

## UNREASONABLE COMPLAINTS POLICY

### 1. Introduction

1.1. Churchward School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who wish to evoke our complaints procedures. 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. This policy aims to articulate the boundaries within which a complaint to the school would be considered by drawing attention to unacceptable behaviour in our duty to safeguard our staff and students.

### 2. Definition of an Unreasonable Complaint

2.1. Churchward School 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'*.

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

- 2.2.1. Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- 2.2.2. refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- 2.2.3. refuses to accept that certain issues are not within the scope of a complaints procedure;
- 2.2.4. insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- 2.2.5. 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;
- 2.2.6. makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- 2.2.7. changes the basis of the complaint as the investigation proceeds;
- 2.2.8. repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- 2.2.9. 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;
- 2.2.10. refuses to accept the findings of investigations of independent external agencies that have been fully and properly undertaken and acted upon;
- 2.2.11. seeks an unrealistic outcome;
- 2.2.12. 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.

2.3. Churchward School promotes the highest standards of professionalism in all of our interactions with our stakeholders. As such, a complaint may also be considered

unreasonable if the person making the complaint does so in any of the following ways (either face-to-face, by telephone or in writing or electronically);

- 2.3.1. maliciously;
- 2.3.2. aggressively;
- 2.3.3. using threats, intimidation or violence;
- 2.3.4. using abusive, offensive or discriminatory language;
- 2.3.5. knowing it to be false;
- 2.3.6. using falsified information;
- 2.3.7. publishing unacceptable information in a variety of media such as in social media websites and newspapers.

### **3. Communication**

- 3.1. 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.
- 3.2. Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.
- 3.3. If the behaviour continues the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact Churchward 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 usually be reviewed after 6 months.
- 3.4. 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 Churchward School.

### **4. Barring from the School Premises**

- 4.1. 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.
- 4.2. 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.
- 4.3. 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.
- 4.4. Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher 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.

## 5. Policy Review

5.1. This policy has been produced in consultation with staff, and students at Churchward School and has the approval of the Governing Body (GB). A copy of this policy is available to all who request it. It will be reviewed on an annual basis to ensure that the aims, objectives and adopted strategies remain relevant to Churchward School.

Signed ..... Headteacher

Signed ..... Chair of Governors

Date .....