



## Maidenbower Junior School

### Curriculum Policy Policy for Handling Unreasonably Persistent Harassing or Abusive Complaints

<b>Approved by:</b>	Head teacher, SLT, GDPR Officer and Full Governing Body	<b>Date:</b> September 2017
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<b>Next review due by:</b>	November 2025	
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The head teacher, school and governing body are fully committed to the improvement of our school. We welcome feedback from parents/carers and will always try to resolve any concerns as quickly as possible. There is a procedure for parents to use if they wish to make a formal complaint.

Sometimes, however, parents or carers pursuing complaints or other issues, treat staff and others in a way that is unacceptable. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour towards any members of the school community.

The aim of this policy is to provide information about unreasonably persistent complainants or harassment of staff.

### **What do we mean by 'an unreasonably persistent complainant'?**

An unreasonably persistent complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include persons who pursue complaints in an unreasonable manner.

Unreasonable behaviour may include:

#### **Actions which are**

- out of proportion to the nature of the complaint, or
- persistent – even when the complaints procedure has been exhausted, or
- personally harassing, or
- unjustifiably repetitious.

#### **An insistence on**

- pursuing unjustified complaints and/or
- unrealistic outcomes to justified complaints
- pursuing justifiable complaints in an unreasonable manner (eg using abusive or threatening language; or
- making complaints in public or via a social networking site such as Facebook; or
- refusing to attend appointments to discuss the complaint.

### **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.

Behaviour may fall within the scope of this policy if:

- it appears to be deliberately targeted at one or more members of school staff or others, without good cause;
- the way in which a complaint or other issues is pursued (as opposed to the complaint itself) causes undue distress to school staff or others;
- it has a significant and disproportionate adverse effect on the school community.
- responses are requested within unreasonable timescales
- there is insistence on speaking with certain members of staff
- contact is continual whilst we are in the process of looking at a matter
- a number of approaches about the same matter are made without raising new issues
- there is a refusal to accept a decision made where explanations for the decision have been given

- complaints/issues which have no substance are continued to be pursued
- complaints/issues which have already been investigated and determined are continued to be pursued
- unfounded or new complaints continue to be raised arising from the same set of facts

### **What does the school expect of any person wishing to raise a concern?**

The school expects anyone who wishes to raise concerns with the school to:

- treat all members of the school community with courtesy and respect;
- respect the needs of pupils and staff within the school;
- avoid the use of violence, or threats of violence, towards people or property;
- recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to a complaint;
- follow the school's complaints procedure and allow time for the procedure to follow its course;
- attend meetings arranged to discuss the complaint.

### **Physical or verbal aggression**

The governing body will not tolerate any form of physical or verbal aggression against members of the school community and will be reported to the police, who may decide to prosecute. This could include:

- shouting at school staff, either in person or over the telephone;
- physically intimidating a member of staff, e.g. standing very close to him/her;
- the use of aggressive hand gestures;
- threatening school staff;
- shaking or holding a fist towards another person;
- swearing at a member of school staff;
- pushing; hitting, e.g. slapping, punching and kicking; spitting;
- racist or sexist comments.

If there is evidence of any such aggression the school may:

- ban the individual from entering the school site, with immediate effect;
- request an Anti-Social Behaviour Order (ASBO);
- prosecute under Anti-Harassment legislation;
- call the police to remove the individual from the premises, under powers provided by the Education Act 1996.

### **Schools' responses to unreasonably persistent complaints or harassment**

All our staff within school have the authority to manage unreasonable behaviour. We have a zero-tolerance position on violence and threats against staff and any such behaviour will always be reported to the police.

This policy is intended to be used in conjunction with the school's complaints procedure. Taken together, these documents set out how we will always seek to work with parents, carers and others with a legitimate complaint to resolve a difficulty.

However, in cases of unreasonably persistent complaints or harassment, the school may take some or all of the following steps, as appropriate:

- inform the complainant informally that his/her behaviour is now considered by the school to be unreasonable or unacceptable, and request a changed approach;

- inform the complainant in writing that the school considers his/her behaviour to fall under the terms of the Unreasonably Persistent Complaints/ Harassment Policy;
- require all future meetings with a member of staff to be conducted with a second person present. In the interests of all parties, notes of these meetings may be taken;
- inform the complainant that, except in emergencies, the school will respond only to written communication and that these may be required to be channelled through the Local Authority.

If we decide a restriction is appropriate, the school will consider which of the options (see below) best fits the circumstances. The level of restriction that is applied will be proportionate, taking into account the nature, extent and impact of your behaviour on our ability to do our work.

In certain circumstances, parents displaying unreasonable behaviour will be asked to leave the premises.

We will be transparent and explain to you what restriction we are putting in place, our reasons for doing so, and how long the restriction will apply.

If the school has already made a reasonable adjustment for you, this will be taken into account when deciding upon the appropriate course of action.

We recognise that our resources, including staff time, have to be used where they can be most effective. This might mean that we cannot respond to every issue in the way a person would like, if in doing so it would take up what the school regards as being a disproportionate amount of time and resources that could be used elsewhere to support the most vulnerable in our community.

We ask you to recognise that, due to the volume of work with which we deal; we may not be able to respond immediately to your requests. This does not mean that your concerns are any less important to us. If we have asked for your patience but you continue to pursue your concerns, we may consider such behaviour to be unreasonable.

### **Options to restrict contact**

If you continue to behave unreasonably after we have asked you to modify your behaviour, the options we will consider are:

**Option 1:** Requiring you to contact a named staff member(s) only.

**Option 2:** Restricting contact (whether via telephone, face to face, or digital) to specified days and times, as agreed with you.

**Option 3:** Terminating contact if you persistently raise issues which we have already responded to in full. We will politely explain that we are unable to comment further on the matter and will ask if there are any other issues you wish to raise. If no new issues are raised and you persist in raising issues which we have already addressed, we will tell you so before ending contact. Where relevant a written warning will then be sent, with a view to limiting future communication to written communication only. If digital contact is made under a user name, if necessary, we will aim to seek identity.

**Option 4:** Terminating contact if you are aggressive, rude, abusive or offensive. We will politely ask you to modify your behaviour, but if the behaviour continues we will tell you again that your behaviour is unacceptable and end the call. The line manager of the member of staff involved will intervene including where relevant a written warning, with a view to limiting future communication to written only. As above, if digital contact is made under a user name, if necessary, we will aim to seek identity.

**Option 5:** Restricting the issues we will correspond on.

**Option 6:** If you send us a large volume of irrelevant documentation, we may return these documents to you. In extreme cases we will advise you that further irrelevant documents will be destroyed.

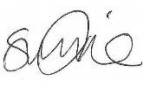
**Option 7:** If we have already fully explained our reasons for a decision and you have exhausted the procedure to request a review of that decision, we will decline to respond to further correspondence which does not raise new issues. The correspondence will be read and filed but we will not acknowledge your correspondence unless you provide significant new information or evidence relating to the matter.

**Option 8:** We will block your emails if the number and length of emails sent causes difficulties for us to conduct our business.

**Option 9:** We will not respond to correspondence which is abusive or offensive and we will block emails that are abusive or offensive.

Legitimate new complaints will always be considered, even if the person making them is (or has been) subject to the Unreasonably Persistent Complaints/ Harassment Policy. The school nevertheless reserves the right not to respond to communications from individuals subject to the policy.

Dated: 12th November 2023

Signed by: 

**Simon Pike**  
**Head teacher**

Signed by:

**Pat Wright**  
**Chair of Governors**

1. Written : September 2017
2. Reviewed : November 2023