

## Serial and Unreasonable Complainants

### Clapham Terrace Community Primary School and Nursery



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| Approved by:        | Headteacher        |
|                     | Chair of Governors |
| Last reviewed on:   | May 2021           |
| Next review due by: | May 2024           |

### Equality Statement

In our school, we are committed to eliminate discrimination and advance equality of opportunity for all those with 'protected characteristics' under the Equality Act 2010, in relation to age, disability, ethnicity, gender, gender reassignment, maternity and pregnancy, religion and belief, sexual identity and marriage and civil partnership status. We will endeavour to foster good relations between all. (Our full Equality Statement can be found on the school website).

## Introduction

This policy should be read and applied alongside the school's **Complaints Policy** document and relates to the management of the very small number of unreasonable and unreasonably persistent complainants the school may encounter. Clapham Terrace Community Primary School and Nursery (hereafter Clapham Terrace) does not have unlimited resources of staff time and the aim of this policy is to apply a reasonable limit to the amount of time staff commit to such complainants whilst ensuring the school still behaves in a reasonable manner towards them.

Clapham Terrace welcomes feedback from parents/carers and will always try to resolve any concerns as quickly as possible, using the school's **Complaints Policy** as necessary. Sometimes however, complainants treat staff and others in a way that is unacceptable and/or behave in an unacceptable manner. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept disrespectful, threatening, inappropriate or harassing behaviour. The aim of this policy is to clarify the process for dealing with unreasonable complainants who act inappropriately.

Clapham Terrace 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 our school. However, we do not expect our staff to tolerate unacceptable behaviour and will act to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Clapham Terrace defines serial and unreasonable behaviour as that which hinders the 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 while still wishing their complaint to be resolved
- 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 adopted complaints procedure or with good practice
- introduces trivial or irrelevant information which the Complainant expects to be considered 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
- pursues complaints in a manner which causes ongoing distress to school staff or others
- aggressively pursues complaints in any manner not appropriate to an effective resolution
- deliberately targets one or more members of school staff over a significant period of time
- 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

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.

### **What is 'harassment'?**

- We regard harassment as the unreasonable pursuit of issues or complaints, particularly if the matter appears to be pursued in a way intended to cause personal distress rather than to seek a resolution.

**A complainant will be acting unreasonably under the terms of this policy if their behaviour demonstrates one or more of the above traits.**

Complainants should limit the numbers of communications with the school that relates to their complaint, while the 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 any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Clapham Terrace 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 six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include banning an individual from Clapham Terrace premises.