



## Parental Access to the School Premises

Parental Access to School Premises and the Principles of the Law of Trespass  
Schools and school grounds are private places, and anyone entering without authority (which might include parents/carers) is trespassing, and may be asked to leave.

However, the courts have ruled that parents have an implied license to enter their child's school premises, placing them in a different category from other people who visit or seek to enter a school – but this does not mean that parents/carers are entitled to enter the school at any time they choose.

If a parent/carers enters the school at inappropriate times or behaves in such a way that their behaviour is not conducive to the proper function of the school, then their implied license to enter the school premises can be revoked.

Thereafter, if they seek to enter the school uninvited, they may be trespassing.

Schools can consider seeking an injunction against persistent trespassers, and breach of an injunction is a contempt of court, for which there are substantial penalties – including imprisonment.

A parent/carers who refuses to leave the school premises, or who re-enters after being requested to leave, may be committing an offence under section 547 of the Education Act 1996, which states that someone without authority on school premises who causes a nuisance or disturbance is committing an offence (part 3.6).

Police officers and other 'authorised people' (e.g. a member of staff) can use reasonable force to remove somebody reasonably suspected of committing an offence under section 547 (part 3.7).

Causing harassment, alarm or distress to staff or pupils, on or off the school premises, could be an offence under section 154 of the Criminal Justice and Public Order Act 1994 (part 4.2)

Threatening, abusing or insulting staff or pupils, on or off the school premises, could be an offence under section 5 of the Public Order Act 1986 (part4.3)

However, Headteachers should consider all the various factors before deciding whether to involve the police in incidents of this nature, e.g. the extent of the challenge to school authority – but if any child is in immediate need of protection, the police must be contacted.

If a Headteacher wishes to take steps to limit individual parents/carers access to the school premises, further advice should be sought from the borough's legal services department.

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Date: 4.1.16

Governor Ratification:

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Name: \_\_\_\_\_

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