



Persistent Complaints and Unreasonable Behaviours Policy

Aims and Objectives

At Bernards Heath Junior School all our children are given the opportunity to become the best they can be in a friendly, safe and nurturing environment. Our commitment to learning ensures that our dedicated and caring school community is reflective and attentive to the voice of our children. We communicate at all levels by working hard to ensure that every member of our school community has a voice.

We aim to create a community which does not judge or offer judgment but rather promotes the values of respect, resilience and responsibility. By developing pupil voice we aim to assist our children to have the skills and confidence in a supported environment to share any concerns they may have, to have the emotional literacy to deal more positively with conflict and to understand the need to behave in a supportive and positive manner so that effective learning will take place.

Purpose 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, staff and everyone else who has a legitimate interest in the work of the school, including governors and parents.

To deal fairly, honestly and properly with persistent complainants and those who are unreasonable towards members of staff in the school while ensuring that other stakeholders suffer no detriment.

Who is a persistent complainant?

For the purposes of this policy, a persistent complainant is a parent/carer or member of the public who complains about issues, either formally or informally, at a frequency that a reasonable person would deem excessive, or frequently raises issues that the complainant considers to be within the remit of the school and whose behaviour a reasonable person would deem unreasonable.

Such behaviour may be characterised by:

1. Actions which are persistent, prolific or repetitious;
2. Prolific correspondence or excessive e-mail or telephone contact about a concern or complaint;
3. An insistence upon unrealistic or unreasonable outcomes ;
4. An insistence upon pursuing complaints in an unreasonable manner.

For the purpose of this policy, unreasonable behaviour is the pursuit of such actions in (1) to (4) above in such a way that they:

- a) Appear to be targeted over a significant period of time on one or more members of staff or
- b) Cause ongoing distress to individual member(s) of staff or
- c) Have a significant adverse effect on the whole or parts of the school community or
- d) Are pursued aggressively or pursued persistently despite the matter having been responded to by a member of staff. For example if a parent does not agree with the response given by the member of staff and continues to seek a different response.

Actions or behaviour that fall into any of the categories described in (1) to (4) and (a) to (d) above or any other persistently unreasonable behaviour, may render a complainant liable to become subject to this policy.

Parents' expectations of the school

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

- regularly communicate to parents and carers in writing (i) how and when problems can be raised with the school, (ii) the existence of the school's complaints procedure and (iii) the existence of this persistent complaints and unreasonable behaviours policy
- respond within a reasonable time
- be available for consultation within reasonable time limits upon prior notice being given except in the case of emergency, 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 practices and in line with official guidance and advice
- keep complainants informed of progress towards a resolution of the issues raised

The school's expectations of parents, carers and members of the public

The school can expect parents, carers and members of the public who wish to raise problems with the school to:

- treat all school staff with courtesy and respect
- avoid any use, or threatened use, of violence to people or property
- respect the needs and well-being of pupils and staff within the school
- 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.

The school's actions in cases of persistent complaint or unreasonable behaviour

The school will take the following consecutive steps as necessary if the complainant's behaviour does not improve or cease:

- a) inform the complainant either orally or in writing that his or her behaviour is considered to have become unreasonable or unacceptable and may be considered to fall under the terms of this policy
- b) inform the complainant in writing that his or her behaviour is now considered by the school to fall under the terms of this policy and that their complaint will not be investigated further until it is pursued in a manner that the school considers to be reasonable.

As appropriate, this may additionally result in the school:

- i) informing 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
- ii) informing the complainant that, except in emergencies, all communication from the complainant to the school must be made in writing
- iii) informing the complainant that all further correspondence and communication with the complainant will cease, other than that necessary for the health and safety of any child.

Physical or Verbal Aggression

The school and governing body will not tolerate any form of physical or verbal aggression or personal unreasonable behaviour against school staff. If staff are subject to this type of aggression the school may:

- a. Prohibit the individual from entering the school site with immediate effect
- b. Inform the individual that communication with them will cease, other than for the health and safety of any child
- c. Take further legal action to protect school staff. This could include, amongst other action, requesting an Anti-Social Behaviour Order or prosecution under appropriate legislation.
- d. Exclude the individual from the school site by way of a formal ban from entering the premises.

Time Frame and Review

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 this Persistent Complaints and Unreasonable Behaviours Policy.

If a complainant's persistent complaining or unreasonable behaviour is modified and is then resumed at a later date, the school may resume the process identified above as appropriate.

If a complainant's persistent complaining or unreasonable behaviour is modified and the complaint still lies within the time limit specified in the school's complaints procedure, the school may at its absolute discretion resume its investigation of the complaint.

The school will review as appropriate, and at a minimum once per school year, any sanctions applied in the context of this policy.

The Governing Body reviews this policy every two years. The Governors may, however, review the policy earlier than this if the Government introduces new regulations, or if the Governing Body receives recommendations on how the policy might be improved.

Date: February 2020

To be reviewed: February 2022