



The Sercombe Federation
Cledford Primary School
&
Gainsborough Primary & Nursery School
 A Federation of Cheshire East Primary Schools



Cledford Primary School

George VI Avenue, Middlewich, Cheshire, CW10 0DD
 Telephone: 01606 663667
 E mail: admin@cledford.cheshire.sch.uk
 Website: www.cledford.cheshire.sch.uk

Gainsborough Primary & Nursery School

Belgrave Road, Crewe, Cheshire, CW2 7NH
 Telephone: 01270 696810
 E mail: admin@gainsborough.cheshire.sch.uk
 Website: www.gainsboroughschool.co.uk

Local Authority Code: 895
 Establishment Number: 3821

Local Authority Code: 895
 Establishment Number: 3810

School Principal: Mr C Adlington

Chair Governors: Mrs J M Sercombe
 Federation Headteacher: Mrs A J Booth

School Principal: Mrs J Nurse

Federation Policy on Barring Individuals from School Premises

Reviewed: October 2023

Signed:

Mrs J Sercombe (Chair of Governing Board)

Mrs AJ Booth (Federation Headteacher)

Mrs J Nurse (School Principal GPNS)

Mr C Adlington (School Principal CPS)

Next Review Date: October 2026

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

The Department for Education (DfE) published guidance in November 2018 that states that:

- ***Schools 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 younger children***

Schools are encouraged to set out their rules for this. This policy is designed to help individuals understand our school's rules for anyone who comes on to school premises. Anyone who breaks these rules would be trespassing.

We expect all individuals to behave appropriately and respectfully whilst on school premises. In particular, the school has the power to withdraw the implied license if an individual is using abusive or insulting language or behaviour that presents a risk to staff or pupils. **It is enough for staff to feel threatened by this behaviour.**

In the event of an intention to bar an individual from school premises, the Principal of the school or the Local Authority will write a letter stating that they are barring the individual from the premises. A provisional bar may be implemented to allow time for the individual to respond or to find representation. Alternatively, the school may serve a *notice of intent to bar*, giving the individual a reasonable time to respond.

Any bar will be subject to review within a reasonable time scale. Individuals can make written representations to the school or Local Authority if they feel the bar is no longer necessary. It is important for individuals to demonstrate why the reasons why the bar was first put in place no longer apply.

Under [Section 547 Education Act 1996](#), it is a criminal offence for a person who is on school premises without lawful authority to cause or permit a nuisance or disturbance.

Anyone wishing to complain about being barred can do so, by letter or email, to the school Principal or chair of governors. Complaints about barring cannot be escalated to the DfE (see below). Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

Gov.UK

Department for Education

Guidance

Controlling access to school premises

Published 27 November 2018

Trespassing is a civil offence. This means that schools can ask someone to leave and take civil action in the courts if someone trespasses regularly. The school may want to write to regular trespassers to tell them that they are potentially committing an offence.

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 should tell an individual that they've been barred or they intend to bar them, **in writing**. Letters should usually be signed by the headteacher or Principal, though in some cases the local authority, academy trust or proprietor may wish to write instead. The individual must be allowed to present their side. A school can either:*

- *bar them temporarily, until the individual has had the opportunity to formally present their side*
- *tell them they intend to bar them and invite them to present their side by a set deadline*

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

The Department for Education (DfE) does not get involved in individual cases

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.

To have committed a criminal offence, an abusive individual must have been barred from the premises or have exceeded their 'implied licence', 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 a person authorised by the appropriate authority such as the:

- *governing board*
- *local authority*
- *proprietor of that school*