

Saffron Academy Trust



Policy on the Management of Unreasonable and/or Persistent Complainant Behaviour

Date adopted or ratified: Feb 2021

This policy is regularly reviewed following recommended guidelines

Policy on the Management of Unreasonable and/or Persistent Complainant Behaviour

Saffron Academy Trust is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Saffron Academy Trust defines unreasonable and unreasonably persistent complainants as *'those who, because of the frequency or nature of their contacts with the Trust or any of the schools within the Trust, hinder our consideration of their or other people's complaints'*.

A complaint may be regarded as unreasonable or unreasonably persistent when the person making the complaint:-

1. refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
2. refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
3. refuses to accept that certain issues are not within the scope of a complaints procedure;
4. insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
5. introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and/or to their own timescales;
6. makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
7. changes the basis of the complaint as the investigation proceeds;
8. repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
9. refuses to accept the findings of the investigation into that complaint where the school's complaints procedure has been fully and properly implemented and completed, repeatedly arguing points with no new evidence;
10. seeks an unrealistic outcome;
11. makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and/or by telephone while the complaint is being dealt with;
12. submits repeat complaints with minor additions/variations the complainant insists make these 'new' complaints.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically: -

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible the Headteacher or Chair of Governors will discuss, or put in writing, any concerns with the complainant informally before invoking this policy.

If the behaviour continues the Headteacher or Chair of Governors will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact any school in Saffron Academy Trust causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.

Further methods for dealing with unreasonable and / or persistent complainant behaviour include:

- communicating in writing only
- re-directing all communications to the Chair of Governors
- holding all meetings in the presence of at least two members of senior staff, or in the presence of a school governor
- blocking the complainant from school e-mails and school social media accounts
- setting up a dedicated e-mail inbox for the complainant that will be monitored periodically at agreed intervals
- reserving the right to cease to respond to the complaints and directing the complainant to the ESFA
- taking steps to bring legal action for harassment against the complainant (subject to appropriate legal grounds)

In response to any serious incident, or threat, of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from school premises.

Barring from the School Premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure they remain a safe place for pupils, staff and other members of their community.

If a parent's behaviour is a cause for concern, a school can ask him/her to leave school premises. In serious cases, the Headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing. A breach of a ban from school premises may result in the parent being fined.

New complaints

New complaints from people whose behaviour has previously been deemed unreasonable will be treated on their merits. Restrictions imposed in respect of an earlier complaint will not automatically apply to a new matter.

*Note; This policy has been drafted with reference to guidance published by the Local Government Ombudsman.
Oct 2017*