to discuss events;
 - c) impose conditions on an individual's contact with the College and its staff;
 - d) imposing a ban; and or
 - e) removal.

Clarify what is considered acceptable behaviour by the College

- 5.7 In some instances, it may be appropriate simply to ensure that the individual (parent/guardian/carers, visitor to the College, member of the public, etc) is clear about behavioural standards expected by the College.
- 5.8 This could be explained verbally, and then followed up by email/letter, for instance, by the relevant Curriculum Area Manager, or where appropriate, by letter from the College Executive. The email/letter may contain a warning about further action if there are further incidents.

Invite to an informal meeting to discuss events

- 5.9 This could be helpful to discuss and diffuse the situation and should be organised and attended by, in the first instance, the relevant Curriculum Area Manager. If necessary, a further meeting could be held with the Assistant Principal (Students), Vice Principals and or representatives from the College Executive, as appropriate.
- 5.10 The main points of discussion and any agreed actions should be noted, and a follow-up letter or email sent to confirm the College's expectations and any agreed actions.

Imposing conditions

- 5.11 Although fulfilling a public function, schools and colleges are private places. The public has no automatic right of entry. Visitors to the College have an 'implied licence' to come onto school and college premises at certain stated times. Anyone exceeding this would be trespassing.
- 5.12 Depending of the type, level or frequency of the unacceptable behaviour, the College may consider imposing conditions on an individual's contact with the College and its staff. These conditions may include; but are not limited to:
- f) being accompanied to any meeting with a member of College staff by a member of the Senior Leadership Team or Curriculum Area Manager;
 - g) restricting contact by telephone to named members of the Senior Leadership Team or Curriculum Area Manager;
 - h) restricting written communications to named members of the Senior Leadership Team or Curriculum Area Manager;
 - i) restricting attendance at College events to those where the individual will be accompanied by a member of the Senior Leadership Team or Curriculum Area Manager;
 - j) any other restriction as deemed reasonable and proportionate by the College Executive.
- 5.13 In the event that conditions are imposed, a letter would be sent by the College Executive explaining what the conditions are and how they will work. The individual in receipt of the letter would be given 10 working days from the date of that letter to make

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representations in writing about the conditions to the College Executive. The College Executive would then decide whether to confirm or remove the conditions. This would be communicated to the individual in writing within 10 working days of the date of their letter.

- 5.14 If the decision is to confirm the conditions imposed, this decision will be reviewed by the College Executive after approximately six months (and every six months after that, if appropriate, until no longer necessary). The individual concerned will be invited to make written representations to the College Executive. These written representations and the evidence from staff will be considered at a meeting of the College Executive. The College Executive may decide to maintain, extend or remove the conditions. The decision of the review will be communicated to the individual by the College Executive within 10 days of the date of the meeting.
- 5.15 When deciding whether it will be necessary to maintain, extend or remove the conditions, College Executive will consider the extent of the individual's compliance with the conditions, any appropriate expressions of regret and any assurances of future good conduct by the individual and any evidence of their cooperation with the College in other respects.

Imposing a ban

- 5.16 Where there is a persistent course of dealings by an individual with College staff that is either abusive and or aggressive, or intimidating, etc., or where there is a single, but serious incident, for instance, an act of violence against one or more members of College staff, then the College may consider banning the individual from College premises. This will also include banning the individual from accessing College staff by written communication, social media or telephone.
- 5.17 In these circumstances, the individual would be advised in writing by the College Executive that a provisional ban is being imposed. They would then be given 10 working days from the date of that letter to make representations about the ban in writing to the College Executive.
- 5.18 The College Executive would then decide whether to confirm or remove the ban. This would be communicated to the individual in writing within 10 working days of the receipt of their letter. If the Chair's decision is to confirm the ban, and where this individual(s) is a parent of a student, they will be offered an annual meeting about their child's progress, usually with a member of senior staff.
- 5.19 A decision to impose a ban will be reviewed by the College Executive after approximately six months (and every six months after that, if appropriate, until no longer necessary). The individual will be invited to make written representations to the College Executive. Any written representations and the evidence from the staff will be considered at a meeting of the College Executive. The College Executive may decide to remove the ban, extend the ban or impose conditions on an individual's access to the College.
- 5.20 The decision of the review will be communicated to the individual by the College Executive within 10 days of the date of the meeting. In deciding whether to remove or extend the ban or impose conditions, the College Executive will consider the extent of

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the individual's compliance with the ban, any appropriate expressions of regret and any assurances of future good conduct received from them and any evidence of their co-operation with the College in other respects.

Removal

- 5.21 Individuals who have been banned from College premises and continue to cause a nuisance will be deemed to be trespassers. In these circumstances, the offender may be removed from the College. This may be carried out by a police officer. Where the situation is sufficiently serious, then legal proceedings may be brought against the individual as well.
- 5.22 At all times, it will be for the College Executive to decide what is an appropriate course of action, given the circumstances. If necessary, the College Executive could escalate to the College governors.

6. COMPLAINTS

- 6.1 Any complaint that arises from incidents of abusive behaviour will be dealt with under the College's Complaints Policy.

7. MONITORING AND REVIEW

- 7.1 The Chief Executive Officer will maintain oversight of the effectiveness of these arrangements. This policy and the implementation arrangements which underpin it will be reviewed every 2 years by the Legal and Compliance Adviser in conjunction with the Chief Executive Officer.

8. SUPPORTING/RELATED DOCUMENTS

Zero Tolerance Statement
Complaints Policy
Complaints Procedure
Staff Code of Conduct
Staff Disciplinary Procedure
Student Behaviour Policy
Student Behavior Procedures
Anti-Sexual Harassment Policy (Staff)
Prevention of Student Harassment and Sexual Misconduct Policy

9. RELEVANT LEGISLATION

- 9.1 In all aspects of this policy the College will comply with the following legislation:

DfE Guidance Controlling Access to School Premises
Health and Safety at Work Act 1974
Sexual Offences Act 2003
Equality Act 2010
Protection from Harassment Act 1997
OfS Condition of Registration E6