

Policy on dealing with unreasonable complaints and complainants

INCLUDING KNOCKEVIN SCHOOL INTERNAL PROCEDURES TO BE USED BY STAFF TO MANAGE DIFFICULT PARENTS, CARERS, GUARDIANS or VISITORS

Introduction

Knockevin School is committed to delivering the best possible education to support the development of the pupils in our care. Complaints about Knockevin School are taken very seriously and staff are committed to resolving any level of dissatisfaction as quickly and effectively as possible. Knockevin has a robust Complaints Handling Procedure in place, as per our complaints policy. This procedure is designed to ensure that all complaints are managed effectively and are rigorously investigated in a timely manner where appropriate.

On occasion, people can pursue complaints in a way that is deemed unacceptable either through their behaviour, persistence or the nature of the complaint. Knockevin must balance the rights of an individual to make a complaint and have it fairly investigated with the rights of staff not to be subjected to unacceptable actions or behaviour. Unreasonable complaints are time consuming, they can be extremely stressful and upsetting and can take up valuable resources and staff time. Whilst Knockevin makes every effort to respond with patience and sympathy to the needs of all complainants, there are times when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem. Everyone has the right to be treated with respect. No member of staff is expected to continue with any engagement that is of an abusive or aggressive nature. For example, staff may end telephone calls or meetings where this occurs. It is important that staff are clear about how to deal with these situations when they arise and that complainants are aware of how unreasonable complaints and/or behaviour will be managed.

Equality

Knockevin will handle all complaints fairly and honestly regardless of who makes a complaint. We will treat all members of the school community equitably and will not show bias to any particular individual or group. Knockevin recognises the needs of people who may experience difficulties making a complaint. Information about the complaint system will reflect the needs of people from diverse cultural and linguistic backgrounds, as well as those with reading difficulties, sight or hearing impairments, or intellectual disability. As such, special requests for large print, audio tape or Braille versions will be facilitated. Translations into other languages, for those not fluent in English will also be considered. Training will be provided for staff as required in order to deal with the above issues, including where appropriate, the use of adaptive technology, interpreter services and with full regard for cross-cultural sensitivities.

Policy Objectives

This policy should be read in conjunction with the school's Complaints Procedure. The main aim of this policy is to support staff and enable them to:

- Identify when a complainant is being unreasonable;
- Decide what to do when faced with a complainant who they feel is being unreasonable;
- Seek support when dealing with a complainant whose behaviour is unreasonable;
- Understand and implement a formal course of action where appropriate; and

- Determine what communications are appropriate with a complainant whose behaviour is unreasonable.

Step 1	Refer to a senior member of staff. Where a member of staff considers a complainant to be unreasonable, they should discuss with a Senior Teacher or Vice-Principal. They will ensure this is raised with the Principal and Leadership Team
Step 2	Decision The Principal will, in conjunction with the Board of Governors, decide if the complainant should be treated as unreasonable and the appropriate course of action to be taken.
Step 3	Notification The Principal or Chair of Governors will notify the complainant, in writing, that their complaint has been treated as unreasonable and will outline the reasons for this decision. They will also confirm the action that will be taken, and inform the complainant of their right to appeal the decision by contacting them within 14 days.
Step 4	Review The complainant may request a review setting out why they consider their actions to be reasonable. The Chair will coordinate a review which will be considered by a panel of the Board of Governors
Step 5	Monitor Once a complainant has been determined to be unreasonable, their details should be recorded. Their status will be kept under review for six months. If a complainant subsequently demonstrates a more reasonable approach then their status may be reviewed. New complaints after the six month period will be dealt with on their merits.

Guide for Staff

No member of staff should have to endure an abusive call or meeting. If you are dealing with an angry complainant, you should remain calm and try not to take it personally. You can end the call/meeting, however you should try to give warning and explain why the call/meeting will be ended. You should keep a record of any aggressive calls or comments made at any meeting that you find unreasonable. Details such as date, time and attendees where applicable should be noted. The phrases below may be useful.

- I am doing my best to help you. I am sorry but if you continue to use that kind of language, I will have no option but to end this call/meeting.
- I understand that you are upset, but if you continue to use an aggressive tone, I will have no option but to end this call/meeting.
- I understand you are angry, but if you continue to insult me and/or my colleagues, I will have no option but to end this call/meeting.
- I have already asked you politely to stop using foul language/being aggressive/insulting me – otherwise I will have to end this call/meeting.
- You have given me no option but to end this call – perhaps you can put your concerns in writing. Thank you.

A member of the school's Leadership Team should be informed as soon as possible following a discussion of this nature.

Additional information regarding discussions taking place on the School Premises

Parents/Carers have currently been asked not to attend the school without prior appointment due to Covid-19. This means that they should not be admitted into the building unless for a pre-arranged meeting.

If a parent, carer or member of the public begins to exhibit aggressive or abusive behaviour towards any member of staff, a student, therapist, visitor or volunteer whilst on the school premises the nearest member of staff shall:

Contact the most senior member of staff possible and inform them of the situation. Where possible the Senior Member of Staff will attend and take charge of further actions. The complainant **MUST NOT** be allowed access to a staff member about whom they are complaining. Female staff should not try to deal with aggressive males and should remove themselves and seek assistance immediately.

If it is safe to do so, the Senior Member of Staff shall:

- 1. Try to get the complainant to sit down quietly in a private situation (office etc.), invite another member of staff to join them. Leave clear access to the door, leaving the door open. If this is not possible, ensure the area is cleared of unnecessary people (students, staff or visitors) who could be at risk from harm should the situation escalate.**
2. Explain that what the complainant is saying is important, that the individual they are concerned about is not available but that the School wishes to hear what they have to say.
- 3. Take notes whilst the complainant is speaking and shall check with the complainant both during and at the end of their statement to ensure that the information they have provided has been recorded correctly.**
4. Explain that the information they have provided has been taken seriously and will have to be passed to the Principal who will investigate and respond directly to them. Confirmation that the School has the complainant's correct contact details shall be obtained.
- 5. Explain that the investigation may take several days but that the Principal will contact them.**
6. Explain that if they are not satisfied with the reply from the Principal they are entitled to take their complaint to the School's Governing Body.
- 7. Offer a copy of the School's Complaints Procedure**

SUMMARY

If at any stage matters start to get out of control:

i) the meeting shall be terminated as politely as possible, using the script above

ii) additional help should be summoned.

In extreme cases, (eg threatened or actual physical violence or assault, refusal to leave the premises etc) the Senior Member of Staff shall summon the Police immediately or get help from office staff to do so

Written Abuse

If a member of staff receives written correspondence (eg letter, e-mail, SeeSaw message, text, facebook or twitter message) of a threatening or abusive nature from a parent, carer or member of the public, this shall be reported immediately to a member of the Leadership Team and a copy retained as evidence.

The school's policy on SeeSaw sets out the terms of use for SeeSaw. Access to this form of communication can be withdrawn as per our policy.

Social Media - If a parent has placed or uploaded any documents critical of the school which Governors have considered to be controversial, they will be asked to remove it immediately and be invited to attend school to discuss the grievance they may have.

The receiving member of staff will not reply to the correspondence without first agreeing the response with the Leadership Team member (or, in preference, the LT member will respond on their behalf).

Whilst the School will make every effort to resolve any issue raised by the complainant, Consideration may also be given to involving the Police, especially where threats of violence have been made

Options for Dealing with Unreasonable Complaints

The decision to treat a complainant as unreasonable should not be taken lightly. The following questions should be considered:

- Has the complaint been, or is it being, investigated properly in line with the Complaints Procedure?
- Has communication with the complainant been timely, adequate and accessible?
- Has the complainant provided any significant new information that might affect the school's view of the complaint?

The options below can then be considered:

1. Consider offering the complainant a meeting with a staff member of appropriate seniority provided there has been no verbal abuse or threat of violence.

2. A communication (in a suitable format for the complainant), setting out responsibilities of the parties involved if Knockevin is to continue processing the complaint. If the terms are not met,

consideration will then be given to implementing one or more actions set out at points 3, 4 or 5 below.

3. Decline contact with the complainant, either in person, by telephone, by fax, by letter, by email or any combination of these, provided that one form of contact is maintained. This may also mean that one named staff member will be nominated to maintain contact.

4. Notify the complainant, in writing, that the school has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant will also be notified that the correspondence is at an end, advising that they are being treated as an unreasonable complainant and that Knockevin School does not intend to engage in further correspondence dealing with the complaint.

5. Temporarily suspend all contact with the complainant, while seeking advice or guidance from EA legal advisers, health, safety and security staff or other relevant agencies for example PSNI. This temporary suspension of contact may include the blocking of emails from the complainant to staff who may have been subjected to harassment.

Once a decision has been reached to use any of points 2 - 5 above, the Principal or Chair of Governors should advise the complainant of their right to a review of the decision.

Referral to the Northern Ireland Public Service Ombudsman (NIPSO)

In extreme cases the relationship between the complainant and school may break down. In these cases we may consider the following actions:

- Refer the complaint to NIPSO before all stages of the complaints procedure have been exhausted.
- Explain in writing to the complainant that school cannot assist them further and inform them of their right to approach NIPSO. This may occur when school does not believe the complaints are substantively valid and cannot agree a way forward with the complainant (for example, the complainant makes allegations and states they have supporting evidence but consistently fails to produce the evidence).