

Directing Unwelcome Visitors from Schools

A guide to section 147 of the Education Act 2004

A guide to assist principals and authorised persons in understanding and exercising the powers outlined in section 147 of the *Education Act 2004* in managing unwelcome visitors on school premises.

Contents

- **Section A – General information**
[Who is an unwelcome visitor?](#) | [The Education Act & Unwelcome Visitors](#) | [What are school premises for the purpose of s 147?](#) | [Who is authorised to direct a person to leave school premises?](#) | [The Offences](#)
- **Section B – Guide for principals and authorised persons in giving a direction to leave school premises**
[Approaching an Unwelcome Visitor](#) | [The Direction](#) | [What to do if the unwelcome person still fails to leave](#) | [Record of the incident](#) | [What alternatives are there to a direction under s 147?](#)
- **Section C – Example Statement**
- **Section D – Example Authorisation**
- **Section E – Direction Cards for Principals/Authorised Persons**
- **Section F – Frequently Asked Questions**
- **Section G – Summary Decision-Making Chart**
- **Section H – Supporting Documents and Frequently Asked Questions**
[Trespass by former students \(general caution\)](#) | [Trespass by former student \(where direction to leave given\)](#) | [Offensive behaviour by parent \(general caution\)](#) | [Offensive behaviour by parent \(where direction to leave given\)](#) | [Newsletter item](#)

Section A – General information

Who is an unwelcome visitor?

An unwelcome visitor is someone who does not have a **legitimate reason** to be at your school. An unwelcome visitor includes someone who is trespassing or behaving inappropriately.

A trespasser is someone who enters your school without invitation.

However, a person does not trespass from the moment they enter your school.

Some people may be invited to attend the school for a specific purpose. For example, a guest speaker at a school assembly.

Others may have an implied invitation to enter the school. For example, a courier delivering a parcel has an implied invitation to do so.

The reason for being on school grounds will vary from individual to individual:

- **Parent(s):** A parent has an *implied invitation* to enter the school attended by their children (this may be described as a licence or a right). This gives a parent a legitimate reason to enter the school.
- **Former students:** Prior attendance at a school does not confer any special status. A former student is in the same position as a member of the public. Their right to enter and remain at the school requires an invitation or a legitimate reason.
- **Community members:** A community member might, for example, pass through school grounds or seek to use part of the school grounds (e.g. playing on an oval). The school has the right to request and to direct, if necessary, such people to leave.

An invitation or an implied invitation may be revoked at any time, especially if the school decides that the visitor:

- (i) does not have a legitimate reason to be on school grounds; or
- (ii) threatens, disrupts or abuses students, staff or teachers at the school affecting the school's ability to provide students and staff a safe and effective learning and working environment.

The Education Act 2004 and Unwelcome Visitors

The Education Act 2004 (**the Act**) deals with the question of unwelcome visitors by creating criminal offences which forbid certain actions or behaviours.

Section 147 of the Act:

- Describes who is an unwelcome visitor;
- Describes behaviours that are not permitted on school premises;
- Defines school premises; and
- Empowers certain school officials to give directions to people to leave school premises.

If police decide to charge a person for offending section 147, the charge will be heard by a magistrate.

147 Offences on school premises

- (1) A person must not trespass on school premises.
Maximum penalty: 5 penalty units.
- (2) A person commits an offence if the person behaves in an offensive or disorderly way on school premises.
Maximum penalty: 10 penalty units.
- (3) A person commits an offence if the person—
 - (a) is on school premises; and
 - (b) is directed to leave the premises by a police officer, the principal of the school or a person authorised by the principal; and
 - (c) fails to leave the premises in accordance with the direction.Maximum penalty: 10 penalty units.
- (4) An offence against this section is a strict liability offence.
- (5) In this section:
school premises means land (including any building or structure on the land) occupied by a school.

A breach of these offences may result in the imposition of a fine. The maximum applicable fine to each offence is expressed as a number of penalty units. As at 2022, a penalty unit is \$160.00.

This Guide focuses on the operation of section 147 of the Act and the authority that it confers on principals and those authorised by principals.

What are *school premises* for the purposes of section 147?

Section 147(5) of the Act defines “school premises” to mean land (including any building or structure on the land) occupied by a school.

Section 147 and its definition of “school premises” does not include or apply to online classes, programs, applications or online learning environments. In regards to unreasonable parent or carer behaviour in these environments, please see the [How to Manage Parent or Carer Behaviour that is Unreasonable](#).

All staff at a school should familiarise themselves with the boundaries of their school, including whether car parks and footpaths fall within their school’s boundaries.

Some specific matters are:

- **Nature strips** – Nature strips are not usually part of school premises.
- **Pathways** – Some pathways run through school grounds. There are pathways and cycle paths that are adjacent to and running to schools and between schools and ovals. If the path adjoins the nature strip it is generally outside the boundaries of the school and is for public use.

However, where a path enters the school boundaries then the Principal or an authorised person has the authority to request an unwelcome person to stop using the path.

- **Car parks** – It is important to know if the car park or car parks used by your school are part of the school premises. You will not have any authority under the Act to direct a person to leave a car park that is not part of the school premises.
- **Preschools** – Some preschools are located on a separate campus to the main school. Where a government school has a preschool at a different location, the preschool grounds is land occupied by the school and section 147 of the Act applies. An unwelcome visitor at preschool may meet the threshold of a notifiable incident and require reporting to the Regulatory Authority in accordance with section 174 (2) (c) and regulation 175 (2) (c) of the Education and Care Services National Law and Regulations.
- **School / public ovals** – You will need to check the boundaries of your school to ascertain whether ovals are part of the school premises as this varies from site to site.
- **Booked public facilities** – The power to direct someone to leave a specific facility or venue being used by the school comes from the hiring arrangement with the operator of the facility or the venue. It may be exercised either by the school or the operator. If it becomes necessary to consider directing someone to leave the facility or venue, it is recommended that the direction be given in consultation with the operator. This might occur at an oval or a swimming pool that is booked for a school sporting carnival. Other instances might arise when a class group has a picnic in a public park. It is unlikely that such areas or venues would be considered school premises for the purposes of section 147 of the Act.

Who is authorised to direct a person to leave school premises?

Principals are authorised by the Act to direct a person to leave school premises.

Principals can appoint other persons as authorised persons for the purposes of section 147 of the Act. When this person is authorised, they have the power under section 147 to direct a person to leave a school.

While there is no requirement in the legislation for this appointment to be made in writing, it is prudent to do so because it provides clear evidence of the authorisation having been made.

When making the appointment, consideration may be given to the following:

- the authorisation refers to a person’s position number and position title;
- the appointment should reflect the level of trust and responsibility attached to that position (for example, deputy principals or directors of preschools);

- anyone may be authorised if the circumstances require (including through a verbal authorisation from the principal).

It is recommended that at least one person is appointed as an authorised person in case there is a need to use this power in the absence of or in support of the Principal.

Any number of persons may be appointed as authorised persons, including a person who is not an employee of the Territory. For example, a Principal may consider appointing a security guard as an authorised person for a specified period or event.

Where a preschool is at a separate location to the main campus, the Principal should authorise at least one or more persons based at that location to give directions under section 147.

Appointments should be reviewed annually.

Principals and any person appointed as an authorised person should:

- be aware of the details of their appointment, including its duration;
- read this guide;
- have a clear understanding of the role, responsibilities and limitations of an authorised person, including understanding in what circumstances an authorised person may give a direction under the Act.

An example of an [authorisation](#) is provided at [Section D](#) of this [guide](#).

The Offences

[Section 147](#) of the Act creates 3 offences:

1.	Trespass on school premises	The concept of a <i>trespass</i> was described earlier. Police will decide from their investigation about an unwelcome visitor's behaviour whether there is sufficient evidence to lay a charge of trespass.
2.	Behaving in an offensive or disorderly way on school premises	Police will decide from their investigation about an unwelcome visitor's behaviour whether there is sufficient evidence to lay a charge of behaving in an offensive or disorderly way.
3.	Fails to leave school premises as directed	This offence may be committed if a person fails to leave school premises having been given a direction to do so by a person who is authorised to give the direction. Guidance about the direction is provided below.

[Return to top of guide](#)

Section B – Guide for principals and authorised persons in giving a direction to leave school premises

This section is a **guide** to those who decide to give a direction under section 147 of the Act. The authorised person's decision to give a direction is determined by the circumstances they encounter and their assessment of the risks that the situation presents. These factors will determine the way the decision-maker meets the challenge that is presented by an unwelcome visitor. It is common for a decision to be required without notice and with little to no time to consider all available options.

Approaching an Unwelcome Visitor

This is a guide to approaching an unwelcome person.

When you approach an unwelcome visitor to your school, it is preferable that you are accompanied by another person who can act as a witness to the interaction, listen to any conversation and, if necessary and possible, to take notes of the interaction.

The section below entitled "[Record of the incident](#)" gives some guidance on record keeping in relation to such incidents.

If possible, have a copy of the direction cards at [Section E](#) with you when approaching the unwelcome person.

The focus is on de-escalating any conflict or difficult situation.

Like many interactions in life, the suggestions described here are tempered by the circumstances that you have encountered and common sense.

If you know the person:

1. Greet them and then ask them why they have come to the school, or, if you have concerns about their behaviour, ask what has happened to cause them to behave as they are.
2. If they do not have a good reason to be at the school, or their behaviour is offensive or disorderly and they do not stop that behaviour when requested, ask them to leave - see below at "Some suggested words for you to frame your request".

If you do not know the person

1. Introduce yourself (For example, as the principal/deputy principal of the school).
2. Ask the person if you can help in any way. For example, ask if the person has a child at the school or more generally "what brings you to the school today"?
3. Ask them for their full name and address.
4. Alternatively, invite the person to speak with you separately, tell them that the behaviour they have exhibited/are exhibiting (if it helps, specify the behaviour/s) is not appropriate on school premises and suggest that they cease the behaviour.
5. If they do not have a good reason to be at the school, or they do not stop the offensive or disorderly behaviour when you ask them to, **then ask them to leave**.

Some suggested words for you to frame your request

The following suggestions assume that you believe that the visitor's presence at the school can no longer be tolerated.

It is preferable that the visitor is given a reasonable opportunity to provide a legitimate reason to stay:

"You are on school premises. Why do you need to be present here today?"

Then:

"It might be better if you leave now but give me your telephone number, I am happy to call you to make a time when you can meet with the Principal."

Or:

"You're shouting and the language you are using is causing distress to students and teachers. It might be best if you leave. I will take your telephone number and call you to make a time to discuss your concerns when you are calmer."

Then, depending on the reaction:

"You're causing [insert impact i.e. distress] by [insert describe conduct e.g. shouting] at the other student/teacher."

Can you stop this? If you don't, I will direct you to leave the school immediately."

If the person fails to respond to this request, you should give a direction to leave, which is described in the next section called "[The Direction](#)".

This is the formal direction referred to in section 147 of the Act.

The Direction

Before issuing the direction the person giving the direction should remain calm and make sure that the unwelcome visitor:

- is on the school premises;
- is there without a legitimate reason or excuse and/or continues to behave in an offensive and disorderly way; and
- has failed to leave the school premises after being requested to do so.

Do not become involved in an argument with the person.

Before giving this direction, you should first assess whether the person is hostile and the effect this direction may have on them.

If you think that the person is likely to become angrier or more hostile, police should be contacted before giving this direction.

If the person is near staff or students, it is recommended that your discussions be moved away from these staff members and students. However, this should only be done if the circumstances allow and it is safe to do so.

It is always better, but not always possible, that the police are present when the direction is given if the unwelcomed visitor might react adversely. Police, principals and authorised persons all have the power to give the direction.

If, after the person has been asked to leave, no reasonable explanation is given to you to justify or explain their continued presence, and the unwelcome person does not leave the premises as requested then the principal or authorised person are strongly encouraged to **give the following direction**. The decision to give this direction is that of the principal or the authorised person.

These are the words of the direction that it is recommended are used:

(1) where police are not in attendance:

"I am [the principal/ an authorised person]. Under section 147 of the Education Act 2004, I am directing you to leave this school now."

If you fail to do so, the police will be immediately called and they will remove you."

If you fail to follow my direction then you may be prosecuted."

OR

(2) where police are in attendance (and the principal or authorised person does the direction):

“I am [the principal/ an authorised person/a police officer]. Under section 147 of the Education Act 2004, I am directing you to leave this school now.

If you fail to do so, I will ask these police officers to escort you from these premises.

If you fail to follow my direction then you may be prosecuted.”

What to do if the unwelcome person still fails to leave

If police are not already in attendance, you should immediately arrange for police to attend the school by phoning 000 or 131 444.

Police should be told:

- the name of the person (if known) or their description and other relevant details;
- the direction that you gave;
- that the direction was given under section 147 of the Act;
- the time the direction was given;
- the length of the person’s stay on the premises;
- the time the person remained after the direction was given.

While waiting for the police to arrive, the school should first ensure the safety of staff and students and consider:

1. Going into a lock down; and/or
2. Isolating the unwelcome visitor/s;

If the unwelcome visitor leaves before the police arrive, or after police have attended, the school should address the following.

1. Consider impact on staff and their wellbeing
2. Work with the employee to debrief and recover from the situation. Depending on the situation it may be appropriate for an affected employee to:
 - a. have a break before resuming duties,
 - b. have time off/take leave;
 - c. see their doctor; or
 - d. be encouraged to access the Employee Assistance Program (EAP)
 - e. Be aware that wellbeing will be in touch
 - f. Follow up check-in in the following days
3. If students are affected, then you should:
 - a. Refer to school psychologist.
4. Have an unaffected third-party record their statement of description of the events on: Riskman; and notify using an initial incident notification form (send to DSI and school operations)

Incident reporting process

Record of the incident

As soon as possible after an incident involving an unwelcome visitor, staff members who were involved in or witnessed it should make a written record about it.

It is better if the record is made as close as possible to the events that are being described in it.

Some people might require or appreciate assistance in making this record, especially after a stressful and distressing incident.

It is also best that the narrative or description of the incident are set in a chronological manner.

In summary, this record should be:

1. Accurate;
2. Factual;
3. Complete; and
4. Graphic.

These characteristics will be considered in more detail.

The time, date and location of the incident and the names of staff and others (including students) present should be used in the record and not identifiers such as “the teacher on duty”.

It is important to include as much detail as possible, and note conversations in a “he said, she said” format rather than summarise them. For example, instead of “I asked him his name and he refused to tell me,” it is preferable to say, “I said words to the effect of “Please tell me your name and your residential address” and he replied to the effect of “No, I won’t tell you.”

The incident report (the Riskman report) is required by the Directorate. It should be prepared with care.

This report may be the first written record of the incident and it may be necessary to produce in court or to police and/or prosecutors.

The author of the report should be guided by the following:

1. **Accurate**
 - All information must be clear, specific and truthful.
 - Most inaccuracies are due to typos, simple grammar and spelling errors (e.g. incorrect details of names of people involved, date and time of the incident and contact information).
 - Provide specific details and avoid any vague or ambiguous statements that may cause confusion.
 - Proof read the report before its submission for errors you might have overlooked.
2. **Factual**
 - An incident report should be objective and supported by facts.
 - Avoid including emotional, opinionated, and biased statements in the incident report.
 - State what was done, seen and heard, including the use of offensive language.
3. **Complete**
 - Ensure that all essential questions (what, where, when, why, and how) are covered in the report.
 - Record not only the people who were injured and what caused the accident to happen, but also include details such as people who witnessed the incident.
4. **Graphic**
 - Photos, diagrams, and illustrations can be included.

Incident reporting method

In the event of parents who need to be asked to leave, a Riskman and/or Report for the students file must be completed.

If a stranger is located on the school grounds with no reason to be on school grounds, they could pose a future risk to students at your school site, its surrounds or other school sites. A report to police, report to DSI, and incident report must be completed.

Please ensure any incidents or notifications for preschools which may impact the health, safety or wellbeing of a child attending preschool are reported to School Operations – SchoolOperations@act.gov.au or 620 53313 in a timely manner. Such incidents may reach the threshold of a notifiable incident to the Regulatory Authority.

What alternatives are there to a direction under section 147?

Principals and authorised persons should not hesitate to use their powers under section 147 of the Act where circumstances require that an unwelcome person be directed to leave school premises.

However, there may be other strategies that can be used before giving a direction. For example, a person who is trespassing on school premises or has behaved in an offensive or disorderly way on school premises may be a person who is well known to the school (for example, a parent or carer). In this situation it may be useful to provide written advice to the person that trespassing and/or offensive and disorderly behaviour is not acceptable on school premises, that Principals and authorised persons have certain powers under section 147 of the *Education Act* and that failure to leave school premises once directed to do so may result in an offence.

This letter might withdraw any invitation, express or implied, to visit the school or impose conditions.

A failure to comply with the terms of the letter by a person, for example, attending the school in breach of the terms of this letter may mean that person becomes a trespasser for the purpose of section 147 of the Act making the person liable to prosecution.

Some proforma letters have been provided at [Section H](#) of this **Guide**. These letters have been prepared with the assistance of the ACT Government Solicitor. It would be prudent to seek additional legal advice from the ACT Government Solicitor where more than minor editing is required. Similarly the templates should not be included in other Directorate correspondence to parents/carers without prior consultation to the Legal Liaison team to ensure the information is not being used inappropriately or out of context.

Assistance should initially be sought from the Legal Liaison team by email to EDULegalLiaison@act.gov.au.

Section C – Example statement

Statement of [insert full name]

1. This statement made by me accurately sets out the evidence which I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.
2. My full name is [insert full name] and I am currently [employed/ contracted] by the Education Directorate as [insert position title] of [insert name of school].
3. **[Where the person making the statement is the Principal of the school]**
As the Principal of the [insert the name of the school], I am person the authorised who is authorised by section 147(3) of the *Education Act 2004* to give a direction.

OR

[Where the person making the statement is authorised under the Act but is not the Principal of the school]

I am an authorised person for the purposes of section 147(3) of the *Education Act 2004*. I attach to this statement a copy of my written authorisation

[If the person making the statement was a witness and did not give the direction, paragraph 3 of this “sample” can be deleted.

4. At approximately [insert time] on [insert date], I [was notified of/observed] a [male/female] person present on the school premises.
5. I observed that the person was located **at/near** [insert location and identify as part of school premises].
6. The person was aged approximately [Insert age], was about [insert height] tall, and had [insert hair description and eye colour]. The person had a [insert complexion descriptor] complexion and [insert other descriptors eg tattoos, scars, accent]. The person was wearing [insert description of clothing].
7. I approached the person in the company of [insert name of witness, and their role at the school].
8. [I/ principal etc] said to the person words to the effect of [insert introduction and any requests for name etc]. The person replied to the effect of [insert person’s response].
9. [I/ principal etc] then said to the person words to the effect [insert the ‘first direction’ as it was given].
10. The person then replied to the effect of [insert response].
11. I observed that the person [made no attempt to leave the school premises/moved to ...].
12. [I/ principal etc] then said to the person words to the effect [insert ‘final direction’ as it was given].
13. The person then said words to the effect [insert response]. The person made no attempt to leave the premises.
14. I then [returned to the office/ moved some distance away] where [I telephoned/ arranged for [insert name and position] to telephone] ACT Policing for assistance on 131 444.

15. **[Describe anything that happened prior to the police attending the premises].**

16. I have read this statement before signing it.

Full Name [printed clearly]:

Signature:

Date:

[Return to top of guide](#)

Section D – Example authorisation

Australian Capital Territory

Education Act 2004

Authorisation for purposes of section 147 of the Education Act 2004

I, **[principal's full name]**, the principal of **[school name]** authorise **[full name & position title]** , to direct a person to leave the school premises.

[This authorisation is subject to the following conditions:

(1) **[insert if relevant]**.

***SAMPLE sentences:**

only during **[INSERT NAME]** capacity as an out-of-school care provider at **[INSERT LOCATION]**

only during **[INSERT NAME]** capacity as a security guard at **[INSERT SCHOOL]**

only during **[INSERT NAME]** capacity as a teacher for **[INSERT EVENT]** on **[INSERT DATE]**

Unless otherwise specified above, this authorisation commences on the date specified below my signature and remains in effect until **[insert date/I revoke it]**.

.....

Principal, **(Name of school)**

Dated:

[Return to top of guide](#)

Section E – Direction cards for Principals/ Authorised Persons

Direction Cards

Front of
card

Principal/ Authorised Person
Section 147 – Education Act 2004

The enquiry/request

“You are on school premises. Why do you need to be present here today?”

Then:

“It might be better if you leave now but give me your telephone number, I am happy to call you to make a time when you can meet with the Principal.”

Or:

“Your shouting and the language you are using is causing distress to students and teachers. It might be best if you leave. I will take your telephone number and call you to make a time to discuss your concerns when you are calmer.”

Then, depending on the reaction:

*“You’re causing **[insert impact i.e. distress]** by **[insert describe conduct]** by shouting at the other student/teacher.*

Can you stop this? If you don’t, I will direct you to leave the school immediately.”

Back of
card

The Direction

*“I am **[the principal/an authorised person]**. Under section 147 of the Education Act 2004, I am directing you to leave this school now.*

If you fail to do so, I will ask these police officers to escort you from these premises.

If you fail to follow my direction then you may be prosecuted.”

[Return to top of guide](#)

Section F - Frequently asked questions

Further clarification of any issues may be sought from the Legal Liaison team by email to EDULegalLiaison@act.gov.au.

- **Q Does a written authorisation have to be prepared when the Principal appoints any other person as an authorised person for the purposes of directing person/s to leave school premises?**
A No, the appointment of authorised persons does not have to be in writing, but doing so in writing is prudent, as it clearly evidences the authorisation. An example of an authorisation is provided at Section D.
- **Q - How many persons may be appointed by a Principal as authorised persons?**
A - There is no restriction on the number of people that may be authorised by the Principal in a school.
- **Q - Is an authorised person empowered to direct a person to leave a school oval?**
A - Where the oval is part of the school premises i.e. within the school boundaries (see Section B) authorised persons may direct a person to leave the premises.
- **Q - What do you do with people who repeatedly trespass?**
A – It would be prudent to seek legal advice in relation to such instances. The Legal Liaison team can assist schools to obtain advice from the ACT Government Solicitor.
- **Q - What is the status of out-of-school hours care operating on school premises?**
A - The person running an out-of-hours care program is not a principal for the purpose of section 147 of the Education Act and, therefore, will not have any automatic authority to direct a person to leave school premises. However, it is open to a principal to authorise a person from an After School Care Program to issue directions under section 147. This authorisation could be subject to conditions, for example, that it applies only during the relevant hours that the Program operates.
- **Q - Who is an authorised persons for the purposes of a pre-school?**
A - Where a government school has a preschool at a different location or campus, the preschool grounds is land occupied by the school and section 147 of the Education Act applies. The principal, and any person authorised by the principal, may give directions under section 147 of the Education Act. Where a preschool is at a separate location to the main campus, the Principal should authorise at least one or more persons based at that location to give directions under section 147 of the Education Act.
- **Q - Are there any parameters when appointing security guards as authorised persons? Do these differ depending on whether the security guards are patrolling during the day or after school hours?**
A - An authorisation under section 147 of the Education Act can be given to any person, including security guards who are engaged under a contract. An authorisation simply gives the authorised person the power to direct a person to leave the school premises. An offence occurs if the directed person does not then leave. An authorised person can direct a person to leave school premises at any time of the day or night.
- **Q – Is there any other legislation a Principal or Authorised Person should be aware in dealing with an unwelcome visitor?**
A - There are other offences that arise from the illegal entry/uninvited entry of persons on school premises. This document primarily deals with the *Education Act 2004* however other legislation exists that deals with government property/car parks/schools in general. If you have any queries about other applicable legislation, please contact Legal Liaison.
- **Q – What happens when members of a group attending a leased area (e.g. Gymnasium) wander undesirably into other areas of a School?**
A – Generally a Principal or authorised person may direct an unwelcome visitor to leave the school premises. The subject person should be reminded to return to the leased area otherwise police will

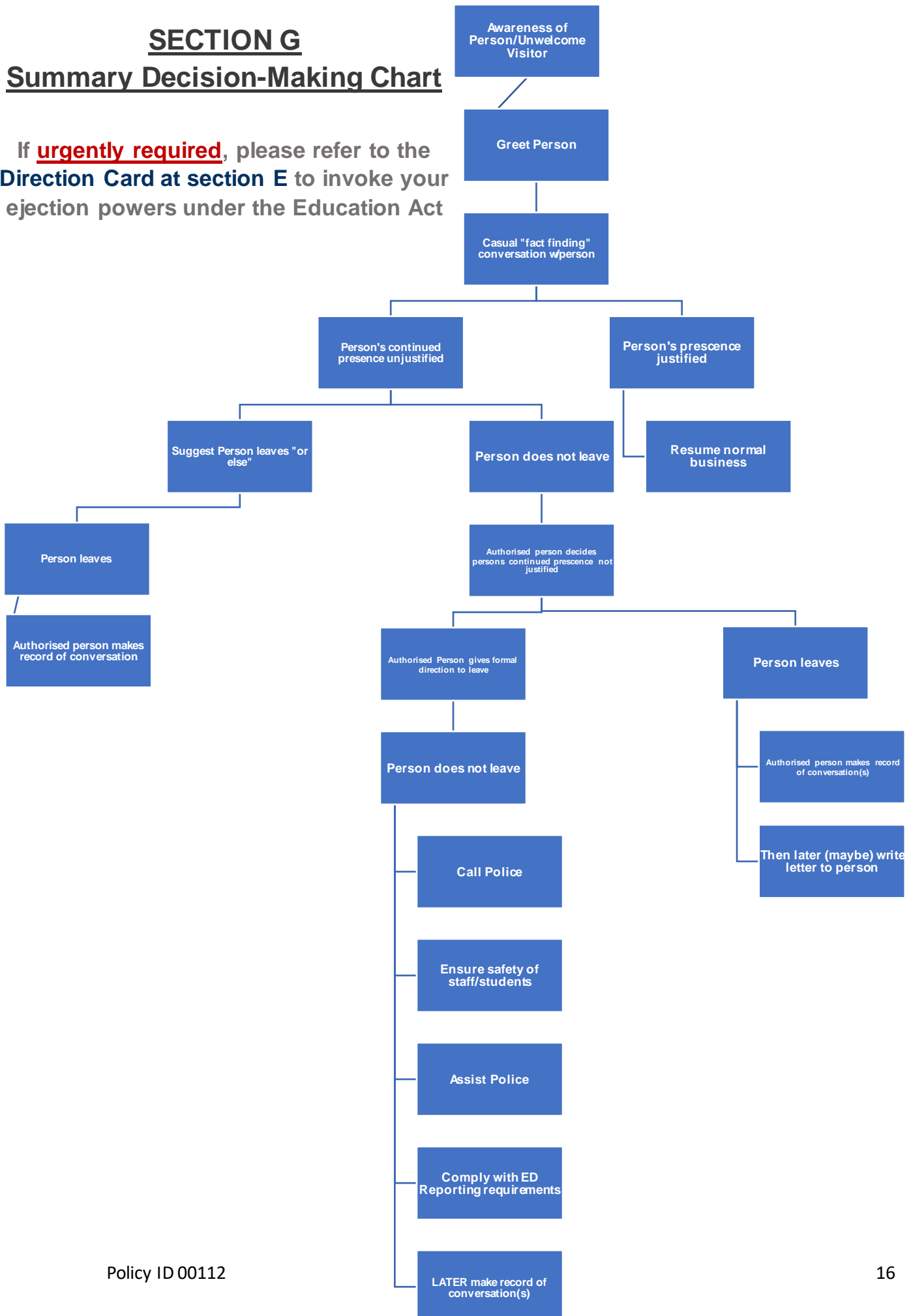
be contacted. If the subject person continues to persist, then legal advice should be sought. The conduct should be brought to the attention of the lessee who is leasing the area from the school.

[Return to top of guide](#)

SECTION G

Summary Decision-Making Chart

If **urgently required**, please refer to the **Direction Card at section E** to invoke your ejection powers under the Education Act



Section H – Proforma letters

Proforma letter A – trespassing by former student (general caution)

[NOTE: This letter should only be sent to parents where the unwelcome person visiting the school is less than 18 years of age and is still living at home – otherwise the letter should be forwarded directly to the person (if their address is known). Remove this note, and other prompts in bold font, from final letter.]

[School letterhead

Name of Parent

Address and email]

Dear [Name]

I am writing to you about the recent visits by your [son/daughter and name] to [school]. [Briefly describe when and where these occurred]. [These visits have been reported to me by [teachers, students – check] and/or I have seen [name] on [identify occasions].]

As [name] is no longer a student enrolled in this school, [he/she] is therefore not part of the student body. When people outside the student body come onto school grounds they need to have a reasonable reason for doing so. If [name] has a reason to come to the school then [he/she] should follow the procedures for visitors by reporting to the front office area where [he/she] will be assisted [or explain what procedure is].

It can be disruptive to the operations of the school and not in the best interests of the student body for visitors to access the school and its grounds without good reason and without observing proper procedures. [Name] should be aware that [school] and its grounds [may need to explain perimeters] are school premises and that where visitors do not comply with directions the police may be called.

I ask that you speak with [name] and explain this situation to [him/her].

Yours sincerely

Principal

[Return to top of guide](#)

Proforma letter B – trespassing by former student (where direction to leave has been given)

[NOTE: This letter should only be sent to parents where the person visiting the school is less than 18 years of age and is still living at home – otherwise the letter should be forwarded directly to the person (if their address is known). Remove this note, and other prompts in bold font, from final letter.]

[School letterhead]

Name of Parent

Address and email]

Dear [Name]

I am writing to inform you that your [son/daughter name] has been sighted on the school premises between the hours of [insert times eg 8.00 to 4.00pm] with no apparent reasonable reason.

The school has a duty of care to the students whilst they are on the school premises. The attendance of former students within school grounds compromises the school's ability to monitor and ensure the safety of students within its care.

Section 147 of the *Education Act 2004* makes it an offence to trespass on school premises, or to behave in an offensive or disorderly way while on school premises. Furthermore, principals and other authorised persons have the power under this section to direct persons to leave school premises. Failure to leave the premises when so directed may be an offence. **[This letter confirms in writing that [I, as principal/ [name] as an authorised person] issued a direction to [insert name] to leave the premises on [insert date] on the basis that [his/her] behaviour was [offensive/threatening/ offensive and threatening].**

If [Insert name] returns to the school premises again without reasonable reason or my prior written permission, then further action may be taken against [him/her] under the *Education Act 2004*.

Yours sincerely

Principal

[Return to top of guide](#)

Proforma letter C – offensive behaviour by parent (general caution)

[NOTE: Remove this note, and other prompts in bold font, from final letter.]

[School letterhead]

Name of Parent]

Address and email]

Dear [Name]

I am writing to you in relation to your visit to the school on **[Insert date]** and my concerns about your behaviour towards myself and other school staff.

There are standard procedures for parents to follow when seeking to meet with their children's teachers or the principal to discuss issues of concern. The appropriate course of action is to contact the school and arrange a time that is mutually convenient to both you, your child's teacher and/or myself to deal with any such issues. You will be aware that staff cannot always respond immediately to such issues.

Further, issues should be raised in a respectful and courteous manner. It is completely inappropriate to act in a way that is offensive or disorderly, or which may make another feel physically threatened. Such behaviour will not be tolerated.

Section 147 of the *Education Act 2004* makes it an offence to trespass on school premises, or to behave in an offensive or disorderly way while on school premises. Furthermore, principals and other authorised persons have the power under this section to direct persons to leave school premises. Failure to leave the premises when so directed may be an offence and police may be called. I will use this section, if required, in future interactions between you and school staff.

If you wish to discuss this or any other matter further I can be contacted on **[school number]**.

Yours sincerely

Principal

[Return to top of guide](#)

Proforma letter D – offensive behaviour by parent (where direction to leave has been given)

[School letterhead]

Name of Parent

Address and email]

Dear [Name]

I am writing to you in relation to your visit to the school on [insert date] and in particular in relation to your behaviour during that visit towards [myself/ another staff member/ student.]

On this occasion you [detail what happened eg approached a student in a threatening manner]. Behaviour that is offensive or disorderly, or which may make another feel physically threatened is not acceptable.

Section 147 of the *Education Act 2004* makes it an offence to trespass on school premises, or to behave in an offensive or disorderly way while on school premises. Furthermore, principals and other authorised persons have the power under this section to direct persons to leave school premises. Failure to leave the premises when so directed may be an offence and police may be called. **[This letter confirms in writing that [I, as principal/ name, as an authorised person] issued a direction to you to leave the premises on the above date on the basis that your behaviour was [offensive/ threatening/ offensive and threatening]].** If you engage in similar behaviour in the future, further action may be taken against you under the *Education Act 2004*, or otherwise.

There are standard procedures for parents to follow when seeking to meet with teachers or the principal to discuss issues of concern. The appropriate course of action is to contact the school and arrange a time that is mutually convenient to both you, your child's teacher and/or myself to deal with any matter raised in an appropriate and professional way.

If you wish to discuss this or any other matter further I can be contacted on [school number].

Yours sincerely

Principal

[Return to top of guide](#)

Proforma newsletter item

Principals may want to publish this as a reminder in their School Newsletter at the start of each school year.

Trespassing and/or offensive behaviour on school premises

Principals are responsible for the management and general well-being of schools and have a duty of care to provide, as far as is possible, a safe and productive learning environment for students. Principals are also responsible for the safety and protection of school staff and property.

For these reasons I am seeking the cooperation of the school community in observing some guidelines for visiting (Insert name) School. I ask that parents and other visitors to the school:

- report to the front office where assistance may be provided;
- leave messages for staff or students that may be passed on at the appropriate time with the front office; and
- when seeking to meet with teachers or the principal to discuss issues of concern, make contact with the school beforehand to arrange a meeting time that is mutually convenient for all.

From time to time schools are faced with situations where persons seek access to the school and its grounds without good reason. Occasionally there are persons who act in a manner towards staff and/or students which may be offensive or threatening.

Section 147 of the *Education Act 2004* makes it an offence to trespass on school premises or to behave in an offensive or disorderly manner whilst on school premises. Principals, and other persons authorised by the principal, have the power under this section to direct persons to leave school premises. Failure to leave school premises when directed by the principal or any other authorised person may result in police being called.

This School welcomes and appreciates the interest of parents and community members in the school and values their contributions to school activities. Please assist us by ensuring that the standard procedures outlined above are followed.

[Return to top of guide](#)