



NZSTA
e tipu e rea

Governance support resources

Difficult behaviour – keeping staff, students, and others safe at school

NZSTA Advisory and Support Centre receives an increasing number of enquiries around board members, school management and staff who feel unsafe in the presence of certain members of the school community.

At board meetings

School board meetings are not public meetings, but they are open to the public (except during public excluded business). Members of the public may attend and observe board meetings but are not able to speak unless granted speaking rights. This allows boards to conduct their work in a transparent way, welcoming community engagement and public scrutiny.

Unfortunately, sometimes members of the public do not behave appropriately, and it is the presiding member's responsibility to maintain order during meetings. If a person is being disruptive the presiding member may:

- ignore them
- ask them to modify their behaviour

If the behaviour continues, the presiding member can propose a motion to adjourn the meeting and, if necessary, this can be until another date. Sometimes a cooling -off period is adequate and the meeting can resume shortly. When the meeting is resumed it is the same meeting and not a new meeting.

If the behaviour increases and the presiding member believes that it could prejudice the orderly conduct of the meeting [Section 50](#) of the Local Government Official Information and Meetings Act 1987, allows the presiding member to:

- propose adjournment
- ask the person to leave
- call the police and have the person removed.

If the board anticipates aggressive behaviour it could advise the police in advance of the meeting.

If necessary, the board may want to consider a trespass notice (see below).

In the classroom, administration area or on the playing fields

Boards have obligations under section 127(1) of the Education and Training Act 2020, and the Health and Safety at Work Act 2015, to ensure an inclusive and safe environment for staff and students, free from racism, stigma, bullying and any other form of discrimination. The board's policies should be underpinned by procedures and protocols around dealing with aggressive behaviour from anyone on the school site. Ideally, staff will be involved in the writing of these guides.

If a member of the public is acting aggressively or in an intimidating way towards staff (or students), they should be asked to leave.

If escalated to the board by the principal as a health and safety issue of concern, the board may like to consider writing to the person asking them to treat school staff with respect – modelling the behaviour that the adults in the school would like to see in the students.

If the behaviour continues, the board may wish to advise the person that it will impose boundaries around their access to the school such as:

- only allowing drop off/pick up of children outside the school gate
- liaison with the school through a dedicated staff member (usually the principal or another senior management team member)
- liaison with classroom teachers by appointment only (allowing for another staff member to be present), or
- liaison with classroom teacher by phone or electronic means only

When considering options to address difficult behaviour that is impacting on staff or student safety or wellbeing, the board may wish to liaise with the school's community police officer or other agencies.

Use of trespass notice – preferably a last resort

If the behaviour continues, the principal or board may wish to consider a verbal or written trespass notice asking them to leave and not return.

If a verbal trespass notice is given, record the date, time and reason. If they are not known, also record a description of the person asked to leave.

To serve a written trespass notice, it needs to be handed or posted to the person. If they refuse to receive it, simply keep it and record that they have refused to accept. Keep a copy for the board and give another to the nearest police station.

The police can help by providing a [standard trespass notice](#), and with serving the notice.

If the person comes onto grounds that they have 'trespassed from', they have committed an offence and the police may be called.

A trespass notice lasts for up to two years from the date of service unless the board agrees to lift it earlier. It should be used carefully and after other forms of engagement or dispute resolution have failed unless the health and safety concerns are too serious. If imposed on a parent, whānau or community member responsible for a student at the school, it can have a serious impact on their ability to engage with the student's learning and on the student's wellbeing, unless other ways to safely engage are found.

At a student suspension meeting

A student suspension meeting is like any other board meeting and the options noted above remain available. However, the board should be aware of the need to reach its decision within legislated timelines if it needs to adjourn for an extended period.

[Section 85](#) of The Education and Training Act 2020 allows for students and their parents to request to attend a suspension meeting via a telephone conference or video link.

If principals feel unsafe in being present in order to present their report to the suspension meeting, the board may rely on the written report. Alternatively, [regulation 12](#) of the Education (School Boards) Regulations 2020 allows for the principal to participate in the meeting electronically.



nzsta.org.nz



facebook.com/NZSTA1



twitter.com/NZSchoolTrustee

For further advice please contact the Advisory and Support Centre on 0800 782 435, option 1 or email govadvice@nzsta.org.nz