



**Ashby Hill Top Primary School**  
**Unreasonable Complaints Policy**  
**Next review February 2023**

***This policy should be read in conjunction with the school's Complaints Policy***

Ashby Hill Top Primary School 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.

Ashby Hill Top Primary 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'*.

**1. 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/students, staff and everyone else who has legitimate interest in the work of the School, including governors and parents.
- To deal fairly, honestly and properly with unreasonable complainants and those who harass members of staff in school while ensuring that other stakeholders suffer no detriment.

**2. Unreasonable complaints**

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
- refuses to provide information or evidence to substantiate their complaint, other than hearsay, when requested to do so
- makes unjustified complaints about staff who are trying to deal with the issues, and/or 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 or repeatedly changes the outcomes they are seeking
- 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



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A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone, 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

### **3. The school's actions in cases of unreasonable complaints**

Complainants should limit the numbers of communications with the 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 School will take the following consecutive steps as necessary if the complainant's behaviour is not modified:

Whenever possible, the Headteacher or chair of governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking to the complaint.

If the behaviour continues the Headteacher will write to the complainant explaining that their behaviour is now considered unreasonable and falls under the terms of this policy. They will, in writing:

- ask the complainant to change their behaviour
- warn the complainant that further sanctions will be taken if their behaviour is not changed
- Inform the complainant that their complaint will not be further investigated until it is pursued in a manner the school considers to be reasonable

If a complainant's unreasonable behaviour is modified and the complaint still lies within the time limit specified in the school's Complaints Procedure, the School will use its discretion and may resume investigation of the complaint.

If the complainant's unreasonable behaviour is not modified, further sanctions may be introduced by the head teacher or chair of governors informing the complainant in writing. These sanctions will usually be reviewed after 6 months.

The sanctions that may be taken are:

For complainants who excessively contact Ashby Hill Top Primary School causing a significant level of disruption, or who contact Ashby Hill Top Primary School in a manner which is considered harassing and causes staff distress and disruption, a communication plan will be put in place to include some or all of the following:

- specifying methods of communication to be used
- limiting the people with whom the complainant should communicate
- limiting the frequency of communications



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- requiring the presence of a third party in meetings with staff members
- stating that minutes will be taken in all meetings in the interest of all parties

In cases of verbal or physical aggression, the complainant may be warned about being banned from the Ashby Hill Top Primary School premises, or may be immediately temporarily banned from Ashby Hill Top Primary school's premises.

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 Ashby Hill Top Primary School premises.

If a complainant's unreasonable behaviour is modified and is then resumed at a later date within a reasonable period of time, the school may resume the unreasonable complaints process outlined above.

#### **4. Decisions to Ban a Complainant from School Premises**

Where a parent is banned from the school's premises, they will be given the opportunity to formally express their views on the decision to ban them in writing.

The decision to ban will then be reviewed, taking into account any representations made by the complainant, and either confirmed or lifted. If the decision is confirmed the complainant will be notified in writing, explaining how long the ban will be in place.

Anyone wishing to complain about being banned can do so, by letter or email, to the Headteacher or chair of governors. However, complaints about banning 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. New Complaints**

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 the Unreasonable Complaints Policy.