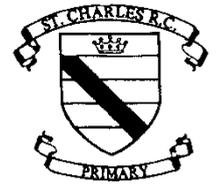




St Charles RC Primary School Policy for Unreasonable Complainants



Our mission at St. Charles RC Primary School is to try and centre our life in Jesus Christ, the spiritual foundation of our community.

We aim to pass on the faith we share in partnership with you.

We want the children in our care to grow and develop to their full potential within a caring Catholic community which recognises fully their true worth and God given talents.

We look forward to working with you in a spirit of mutual trust and support.

We take pride belonging to St. Charles RC Primary School.

MISSION STATEMENT

This policy should be read in conjunction with our Complaints Procedure. This is written in accordance with Section 29 of the Education Act 2002. It is also written with reference to Best Practice Advice for School Complaints Procedures 2016.

St Charles 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.

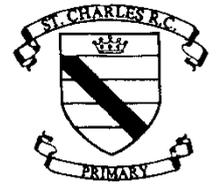
St Charles defines unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints and hinder the running of the school, affecting the well-being of the staff and ultimately the children,'*.

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 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 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;



St Charles RC Primary School Policy for Unreasonable Complainants



- seeks an unrealistic outcome;
- refuses to recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond;
- causes unrest by spreading rumour and speculation amongst other parents;

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.

The Schools actions in cases of persistent 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:

- 1) inform 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;
- 2) inform the complainant that, except in emergencies, all routine communication with the complainant to the school should be by letter only;
- 3) consider taking advice from the LA on pursuing a case under Anti-Harassment legislation;
- 4) 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 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 and then advise the Headteacher accordingly.
- 5) Thus, based on 4), legitimate new complaints may still be considered even if the person making them is, or has been, subject to the Policy for Dealing with Persistent or unreasonable Complaints and/or Harassment in Schools. However, the school will be advised by the HR / Legal Services of the LA.



St Charles RC Primary School Policy for Unreasonable Complainants



- 6) 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.
- 7) For complainants who excessively contact St Charles 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.
- 8) (in the case of physical, or verbal aggression) take advice from LA HR / Legal Services (services purchased by the Governing Body) and consider warning the complainant about being banned from the school site; or proceed straight to a temporary ban.

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.

The decision to bar should 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.