



Education

Policy for Dealing with Unreasonable Complainants

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April 16	1.0	New policy based on DfE best practice guidance issued Jan 2016

Policy for Dealing with Unreasonable Complainants

In The Leigh Academies Trust, all the staff are dedicated to providing all the students with the best possible education and will aim to care properly for their health, safety and welfare at all times. We believe that each Academy should work in partnership with parents, each carrying out their particular responsibilities to help the students gain the most from their time at the Academy. This procedure pertains to each Academy and to all other elements of the Trust.

This policy will apply only when all reasonable avenues have been exhausted in trying to resolve a complaint. The process to be followed in these efforts towards resolution is described in detail in our Complaints Policy.

1. Statement of Policy

1.1 Leigh Academies Trust 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 Academy. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from such behaviour, including that which is abusive, offensive or threatening. This policy outlines the procedure to be followed when dealing with unreasonable complainants.

2. Dealing with Unreasonable Complainants: Formal Procedures

2.1 Leigh Academies Trust 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’. 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 the complaints procedure;
- Insists on the complaint being dealt with in ways that are incompatible with the adopted complaints procedure or with good practice;
- Introduces trivial or irrelevant information that the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions and insists that they are fully answered, often immediately or 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 Leigh Academies Trust’s complaints procedure has been fully and properly implemented and completed, including referral to the Department for Education;
- Seeks an unrealistic outcome;

- Makes excessive demands on Academy time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email or by telephone while the complaint is being dealt with.

2.2 A complaint may also be considered unreasonable if the person making the complaint does so, whether 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 on social-media websites or in newspapers.

2.3 Complainants should limit the number of communications with an Academy while a complaint is being progressed. It is not helpful if repeated correspondence is sent (whether by letter, telephone, email or text), as it could delay a resolution. Whenever possible, the Principal or Executive Director of the Trust will discuss any concerns with the complainant informally before applying an 'unreasonable' category. If the behaviour continues, the Principal or Executive Director will write to the complainant, explaining that their behaviour is unreasonable and asking them to change it. For complainants who contact an Academy excessively, 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 six months. 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 the Academy, or from Leigh Academies trust premises in general.