UNACCEPTABLE ACTIONS BY COMPLAINANT POLICY

Adopted: Autumn 26
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Policy Review and Monitoring

This policy is due to be reviewed at the time stated, unless circumstances determine that this policy needs to be reviewed at an earlier time.

Signed:	**Chair of Governors**	**Headteacher**
	Mr J Orchard	Mr K Stroud

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1. Introduction

1.1 The School Concerns and Complaints Policy and Procedure sets out our approach to dealing with concerns and complaints. It sets out our commitment to respect the right of anyone with an interest in the school, including pupils, to raise a concern or a complaint and our approach to ensure that it will be dealt with fairly, honestly, consistently, appropriately and effectively. It also sets out our expectation that any individual raising a concern, or a complaint equally respects the rights of school staff/governing body. This procedure sets out our approach to the relatively few individuals whose actions or behaviour, connected with raising a concern or a complaint, are considered unacceptable.

1.2 The school's approach, as detailed in this policy and procedure, is also intended to ensure that other individuals, including our pupils, do not suffer any disadvantage from complainants who act in an unacceptable manner.

1.3 In this procedure, we use the term 'complainant' and this refers to any individual raising a concern or a complaint as well as any person who acts on behalf of such an individual in connection with a concern or complaint.

2. Defining unacceptable actions by complainants

2.1 People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a concern or complaint being raised with the school. The school does not view behaviour as being unacceptable just because a complainant is forceful or determined. However, the actions of complainants who are aggressive, demanding or persistent (as detailed in paragraphs 2.2 to 2.10) may result in unreasonable demands on the school and/or unacceptable behaviour towards school staff. It is these actions that are considered unacceptable and the school groups these actions under three broad headings:

Aggressive or abusive behaviour

2.2 This includes behaviour or language (whether oral or written) that may cause school staff/governors to feel afraid, threatened or abused and any act of aggression that may result in physical harm.

2.3 Examples of behaviours grouped under this heading include threats, physical violence, personal verbal abuse, derogatory remarks and rudeness. It is also considered that inflammatory statements and unsubstantiated allegations can be abusive behaviour.

2.4 We expect our staff/governors to be treated courteously and with respect. Violence or abuse towards staff/governors is unacceptable. Our staff/governors understand the difference between aggression and anger. A complainant may feel anger over the subject matter of the concern/complaint; but it is not acceptable when anger escalates into aggression directed towards school staff/governors.

Unreasonable demands

2.5 Complainants may make what are considered to be unreasonable demands on the school or governing body through the amount of information they seek, the nature and scale of service they expect or the number of approaches they make. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the complainant.

2.6 Examples of actions grouped under this heading include:

- Demanding responses within an unreasonable timescale.
- Insisting on seeing or speaking to a particular member of staff immediately, or when this is not necessary or appropriate.
- Making continual telephone calls, sending repeated emails or letters, or contacting multiple members of staff regarding the same issue.

- Repeatedly changing the substance of a concern or complaint as it progresses.
- Raising multiple unrelated concerns within the same correspondence or complaint.
- Submitting excessive volumes of correspondence, documentation or supporting information that place a disproportionate demand on staff time and school resources.
- Repeatedly requesting information that the school has explained it cannot lawfully disclose, including information relating to other pupils, families or members of staff.
- Insisting that the school take actions, impose sanctions or achieve outcomes that are outside its legal powers, responsibilities or authority.
- Repeatedly seeking alternative explanations, responses or outcomes after a clear response has already been provided.
- Submitting multiple complaints, concerns or requests arising from substantially the same circumstances without presenting significant new information.
- Making repeated requests for updates or reassurance where there has been no material change in the situation and the school has already provided a clear response.

These demands are considered unacceptable and unreasonable if they start to impact substantially on the work of the school or governing body, such as taking up an excessive amount of staff time to the disadvantage of other pupils, families, complainants or school functions.

2.7 These demands are considered unacceptable and unreasonable if they start to impact substantially on the work of the school/governing body, such as taking up an excessive amount of staff time to the disadvantage of other complainants or school functions.

Unreasonable persistence

2.8 Some complainants may not accept that the school/governing body is unable to assist them further or provide a level of reassurance or action other than that already provided or taken. Complainants may persist in disagreeing with the action or decision taken in relation to their concern/complaint or contact the school persistently about the same issue.

2.9 Examples of actions grouped under this heading include persistent refusal to accept a decision made in relation to a concern/complaint and persistent refusal to accept explanations relating to what the school/governing body can or cannot do and continuing to pursue a concern/complaint without presenting any new information. The way in which such complainants approach the school/governing body may be entirely reasonable, but it will be their persistent behaviour in continuing to do so that is not.

2.10 The actions of persistent complainants are considered to be unacceptable when they take up what the school/governing body regards as being a disproportionate amount of time and resources.

3. Managing unacceptable actions by complainants

3.1 It is anticipated that there will be relatively few complainants whose actions are considered by the school/governing body to be unacceptable. How these actions are managed will depend on their nature and extent. If the complainant's actions adversely affect the school's ability to fulfil its function, complainant contact with the school may need to be restricted in order to manage the unacceptable action. The aim will be to do this in a way, wherever possible, that allows a complaint to progress to completion through the School Concerns and Complaints Policy and Procedure. Contact in person, by telephone, letter or electronically or by any combination of these may be restricted. Effort will be made to try to maintain at least one form of contact. In extreme situations, the complainant will be told in writing that they must

restrict contact with the school to either written communication or through a third party.

3.2 The threat or use of physical violence, verbal abuse or harassment towards school staff/governors is likely to result in the ending of all direct contact with the complainant. Incidents may be reported to the police. This will always be the case if physical violence is used or threatened.

3.3 The school/governing body will not deal with any form of correspondence that is abusive to staff/governors or contains allegations that lack substantive evidence. When this happens, the complainant will be told that their language is considered offensive, unnecessary and unhelpful. They will be asked to stop using such language and the school/governing body will state that there will be no response to their correspondence if they do not stop. The school/governing body may require future contact to be through a third party, who would be nominated by the governing body.

3.4 School staff/governors will end telephone calls if the caller is considered to be aggressive, abusive or offensive. The staff member/governor taking the call has the right to make this decision, tell the caller that the behaviour is unacceptable and end the call if the behaviour does not stop.

3.5 Where a complainant repeatedly telephones, visits the school, sends irrelevant documents or raises the same issues, the school/governing body may decide to take any of the following actions:

- only take telephone calls from the complainant at set times on set days or put an arrangement in place for only one member of staff to deal with calls or correspondence from the complainant in the future;
- require the complainant to make an appointment to see a named member of staff before visiting the school or that the complainant contacts the school in writing only;
- return the documents to the complainant or, in extreme cases, advise the complainant that further irrelevant documents will be destroyed;

- take any other action that may be considered appropriate, in which case, the school/governing body will always tell the complainant what action is being taken and why.

3.6 Where a complainant continues to correspond on a wide range of issues, and this action is considered excessive, then the complainant may be informed that only a certain number of issues (to be determined by the school/governing body) will be considered in a given period and will be asked to limit or focus he/her requests accordingly.

3.7 Complainant action may be considered unreasonably persistent if all stages of the School Concerns and Complaints Policy and Procedure have been exhausted and the complainant continues to dispute the decision of the school/governing body relating to the complaint. The complainant will be informed that no future telephone calls will be accepted or meetings granted concerning the complaint. Any future contact by the complainant on the issue must be in writing. Future correspondence will be read and filed, but only acknowledged or responded to if the complainant provides significant new information relating to the complaint.

4. Deciding to restrict complainant contact

4.1 School staff/governors who directly experience aggressive or abusive behaviour from a complainant have the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this policy and procedure.

4.2 With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with the school staff/governors will only be taken after careful consideration of the situation by the headteacher and the designated member of the governing body (not chair of governors). Wherever possible, we will give a complainant the opportunity to modify his/her behaviour or action before a decision is taken. Complainants will be informed in writing why a decision has been made to restrict future contact,

the restricted contact arrangements and, if relevant, the length of time that these restrictions will be in place.

5. Appealing a decision to restrict contact

5.1 A complainant can appeal a decision to restrict contact. The chair of the governing body will consider the appeal and inform the complainant in writing that either the restricted contact arrangements still apply or a different course of action has been agreed.

6. Recording and reviewing a decision to restrict contact

6.1 The school records all incidents of unacceptable actions by complainants. Where it is decided to restrict complainant contact, an entry noting this will be made in the relevant file and on any appropriate computer/electronic records.

6.2 The chair of the governing body may reconsider a decision to restrict complainant contact if the complainant demonstrates a more acceptable approach.