

## PROCEDURE 04: ADULT BEHAVIOUR AT SCHOOL

Whareorino School staff, parents and children are entitled to a safe and protective environment in which to work.

Behaviour that will cause harassment, alarm, or distress to users of the premises, is contrary to the values of our school.

### School Values:

We uphold the values of the New Zealand Curriculum, and in particular we value:

### **The Three R's**

**Relationships:** Being ready, willing, and able to learn from and with others, as well as on your own.

**Resilience:** Being ready and able to 'lock onto learning' even when learning is hard, or others are distracting you!

**Reflection:** Being able to think deeply about you learning, progress and achievement and to set and work on learning goals.

### Guidelines

Under section 139C of the Education Act regarding the Offence of insulting, abusing, or intimidating staff;

- (1) Every person commits an offence, and is liable on conviction to a fine not exceeding \$1,000, who intentionally insults, abuses, or intimidates a teacher or member of staff of a school:
  - (a) within the presence or hearing of any student of the school; and
  - (b) While on school premises, or in any other place where students of the school are assembled for school purposes.

We expect that:

- all members of the school community treat each other with respect
- adults are expected to set a good example to children at all times, showing them how to get along with all members of the school and the wider community
- no members of staff, parents or children are the victims of abusive behaviour or open to threats from other adults on the school premises or at any school related events
- should a parent or visitor to the school have a concern, they need to immediately report their concern to the Principal

A copy of the Whareorino School Complaints Policy and Procedures is available upon request and can be found on the school's website.

Physical attacks and threatening behaviour, abusive or insulting language – (verbal or written) to staff, parents and carers, children, and other users of the school premises, will not be tolerated and may result in withdrawal of permission to be on school premises.

### **Unacceptable Behaviours:**

Types of behaviour that are considered serious and unacceptable and will not be tolerated towards any member of the school community:

Serious and unacceptable behaviour may include, but is not limited to:

- shouting, either in person or over the telephone
- harassment
- inappropriate posting on Social Networking sites deemed as bullying
- speaking in an aggressive/threatening tone
- physically intimidating, e.g. standing very close
- the use of aggressive hand gestures/exaggerated movements
- physical threats
- shaking or holding a fist towards another person
- swearing
- pushing
- hitting e.g. slapping, punching or kicking
- spitting
- racist or sexist comments

Unacceptable behaviour may result in the Police being informed.

The school reserves the right to take any necessary actions to ensure that members of the school community are not subjected to abuse.

School premises are private property and parents have been granted permission from the school to be on school premises. However, in case of abuse or threats to staff, pupils or other parents, school may ban parents from entering school.

### **When incidents of inappropriate parent behaviour occur, the following process may be followed:**

A conversation between the principal or other appropriate staff member is held with the parent detailing the problem.

If the behaviour continues, a follow up letter is sent detailing the problem and appropriate restrictions e.g. making appointments to see the teacher.

Depending on the circumstances the letter may:

- Contain a reminder that under s 139C Education Act 1989 it is a criminal offence to assault, abuse, or intimidate a staff member within the presence or hearing of any student of the school while on school premises or in any other place where students are assembled for school purposes.
- Warn that a trespass notice may be issued if the behaviour continues especially if there is a real risk of physical violence to staff.

A meeting may be arranged to hand over the letter.

If the parent is likely to go to another venue where their behaviour could be an issue, (e.g. a sports match), the venue operator should be advised that there may be a problem. If the venue has its own rules about conduct, the parent should be advised of these.

### **Harassment**

If the behaviour continues the staff member can make a complaint of harassment to the police or apply to the District Court for a restraining order against the parent (a civil not criminal process).

In making an application to the District Court for a civil restraining order, the staff member will have to show that:

The parent's behaviour causes them distress, or threatens to cause them distress; and,

The behaviour would cause distress or threaten to cause distress to a reasonable person in the staff member's particular circumstances; and,

In all the circumstances the degree of distress caused or threatened justifies the making of the order; and,

The making of the order is necessary to protect the staff member from further harassment.

A restraining order will remain in place for a specified period, or if no period is specified, for 1 year. It is a criminal offence to contravene a restraining order punishable by a term of imprisonment for a term of up to 6 months or a fine of up to \$5,000.

For there to be a criminal offence of harassment, the police would have to prove that the parent intended the staff member to fear for their safety or the safety of a member of their family, and also that the parent knew that the harassment was likely to cause the staff member to reasonably have such fear.

The offence is punishable by a term of imprisonment for up to 2 years.

### **Trespass**

A school board of trustees is the occupier of the land and buildings under statutory lease from the Crown. The Education Act does not give parents or guardians of children express right of entry to state school grounds.

The school will advise visitors to the school re the conditions of entry - e.g. all visitors must sign in at the school office.

The school, through the School Board, has the right to trespass a person who enters the grounds without consent.

If a parent's behaviour is of a concern, the school may ask the parent to leave. In doing so they must revoke the permission for them to be on school ground in the first instance and then ask them to leave under the terms of s3 Trespass Act 1980.

When they have left after a s3 warning, they are free to return unless a trespass order is issued.

A trespass order may be issued to a parent if the school has reasonable cause to suspect that the parent may trespass again and are concerned about parental conduct and behaviour.



PRINCIPAL

Dated: February 1, 2022