



## Lowther Primary School - Access to site policy for visitors and families

Approved: July 2019

Policy reviewed: July 2020

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### **This policy sets out:**

Who may be on school property

What trespassing is, and how we deal with it

What the school may do to bar someone from school property

What the school may do if someone needs to be removed from school property

### **1. Who can go onto school premises?**

Schools (the buildings and the site) 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 children

The timing and arrangements for the start and end of the school day are on the school website. Parents and carers will be informed when any changes are made to these arrangements.

Parents and guests attending an organised school event should arrive at a reasonable time before the advertised start time and leave within a reasonable time of the finish.

Agencies and individuals providing activities outside the school day will have a starting and finishing time in their formal agreements, which form part of their 'implied licence'.

Visitors arriving at the school should always register on arrival at Reception and sign out at the end of their visit, after which they should leave the premises.

Any private hire for school premises will have a stated start time and a finish time. Site users do not have access outside those times, except by specific arrangement with the organiser/ the school.

### **2. Trespassing**

Trespassing (entering another's property illegally) is a civil offence. Even if someone has initially been allowed to enter, they must not stay after being asked to leave.

Schools have the right to ask someone to leave the buildings or the site, and can take civil action in the courts if someone trespasses regularly.

The school will seek to write to anyone trespassing regularly, to advise them that such action may be taken against them. Barring individuals from school premises

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 is enough for a member of staff or a pupil to feel threatened.

The school will tell the person(s) concerned that they have been barred, or that it is intended to bar them, in writing. Any letters will usually be signed by the headteacher, though in some cases the local authority may wish to write.

The individual(s) will be allowed to present their side. The school can either bar them temporarily, until they have had the opportunity to formally present their side (normally within 2 working weeks of giving notice), or tell them they intend to bar them, and invite them to present their side by a set deadline, which will normally be within 2 working weeks of the date of the letter.

After the individual's side has been heard, the school can decide whether to continue with barring them. The decision will be reviewed within a reasonable time, decided by the school, normally within 2 working weeks.

### **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 (but see section 2 above) .

To have committed a criminal offence, an abusive individual must have been barred from the premises, or have exceeded their 'implied licence', and 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 by a person authorised by an appropriate authority (such as the governing board or local authority).