

# Controlling Access to Bay Learning Academy CIC Premises Policy 2024 – 2025

The purpose of this policy is to be in line with government expectations of:

- academies and free Bay Learning Academy CICs
- maintained Bay Learning Academy CICs
- local authorities
- independent Bay Learning Academy CICs
- non-maintained Bay Learning Academy CICs

[https://www.gov.uk/government/publications/controlling-access-to-Bay Learning Academy CIC-premises/controlling-access-to-Bay Learning Academy CIC-premises](https://www.gov.uk/government/publications/controlling-access-to-Bay-Learning-Academy-CIC-premises/controlling-access-to-Bay-Learning-Academy-CIC-premises)

## 1. Who can go onto Bay Learning Academy CIC premises?

Bay Learning Academy CIC is a private property. People do not have an automatic right to enter. Parents and carers have an 'implied licence' to come on to Bay Learning Academy CIC premises at certain times, for instance:

- for appointments
- to attend a Bay Learning Academy CIC event
- to drop off or pick up their children

Anyone who attends the premises without permission would be trespassing.

## 2. Barring individuals from Bay Learning Academy CIC premises

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

Bay Learning Academy CICs 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's enough for a member of staff or a pupil to feel threatened.

In this circumstance, Bay Learning Academy CIC will inform the individual that they've been barred or they intend to bar them, in writing signed by the Principal and the Landlord

(Goodwin Development Trust) of the building. The individual will be allowed to present their side.

Bay Learning Academy CIC 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, Bay Learning Academy CIC can decide whether to continue with barring them. The decision should be reviewed within a reasonable time, decided by Bay Learning Academy CIC.

### 3. Removing individuals from Bay Learning Academy CIC premises

Section 547 of the Education Act 1996 makes it a criminal offence for a person who is on Bay Learning Academy CIC 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 Bay Learning Academy CIC has reasonable grounds to suspect that someone has committed an offence, then they can be removed from Bay Learning Academy CIC premises by a police officer or a person authorised by the appropriate authority such as:

- Goodwin Development Trust
- proprietor of Bay Learning Academy CIC