

Knebworth

Primary & Nursery School



Persistent Complaints and Unreasonable Behaviour

Date reviewed:

September 2017

Date of next review:

September 2019

Responsibility:

Full Governing Body

Classification:

Public

Aims of the Policy

- To uphold the standards of courtesy and reasonableness that should characterise all communication between the School and persons who wish to express a concern or pursue a complaint.
- To support the well-being of pupils, staff and everyone else who has a legitimate interest in the work of the School, including governors and parents.
- To deal fairly, honestly and properly with persistent complainants and those who are unreasonable towards members of staff in the School while ensuring that other stakeholders suffer no detriment.

On implementing this policy, the School will seek to ensure that its actions are in accordance with its obligations under the Human Rights Act 1998.

Who is a Persistent Complainant?

For the purposes of this policy, a persistent complainant is a parent, carer or member of the public who complains about issues, either formally or informally, at a frequency that a reasonable person would deem excessive, or frequently raised issues that the complainant considers to be within the remit of the School and whose behaviour a reasonable person would deem unreasonable.

Such behaviour may be characterised by:

1. Actions which are persistent, prolific or repetitious;
2. Prolific correspondence or excessive email or telephone contact about a concern or complaint;
3. An insistence upon unrealistic or unreasonable outcomes;
4. An insistence upon pursuing complaints in an unreasonable manner.

For the purpose of this policy, unreasonable behaviour is the pursuit of such actions in (1) to (4) above in such a way that they:

- (a) Appear to be targeted over a significant period of time on one or more members of staff or
- (b) Cause ongoing distress to individual member(s) of staff or
- (c) Have a significant adverse effect on the whole or parts of the school community or
- (d) Are pursued aggressively or pursued persistently despite the matter having been responded to by a member of staff. For example, if a parent does not agree with the response given by the member of staff and continues to seek a different response.

Actions or behaviour that fall into any of the categories described in (1) to (4) and (a) to (d) above or any other persistently unreasonable behaviour, may render an individual liable to become subject to this policy.

Parents' Expectations of the School

Parents, carers or members of the public who raise either informal or formal issues or complaints with the School can expect the School to:

- Regularly communicate to parents and carers in writing
 - i) how and when problems can be raised with the School
 - ii) the existence of the School's Complaints Procedure and
 - iii) the existence of this Persistent Complaints and Unreasonable Behaviours Policy
- respond within a reasonable time in accordance with the Complaints Procedure
- be available for consultation within reasonable time limits, bearing in mind the needs of all the pupils within the School and the nature of the complaint
- respond with courtesy and respect
- attempt to resolve problems using reasonable means in line with the School's Complaints Procedure, other policies and practices and in line with official guidelines and advice
- keep complainants informed of progress towards a resolution of the issues raised

The School's Expectations of Parents, Carers and Members of the Public

The School can expect parents, carers and members of the public who wish to raise problems with the School to:

- treat all school staff with courtesy and respect
- avoid patronising language
- avoid any use, or threatened use, of violence to people or property
- respect the needs and well-being of all pupils and staff within the School
- avoid any aggression or verbal abuse
- recognise the time constraints under which members of staff in schools work and allow the School a reasonable time to respond
- recognise that solving a specific problem can sometimes take some time
- in the case of a complaint, follow the School's Complaints Procedure

The School's Actions in Cases of Persistent Complaint or Unreasonable Behaviour

The School will take the following consecutive steps as necessary if the complainant's behaviour is not modified:

- (a) inform the complainant either orally or in writing that his or her behaviour is considered to have become unreasonable or unacceptable and may be considered to fall under the terms of this policy
- (b) inform the complainant in writing that his or her behaviour is now considered by the School to have become unreasonable or unacceptable and warn of further sanctions under this policy

- (c) inform the complainant in writing that his or her behaviour is now considered by the School to fall under the terms of this policy and that his or her complaint will not be investigated further until it is pursued in a manner that the School considers reasonable

As appropriate, this may additionally result in the School:

- i) informing the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties
- ii) informing the complainant that, except in emergencies, all communication from the complainant to the School must be made in writing
- iii) informing the complainant that all further correspondence and communication with the complainant will cease, other than that necessary for the health and safety of any child

Physical or Verbal Aggression

The School and Governing Body will not tolerate any form of physical or verbal abuse or aggression or personal unreasonable behaviour against school staff. If staff are subject to this type of aggression, the School may:

- (a) prohibit the individual from entering the School site with immediate effect
- (b) inform the individual that communication with them will cease, other than for the health and safety of any child
- (c) Take further legal action to protect school staff. This could include, amongst other action, requesting an Anti-Social Behaviour Order or prosecution under appropriate legislation.

Time Frame and Review

Legitimate new complaints, if not pursued in an unreasonable way, will still be considered even if the person making them is, or has been, subject to this Persistent Complaints and Unreasonable Behaviours policy.

If a complainant's persistent complaining or unreasonable behaviour is modified and is then resumed at a later date, the School may resume the process identified above as appropriate.

If a complainant's persistent complaining or unreasonable behaviour is modified and the complaint still lies within the time specified in the School's Complaints Procedure, the School may in its absolute discretion, resume its investigation of the complaint.

The School will review as appropriate, and at a minimum once in a school year, any sanctions applied in the context of this policy.

The Governing Body reviews this policy every two years. The Governors may, however, review the policy earlier than this if the government introduces new regulations, or if the Governing Body receives recommendations on how the policy might be improved.