



UNREASONABLE COMPLAINTS

Spring term 2018

Unreasonable Complaints policy			
Review frequency:	At least annually	Review date:	Spring term 2019
Governing committee responsible:		Pupils, Strategy & Resources committee	
Governor approval:	Spring term 2018	Website:	Yes
Staff responsible:	Head Teacher prepared by: R Spencer	Date produced:	December 2017

Policy statement

Clarborough Primary School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to members of the public. 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.

Scope and purpose of this policy

Clarborough Primary School defines unreasonable complainants as: *'those who, because of the frequency or nature of their contact with the school, hinder our consideration of their or of other people's complaints.'*

Roles and responsibility

The Governing Body of Clarborough Primary School has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. The Governing Body has delegated the day to day operating of this policy to the Head Teacher.

Definition of an unreasonable complaint

A complaint may be regarded as unreasonable when the person making the complaint:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- Refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- Refuses to accept that certain issues are not within the scope of a complaints procedure.
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- Introduces 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 to their own timescales.
- Makes unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced.
- Change the basis of the complaint as the investigation proceeds.

- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
- Refuses to accept the findings of the investigation into a complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Education Funding Agency.
- Seeks an unrealistic outcome.
- 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 by telephone while the complaint is being dealt with.

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:

- a. Maliciously
- b. Aggressively
- c. Using threats, intimidation or violence
- d. Using abusive, offensive or discriminatory language
- e. Knowing it to be false
- f. Using falsified information
- g. Publishing unacceptable information in a variety of media such as in: social media, 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 Head Teacher or Chair of Governors will discuss any concerns with the complainant informally before applying any sanctions.

If the undesirable behaviour continues the Head Teacher will write to the complainant explaining that the behaviour is unreasonable/unacceptable and which may be considered to fall under the terms of this policy. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This may result in informing the complainant that:

- All meetings with a member of staff will be conducted with a second person being present and notes of the meeting may be taken in the interest of all parties
- Except in emergencies, all communication to the school must be in writing
- Advice may be sought from Nottinghamshire County Council Legal department under Anti-Harassment legislation.

In response to any serious incident 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 our premises.

All bans and sanctions will usually be reviewed after 6 months.

Legitimate new complaints, if not pursued in a harassing or unreasonable way, may still be considered even if the person make them is, or has been, subject to the contents of this policy.

Barring from the school premises

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

If a parent's behaviour is a cause for concern, staff can ask him/her to leave school premises. In serious cases, the Head Teacher can notify them in writing that their implied license to be on school

premises has been temporarily revoked subject to any representations that the parent may wish to make. We will always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar will then be reviewed, taking into account any representations made by the parent and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so by letter or email to the Head Teacher or Chair of Governors. However, complaints about barring cannot be escalated to the Department for Education. Once the school's own complaints procedure has been completed, the only remaining avenue of appeal is through the Courts, independent legal advice must therefore be sought.