



Complaints: unacceptable actions policy 2023

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Policy review date	2026 (3 years)
Member of staff responsible:	Mrs C Robins (Headteacher)

1. Introduction

The Headteacher and staff deal with complaints as part of their day-to-day management of the school, in accordance with the school's complaints policy and procedure. We aim to manage any complaints thoroughly and proportionately and to convey decisions clearly.

At Llantwit Major School, we value the positive relationships forged with parents, carers and visitors to the school. We encourage close links with parents, carers and the community and believe that pupils benefit when the relationship between home and school is a positive one. We also strive to make our school a place where, as adults, we model for pupils the behaviour we teach and expect. We place a high importance on good manners, positive communication and mutual respect. Almost all parents, carers and visitors to Llantwit Major are keen to work with us and are supportive of the school. However, on very rare occasions, the behaviour of a small number of parents falls short of what we expect.

The majority of complaints are handled in an informal manner, and are resolved quickly, sensitively, and to the satisfaction of the complainant. However, there are occasions when complainants behave in an unreasonable manner when raising and/or pursuing complaints. The consequences are that the actions of the complainant begin to impact negatively on the day-to-day running of the school and directly or indirectly on the wellbeing of the pupils and/or staff in the school. In these exceptional circumstances, the school may take action in accordance with this policy.

Aims

The aims of this policy are to:

- uphold the standards of courtesy and reasonableness that should characterise all communication between the school and any interested party or complainant;
- support the wellbeing of the pupils, staff and Headteacher, and any other interested party, including governors and parents;
- deal fairly, honestly, openly and transparently with those who make persistent or vexatious complaints, and those who harass members of staff in school whilst ensuring that no other stakeholders suffer any detriment;
- ensure equity and fairness, improve efficiency and manage risks to the health and safety of staff.

Neither this policy nor the corresponding Complaints Procedure Policy will address complaints relating to Child Protection or staff discipline, for which specific procedures are in place.

This policy applies to all areas of work undertaken by the school where members of staff have contact with any complainant by phone or in writing (including electronic communication).

Parents' Expectations of the School

Parents/carers or other interested parties who raise an informal or formal complaint with the school can expect the school to:

- publicise how and when complaints can be raised with the school;
- publicise the school's Complaints Procedure Policy on the school website;
- publicise the school's policy for dealing with persistent and/or vexatious complaints;
- respond within a reasonable time;
- be available for consultation within reasonable time limits, bearing in mind the needs of the pupils and staff 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 Policy, and in consultation with the Local Authority and Welsh Government;
- keep complainants informed of progress towards a resolution of the complaints raised.

What the school expect from complainants

We understand that raising a complaint can be a stressful time, and we are sympathetic to that. However, whilst we believe that all complainants have a right to be heard, understood and respected, we also believe that school staff and governors have the same right. We expect a complainant to be polite and courteous. We will not tolerate aggressive, abusive or unreasonable behaviour. We will also not tolerate unreasonable demands or unreasonable persistence or vexatious complaining.

For the purposes of this policy, the term "complainant" means anyone who has made a complaint to the school or any other person acting on their behalf.

All complainants will be treated with fairness and respect, even if we perceive their actions or behaviour to be challenging.

2 Unacceptable actions

Our staff have the right to work in an environment free from aggressive, abusive or offensive language or behaviours at all times.

The school considers such behaviours to include:

- abusive, obscene, indecent, threatening, violent or offensive language or behaviour;
- defamatory, harassing, hateful remarks or accusations against individuals or organisations;

- overbearing behaviour e.g. refusing to give staff an opportunity to speak;
- repeated derogatory comments;
- inappropriate sexual or gender-based remarks;
- inappropriate cultural, racial, political or religious references;
- any other comments that are deemed discriminatory based on race, national or ethnic origin, age, religion or belief, gender and gender reassignment, marital status, socio-economic status, physical or mental disability, sexual orientation or use of the Welsh language;
- rudeness or shouting;
- emotional abuse or manipulative behavior;
- actions which are obsessive, persistent, harassing, prolific or repetitious;

For the purposes of this policy, harassment is the unreasonable pursuit of such actions as above in such a way that they:

- appear to be targeted over a significant period of time, at one or more members of staff; and/or
- cause ongoing stress to individual member(s) of staff; and/or
- have a significantly adverse effect on the whole/parts of the school; and/or
- are pursued in a manner which could be perceived as intimidating and/or oppressive by the recipient(s). This could include situations where persistent demands or criticism, whilst not especially taxing or serious when viewed in isolation, have the cumulative effect over time of undermining confidence, wellbeing and health.

Threats of physical violence or harassment to any person are unacceptable and will be reported to the police.

Llantwit Major School is committed to allotting a proportionate amount of time and resources to each complaint. Unreasonable demands and persistence may prevent staff from fulfilling this commitment.

The school considers unreasonable demands and persistence to include:

- excessive telephone calls, emails or letters;
- sending duplicate correspondence;
- persistent refusal to accept a decision or explanation;
- continuing to contact the school after a decision about the same or similar matters, without presenting new or relevant information;
- demanding responses within an unreasonable time scale or information not relevant to your complaint;
- refusing to cooperate with the school's complaint-handling procedures;
- raising matters that are immaterial to the complaint or repeatedly changing the substance of the complaint;
- repeatedly contacting or insisting to speak to a member of staff who is not directly dealing with the complaint.
- use of Freedom of Information requests excessively and unreasonably;

- an insistence upon pursuing unsubstantial complaints, and/or unrealistic or unreasonable outcomes;
- an insistence upon only dealing with the Headteacher on all occasions, irrespective of the issue and/or the level of delegation in the School to deal with such matters;
- an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example: if the desired outcome is beyond the remit of the school because it is unlawful.

3. School-based steps in response to unacceptable actions/behaviour

In the first instance, the school will verbally inform the complainant that their behaviour is considered to be approaching unreasonable/unacceptable and, if it is not modified, action may be taken in accordance with this policy.

If the contact is in the form of a telephone call, the caller will be warned once that their conduct is of concern to allow them the opportunity to moderate their behaviour. If the behaviour persists, no further warnings will be given, the call will be terminated and the incident reported to the Headteacher or Deputy Headteacher.

In all first instances, the complainant will be informed in writing that their behaviour is considered to be unreasonable/unacceptable and that, if not modified, action may be taken in accordance with this policy (**ML1.**)

In the event of further unacceptable actions/behaviour, the school will take some or all of the following actions as necessary:

- inform the complainant in writing (**ML2**) that their behaviour is now considered by the school to be unreasonable/unacceptable and, therefore, fails to fall within the terms of this policy;
- inform the complainant in writing (**ML2**) that any further meetings with any member(s) of staff will be conducted with a nominated senior member of staff present, and that notes of meetings will be taken in the interests of all parties;
- inform the complainant in writing (**ML2**) that, except in emergencies, a decision has been taken to manage contact and that all routine communication between the complainant and the school will be via email, either to the Headteacher or Deputy Headteacher (by letter if email is not accessible.);
- (in the case of physical or verbal aggression) take advice from Local Authority and consider warning the complainant about being banned from the school site; or proceed immediately to a temporary ban;
- consider taking advice from the LA on pursuing a case under anti-harassment legislation;
- consider implementing specific procedures for dealing with complaints from the complainant, i.e. the complainant will not be able to deal directly with the Headteacher, instead, they will communicate with a third party to be identified by the Governing Body of the school who will investigate to determine whether or not the complaint is reasonable or vexatious, and then advise the Headteacher accordingly. In this case legitimate new complaints may still be considered, even if the person making them is, or

has been, subject to the terms of this policy. In such matters, the school may be additionally advised by the Local Authority.

Reviewing decisions

If a complainant's persistent complaining/harassing behaviour is modified and is then resumed at a later date, within a reasonable period of time, then the school may resume the process identified above, at an appropriate level. In these circumstances, the school may be advised by the Local Authority.

Any decision to manage contact with the complainant will be reviewed by the Headteacher/ Deputy Headteacher at the time specified in the decision letter, this will be no more than six months after the date the decision was taken, and any alterations to the restriction will be noted. A complainant will only be contacted to advise them of any change to the restriction if they still have a child at the school at the time of the review.

4 Related Policies

This policy should be read in conjunction with:

- School Complaints Policy

5 Appendices

Model Letter 1 (ML1)

Initial letter concerning unreasonable/unacceptable behaviour

[Date] RECORDED DELIVERY

Dear [insert name of complainant]

This letter is to inform you that the school considers your actions on (insert date) when you (describe actions, dates & behaviour) to be unreasonable/unacceptable (delete as applicable.)

Such behaviour on the school site/ telephone exchanges/email exchanges (delete as applicable) can be disruptive and distressing to pupils, staff and parents/carers (delete as applicable.)

We are aware that you have raised concerns/complaints and would advise you that these are being dealt with most effectively through the school's Complaints Procedure Policy. At present, we are dealing with these issues by (describe actions being taken to resolve concern.)

I have attached the school's policy for dealing with unacceptable actions, which sets out the standards of behaviour expected of all people in their dealings with the school. These include:

- behaving reasonably;
- treating others with courtesy and respect;
- resolving complaints using the Schools' Complaints Procedure Policy;
- avoiding physical and verbal aggression at all times.

The policy also details the steps that we may take if these standards are breached. These steps include:

- making special arrangements for meetings and communication between you and the school;
- considering banning you from the school premises;
- considering legal action.

I would ask you to allow the school time to investigate and resolve your complaint in accordance with the Complaints Procedure Policy or other procedure as appropriate. I assure you that we shall take every step to move this investigation and resolution forward as quickly as possible and look forward to more positive communication moving forward.

Yours sincerely,

(Headteacher/Deputy Headteacher)

Model Letter 2 (ML2)

(Date) RECORDED DELIVERY

Dear (insert name of complainant)

I wrote to you on (insert date) to inform you that your behaviour was deemed to be unreasonable/unacceptable (delete as applicable.) I am now writing to inform you that in view of your subsequent behaviour/ actions (delete as applicable) on (insert date), when you (describe actions/behaviour) it has been decided that the school's policy for dealing with unacceptable actions will apply from the date of this letter.

After much consideration, I have made the following arrangements in order to manage your future contact with the school: (*Delete as applicable)

*A: For the foreseeable future, should you wish to communicate/meet with any member of staff, I would ask you to note:

- All routine communication, including any request for a meeting between you and the school, will be by letter/ email only. Letters/emails from you need to be addressed to (insert as applicable.)
- An appointment will be arranged and confirmed in writing as soon as possible.
- A third party (insert name) from the school will be present throughout the meeting. In the interest of all parties, formal notes of the meeting will be made.

*B For the foreseeable future, you are not permitted to come onto the school site. I would ask you to note:

- All routine communication, including any request for a meeting between you and the school, will be by letter/ email only. Letters/emails from you need to be addressed to (insert as applicable.)
- Should you request a meeting to discuss your child/children this will take place on Teams and will be arranged by (insert name and role.)

*C: For the foreseeable future, all meetings arising from any written communication with the school will not be conducted by a member of staff, but will be conducted by (insert name and role) who will represent the school. I would ask you to note:

- All routine communication, including any request for a meeting between you and the school, will be by letter/email only. Letters/ emails from you need to be addressed to (insert as applicable) at (insert details.)
- An appointment will be arranged and confirmed in writing as soon as possible. A third party (insert name and role) will be present throughout the meeting. In the interest of all parties, formal notes of the meeting will be made.

These arrangements do not apply to any emergency involving (insert name of pupil) – in which case you should contact the school in the usual way.

Please note that information normally provided at parents' evening(s) will be delivered in a summary written report whilst these arrangements are in place.

The arrangements described above take effect immediately. If you wish to make a representation about the content of this letter, you can do so by writing to me at the school within ten school days of the date of this letter. If you wish to express any regret on your part, and/or are prepared to give assurances about your future good conduct, you can do so by writing to me at the school.

I will review the measures that have been in place on (insert date) and provide you with written confirmation of the outcome.

I hope that the difficulties that we are currently experiencing can soon be resolved so that we can work together productively to support (insert name/s of pupil/s.)

Yours sincerely,

(insert Headteacher's name.)