

Our Lady of Mercy Catholic Education Trust



St Anthony's Girls' Catholic Academy

Policy type:	School
Policy:	Unreasonable Complaints Policy
Ratified by MAT Directors:	December 2019
Head Teacher signature:	<i>M. Shepherd.</i>
Chair of Directors signature:	<i>Shepherd.</i>
Review Date:	December 2020
Ownership:	M. Shepherd (Head Teacher)

Guidance for staff regarding unreasonable, disproportionate or unacceptable complaints

1. Introduction:

Public organisations, such as schools/academies, deal with hundreds of interactions on a daily base and sometimes concerns or complaints are raised. The vast majority of these complaints/concerns are reasonable and proportionate and are usually quickly resolved to everyone's satisfaction.

Complaints and concerns are sometimes raised when individuals may feel disappointed and unhappy. Others may feel that they have been treated unfairly. Some may have been received partial or incorrect information from varied sources. Despite concerns, all concerned work productively to resolve any issues.

Occasionally complainants, however, do not act so responsibly. Their anger about their concern or its outcome is often translated into aggressive and abusive behaviour towards the organisation and the staff handling their concern. Some may bombard organisations with unnecessary telephone calls, e-mails and large amounts of irrelevant information or insist on things they are not entitled to and outcomes that are clearly neither possible or appropriate in the circumstances. At the end of the process, these same complainants are often unwilling to accept decisions and continue to demand further action on their complaints even though they have exhausted all available internal review options.

It is also very common for this category of complainants to lose perspective and change the focus of their complaints from the substantive issues to the people or organisation(s) responsible for them, to allegations of incompetence, collusion, conspiracy and corruption against the staff and organisations that they have approached to resolve those issues. As such, it is not uncommon to find that complaints have grown over time and have be unnecessarily escalated to multiple organisations at the same time - where they re-enter the complaints cycle all over again.

In summary, these complainants behave in ways that go beyond what is reasonable, proportionate or acceptable.

2. What is an unreasonable concern/complaint:

Unreasonable complainant conduct can be defined as any behaviour by a current or former complainant which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the school/academy.

3. Reasons why people raising concerns/complainants may sometimes behave unreasonably:

- **Attitudes** - they may be dissatisfied with individual(s), the organisation or systems and processes within it.
- **Emotions and psychologies** - they may be angry, frustrated or disappointed and express those emotions in unacceptable ways; have an inflated sense of entitlement or are unable to accept any personal responsibility for issues.
- **Aspirations** - they are seeking 'justice', a 'moral outcome' or are obsessively pursuing their issue on 'a matter of principle'; they want revenge, vindication, or retribution – none of which any complaints/concerns process is designed to deliver.
- **Needs and expectations** - expectations may be unreasonable or they have substantial emotional needs, which no organisation is able to fulfil.
- **Recreation** - they are carrying out an all-consuming hobby or are making a career of complaining.
- **Personal or mental health issues** - a proportion of any stakeholder group may have personal or mental health issues, which clearly impact upon their behaviour.

4. Dealing with unreasonable concerns/complaints:

The most effective way to manage unreasonable concerns/complaints is to **deal with the observable conduct**, rather than the motivation or causes for conduct.

Consider:

- The merits of the concern/complaint.
- The complainant's circumstances, possible cultural issues etc.
- Proportionality and regularity of complaints.
- The complainant's responsiveness to your efforts to resolve their concern.

5. The negative impact of unreasonable concerns/complaints:

Organisational impact:

- Impact upon staff well-being
- Wasting time and resources
- Increased potential stress on employees and consequent expenses

Staff members :

- stress, anxiety, irritability and frustration
- powerlessness and possible vulnerability

- psychological trauma
- reduced productivity
- emotional exhaustion and/or burnout

Complainants:

- unable to achieve the outcomes they are looking for
- loss of perspective
- losses that are greater than the original harm they suffered
- increased likelihood of distrust of organisations and their staff
- stress generated by pursuing unreasonable complaints
- damage to their reputation and their credibility

Governing body and other agencies:

- additional unreasonable demands on their time and resources
- inequity and resource allocation issues
- potential for all (or many) of the same impacts listed under 'organisations' and 'staff members'.

The subjects of complaint:

- anxiety due to interacting with the complaint
- potential damage to their reputation
- fear or apprehension
- feelings of being under attack, victimised and/or powerless
- emotional exhaustion.

Other complainants/ service users:

- inequitable allocation of organisational resources including staff time
- reduction in service level received
- discomfort when observing incidents involving unreasonable behaviour by complainants

6. Process when receiving a concern/complaint:

- Check the facts
- Investigate any allegations
- Respond concisely and factually dealing only with the concern/complaint
- Respond in a timely fashion
- If you need time to gather information issue a "holding letter"
- Respond to the issues not the emotional response of those raising a concern
- Remind the complainant that you are doing your best to deal with their concern

- If you send a "holding letter" then do not forget to follow up
- Seek help and advice from a colleague, or senior staff member, as required
- Ensure that "a line is drawn" by both parties after complaints have been resolved

7. If there has been a genuine error:

1. Recognition

- An explicit acknowledgment and recognition of the act or omission and upset caused

2. Responsibility

- An acceptance of responsibility

3. Reasons

- A simple plain English explanation of why "the wrong" happened

4. Regret

- A sincere statement of apology

5. Redress

- Proposed or actual action taken to address the problem to avoid it happening again.

6. Release

- For all concerned from the issue - which is now resolved - all need to move on.

7. Unacceptable complainant behaviour:

Please explain very clearly that you cannot accept:

- **unreasonable** complaints
- **disproportionate** complaints
- **unacceptable** complaints

Please end unreasonable communication with the following phrase,

" Unfortunately I must end this conversation as your concern is currently not being raised in a reasonable, acceptable or proportionate way. Please

contact me when you feel able to deal with this concern in a calm and fair way. Every effort will then be made to speedily resolve your concern."

You may wish to have the above statement to hand by your telephone/or in meetings in case you receive a call/hold a meeting where unreasonable behaviour is exhibited. The following behaviours are unreasonable:

- raised voices, shouting etc.
- accusatory, dominating, abusive or explicit language orally or in writing
- loaded words that are intended to intimidate orally or in writing
- harsh or overly sarcastic remarks orally or in writing
- combative behaviour
- irritability, anxiety or short temper
- redness in the face or flushed appearance
- intimidating facial expressions or body language
- tension in the face and body
- intrusive behaviour such as violating your personal space
- entering areas of the school which are off-limits or that the person has not been invited into etc.
- exaggerated gestures
- refusing to look at you and/or turning away from you
- leaving the room in anger, door slamming or similar

If any of these behaviours are exhibited please end the meeting or other communication. If required, seek help and advice from a colleague or senior staff member.

M. Shepherd (Mrs.)

Head Teacher