



# **Serial, Persistent and Unreasonable Complaints Policy**

Policy For Dealing With Persistent or unreasonable Complaints/Harassment  
Including Aggressive Behaviour From Parents/ Carers & Visitors

Approved by: Full Governing Board

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Next review due by: November 2022

## INTRODUCTION

The Governing Body of West Moors Middle School encourages close links with parents/ carers and the community. It believes that children benefit when the relationship between home and school is a positive one.

The vast majority of parents/ carers and others visiting our school are keen to work with us and are supportive of the school. However, on the rare occasions when a negative attitude towards the school is expressed, this can result in aggression, and verbal and/or physical abuse towards members of the school community.

The Governing Body expects and requires its members of staff to behave professionally in these difficult situations and attempt to defuse the situation where possible, seeking the involvement of other colleagues. However, all members of staff have the right to work without fear of violence and abuse, and the right, in an extreme case, of appropriate self-defence.

West Moors Middle School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. However, we do not expect our staff to tolerate unacceptable behaviour and will always take steps to protect staff from that behaviour, including that which is abusive, offensive or threatening. We expect parents/ carers and other visitors to behave in a reasonable way towards members of the school community. This policy outlines the steps that will be taken where behaviour is unacceptable.

The Headteacher and staff deal with specific complaints as part of their day-to-day management of the school in accordance with the School's Complaints Procedure.

The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant.

However, there are rare occasions when complainants behave in an unreasonable manner when raising and/or pursuing concerns. The consequences are that the actions of the complainants begin to impact negatively on the day-to-day running of the school and directly or indirectly the overall well-being of the children or staff in the school. In these exceptional circumstances the school may take action in accordance with this policy.

## AIMS OF POLICY

The aims of this policy are 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;
- support the well-being of children, staff and everyone else who has legitimate interest in the work of the school, including governors and parents/ carers;
- deal fairly, honestly, openly and transparently with those who make persistent or vexatious complaints and those who harass members of staff in school while ensuring that other stakeholders suffer no detriment.

## PARENTS'/ CARERS' EXPECTATIONS OF THE SCHOOL

Parents/ carers/ members of the public who raise either informal concerns or formal complaints with the school can expect the school to:

- regularly communicate to parents/ carers/carers in writing;
- inform parents/ carers how and when problems can be raised with the school;
- inform parents/ carers when necessary about the existence of the school's complaints procedure, and
- inform parents/ carers when necessary of the existence of the Policy for Dealing with Serial, Persistent or Unreasonable Complaints and/or Harassment including Aggressive Behaviour from Parents/ carers and Visitors in Schools;
- respond within a reasonable time;
- be available for consultation within reasonable time limits bearing in mind the needs of 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 practice and in line with advice from the Local Authority (LA) keep complainants informed of progress towards a resolution of the issues raised.

#### THE SCHOOL'S EXPECTATIONS OF PARENTS/ CARERS/MEMBERS OF THE PUBLIC

However, we do not expect our staff to tolerate unacceptable behaviour and will always take steps to protect staff from that behaviour, including that which is abusive, offensive or threatening. The school can expect parents/ carers/carers/members of the public who wish to raise problems with the school to:

- treat all school staff with courtesy and respect;
- respect the needs and well-being of pupils and staff in the school;
- avoid any use, or threatened use, of violence to people or property;
- 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 resolving a specific problem can sometimes take some time;
- in the case of a complaint, follow the School's Complaints Procedure.

West Moors Middle School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- 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
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- 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
- changes 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 that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Although not an exhaustive list, the following types of behaviour are considered serious and unacceptable and will not be tolerated:

- shouting at members of the school community, either in person or over the telephone;
- physically intimidating a member of the school community, e.g. standing very closer to her/him;
- spreading malicious and untrue rumours about school or a member of staff in a way designed to cause harm or upset (including through social media). In this instance, statements will be sought from anyone who reports this.
- the use of aggressive hand gestures including finger pointing;
- any threatening of a member of the school community; this can include verbally, via texts, emails, Facebook or social media etc.;
- shaking or holding a fist towards another person;
- swearing, pushing, hitting (e.g. slapping, punching and kicking) and spitting;

- breaching the school's security procedures.

### WHO IS A PERSISTENT COMPLAINANT?

For the purpose of this policy, a persistent complainant is a parent/carer or member of the public who complains about issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of the school, and whose behaviour is unreasonable. Such behaviour may be characterised by:

- actions in any form (including through social media), which are obsessive, persistent, harassing, prolific, repetitious;
- prolific correspondence or excessive e-mail, through social media or telephone contact about a concern or complaint;
- uses Freedom of Information requests excessively or unreasonably
- an insistence upon pursuing unsubstantial complaints and/or
- unrealistic or unreasonable outcomes;
- an insistence upon pursuing complaints in an unreasonable manner;
- an insistence on only dealing with the Headteacher on all occasions irrespective of the issue and the level of delegation in the school to deal with such matters;
- an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the school because it is unlawful.

For the purpose of this policy, harassment is the unreasonable pursuit of such actions in any form (including social media) as above, in such a way that they:

- appear to be targeted over a significant period of time on one or more members of school staff and/or
- cause ongoing distress to individual member(s) of school staff and/or
- have a significant adverse effect on the whole/parts of the school community and/or
- are pursued in a manner which can be perceived as intimidating and oppressive by the recipient.

This may include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, well-being and health.

### THE SCHOOL'S ACTIONS IN CASES OF SERIAL, PERSISTENT OR UNREASONABLE COMPLAINTS OR HARASSMENT

In the first instance the school will inform the complainant in writing that his / her behaviour is considered to be becoming unreasonable / unacceptable and, if it is not modified, action may be taken in accordance with this policy.

If the behaviour is not modified the school will take some or all of the following actions as necessary, having regard to the nature of the complainant's behaviour and the effect of this on the school community:

- inform the complainant in writing that his/her behaviour is now considered by the school to be unreasonable/unacceptable and, therefore, to fall under the terms of this policy.
- inform the complainant that all meetings with a member of staff will be conducted with a governor present and that notes of meetings may be taken in the interests of all parties.
- inform the complainant that, except in emergencies, all routine communication with the complainant to the school should be by letter only.
- specify methods of communication and limit the number of contacts in a communication plan, reviewing after six months.
- in the case of physical, or verbal aggression follow advice from the LA, instructing and informing the complainant about being banned from the school site.
- in the case of physical, or verbal aggression immediately inform the police and communicate our actions in

writing.

- consider taking advice from the LA on pursuing a case under Anti-Harassment legislation or request an Anti-Social Behaviour Order.
- consider taking advice from the HR / Legal Services of the LA about putting in place a specific procedure for dealing with complaints from the complainant, i.e. the complainant will not be able to deal directly with the Headteacher or member of staff but only with a third person to be identified by the Governing Body of the school, who will investigate, determine whether or not the concern / complaint is reasonable or vexatious and then advise the Headteacher accordingly.
- For complainants who excessively contact West Moors Middle School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

Thus, legitimate new complaints may still be considered even if the person making them is, or has been, subject to the Policy for Dealing with Serial, Persistent or Unreasonable Complaints and/or Harassment including Aggressive Behaviour from Parents/ carers and Visitors in Schools. However, the school will be advised by the HR / Legal Services of the LA, or take private legal instruction.

If a complainant's persistent complaining/harassing behaviour is modified and is then resumed at a later date within a reasonable period of time, the school may resume the process identified above at an appropriate level. In these circumstances advice may be sought from the HR/Legal Services of the LA.