Unacceptable Actions by Parents and Stakeholders

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Introduction

The Governing Body of Castle Primary School is committed to providing a high-quality of service at all times to the school community.

The relationships we have with those people can be very different whether they are parents or carers of users of our services, suppliers, contractors, Local Authority staff or customers of facilities we provide (for example those who may hire our premises).

For the purposes of this Policy, we will refer to all of these people as parents and/or Stakeholders. However, the processes described in this Policy apply to any and all of those possible relationships. Similarly, although at times this Policy may refer to complaints, the principles and processes outlined in this Policy apply to **any** situation where adults act unreasonably towards our staff.

We recognise that there are times when our service may not meet the high standard we set ourselves, and as a result parents and/or stakeholders become inconvenienced. We are committed to dealing with all concerns fairly, fully, and in a timely manner.

In return we expect people to be polite and considerate to our staff and allow them to carry out their roles without fear of unreasonable behaviour.

Usually dealing with concerns is a straightforward process, but in a small number of cases parents and/or stakeholders pursue their issues in a way that can get in the way of investigating the circumstances, fixing any problems, providing the service or unfairly take staff away from their other duties.

The aim of this Policy is to outline what we consider to be unreasonable parental or stakeholder actions, the options available to the school, and the possible consequences to the individual. It explains how we may restrict or change access to a service or further communication when we consider a parent or stakeholder's actions to be unacceptable. This is to ensure that we can protect our staff and the services we provide to the school community.
We will only invoke the steps contained in this Policy after careful consideration, and in exceptional circumstances. People may have justified concerns but may be pursuing them in an inappropriate way, or they may be intent on pursuing concerns which appear to have no substance, or which have already been investigated and determined.

This Policy has been written in line with the published guidance from Department for Education.

Principles

The approach set out in this Policy is based on the clear understanding that all stakeholders are treated equally, with fairness and respect.

The Governing Body expects that:

- All parents and stakeholders have a right to be treated fairly. If access to a service or further communication is to be restricted, there must be a very good reason

- All issues are considered on their merits
- Even if a parent or stakeholder's actions seem unreasonable, they may still have a valid issue. Someone may have a legitimate complaint but express it unreasonably
- Anger could be an understandable and, to some degree, an acceptable emotion among frustrated parents or stakeholders, as long as it is not expressed through aggression, violence or the use of offensive or discriminatory language
- When someone acts unreasonably, it is the substance of the issue (what is alleged to have gone wrong, and its impact) that should dictate the school's actions, including the level of resources dedicated to it, not the demands or actions of the individual
- Staff safety and well-being are paramount when dealing with unreasonable parent or stakeholder conduct.
- The decision to change or restrict a parent or stakeholder's access to a service or further communication as a result of their actions will only be made at a Headteacher/Governor level and in accordance with clearly defined policies and procedures.
- Any decision to restrict access should be proportionate in relation to the impact the unreasonable actions have on staff and/or the school's ability to deliver an efficient service. Any restriction should still allow fair access to mandatory services.

Definitions

Complaint: an expression of dissatisfaction, however made, about school policies and practices including the standard of service, actions or lack of action by the school, its own staff, or those acting on its behalf, affecting an individual or group of individuals.
Stakeholder and/or Parent: a stakeholder is anyone the school works with, provides a service or response to, or provides support to. Parents are the largest group of stakeholders for the school but the broader stakeholder group includes residents who may use any community provision, businesses, visitors, interested members of the public or someone acting on behalf of a parent and/or stakeholder e.g. a Councillor, MP or relative.
Harassment: behaviour intended to cause a person alarm or distress. The behaviour must occur on more than one occasion, but it does not have the be the same kind of behaviour on each occasion.
Sexual Harassment: is when someone carries out unwanted sexual behaviour towards another person that makes them feel upset, scared, offended or humiliated.

Unacceptable Actions by Parents and/or stakeholders

People may act in ways which are out of character when they are in trouble or distressed. There may have been upsetting circumstances in the lead up to an issue coming to us. We do not view behaviour as unacceptable just because a parent or stakeholder is forceful or determined.

On occasion, behaviour is difficult for an individual member of staff to deal with because it doesn't conform to the standards they expect or the values they hold. An action is not necessarily unacceptable because a member of staff finds it personally

difficult.

The school endeavours to prevent unacceptable actions from occurring by ensuring that individuals feel that they have been listened to, understood, treated fairly and communicated with appropriately.

Parents and/or stakeholders may behave unacceptably in various ways, for example, but not limited to, in person, by telephone, email, text or social media.

Unacceptable actions are grouped under the four headings with details below:

A. aggressive or abusive behaviour: anger which escalates into aggression, threatening behaviour, written or verbal abuse, or unsubstantiated allegations
B. unreasonable demands: a demand is unreasonable when complying with it would impact substantially on our work or the day-to-day provision to pupils and support to other parents or stakeholders
C. unreasonable levels of contact: when the amount of time spent dealing with a complaint impacts on our ability to deal with it or with other parent/stakeholder complaints; this is not the same as persistence which can be a positive advantage when pursuing a complaint
D. unreasonable use of the complaints process: when the effect of the repeated complaints is to harass, or to prevent us from pursuing a legitimate aim or from implementing a legitimate decision.

A. Aggressive or abusive behaviour

We understand that some complainants may be angry about the issues they raise to the school. If that anger escalates into aggression towards school staff, we consider that an unacceptable action and operate a zero-tolerance approach to incidents of harassment, discrimination, bullying and abuse.

Any violence or abuse towards staff and/or governors will not be accepted and may be reported to the Police.

We use the Health and Safety Executive's definition of work-related violence as "*any incident in which a person is abused, threatened or assaulted in circumstances related to their work".* This includes behaviours which are exhibited outside of the workplace, for example. waiting outside buildings for staff or abuse on social media platforms.

Violence or abuse is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language, verbal or in writing, that may cause staff to feel afraid, threatened or abused. This includes threats, personal verbal abuse, derogatory remarks and rudeness, along with inflammatory statements and unsubstantiated allegations. Aggression is non-physical behaviour that could be offensive or is considered threatening; it implies a risk of violence.

We consider abuse to include:

- physical assault, including spitting, use of weapons and throwing objects

- verbal abuse, intimidation, harassment (including stalking), sexual harassment or threatening behaviour
- discriminatory behaviour based on race, sex, sexual orientation, disability or other protected characteristics
- malicious communications in any format, including by email, phone contact, text, through social media or the post

B. Unreasonable demands

A demand becomes unacceptable when it starts to, or would if complied with, impact substantially on the operation of the school. For example, if the demand takes up an excessive amount of staff time and leads to other parents or stakeholders being disadvantaged.

Examples of actions grouped under this heading include:

- repeatedly demanding responses within an unreasonable timescale
- insisting on seeing or speaking to a particular member of staff when that is not possible, or in the view of the school is not required
- repeatedly changing the substance of an issue, complaint or raising unrelated concerns.

C. Unreasonable levels of contact

The volume and duration of contact made to us by an individual can cause problems. This can occur over a short period, such as a number of calls in one day, or it may occur over a longer period of time. This could include the parent or stakeholder making long telephone calls to us or inundating us with copies of information which have been sent to us already or which are irrelevant to the issues they have raised.

We consider that contact has become unacceptable when the amount of time spent dealing with it impacts on our ability to deal with that parent or stakeholder or impacts on service provision more broadly. Contact time may involve time spent talking to a parent or stakeholder on the phone; responding to, reviewing and filing emails; or written correspondence.

Behaviour that is persistent and unwanted attention that makes a person feel pestered and harassed is also covered under this area. Such behaviour may fall under the definition of stalking or harassment. It includes behaviour that happens two or more times, directed at or towards an individual by another person, which causes the individual to feel alarmed or distressed or to fear violence might be used against them. The school has Stalking & Harassment Guidance for Managers.

D. Unreasonable use of the complaints process

Parents and stakeholders have the right to express concerns informally through engagement with senior leaders or formally through the school complaints policy. They also have the right to complain more than once to the school, if subsequent incidents occur or if their complaint is about a different matter.

This contact becomes unreasonable when the effect of the repeated complaints is to harass, or to prevent us from pursuing a legitimate aim or from implementing a legitimate decision.

We consider access to a complaints system to be a critical element of our arrangements, and it will only be in exceptional circumstances that we would consider such repeated use as unacceptable. We reserve the right to review complaints and where determined that they are a repeat of an earlier complaint, that complaint may be marked as a serial complaint and not progress through the complaints process.

Managing Unacceptable Actions by Parents and/or stakeholders

The threat or use of physical violence, written or verbal abuse or harassment (including stalking) towards our staff is likely to result in a termination of all direct contact with the individual. Incidents may be reported to the Police. This will always be the case if physical violence is used or threatened, or stalking behaviour is exhibited.

We will not tolerate any correspondence that is abusive to staff. We will tell the individual that we consider their language offensive, unnecessary and unhelpful and ask them to stop using such language. We will state that we will not respond to their correspondence if the action or behaviour continues and may require that correspondence is resubmitted in an acceptable format.

Our staff will end phone calls if they consider the caller aggressive, abusive or offensive. Our staff have the right to make this decision, to tell the caller that their behaviour is unacceptable and to end the call if the behaviour persists.

We also view the use of social media networks, for example, but not limited to, Facebook, X (formerly Twitter) and YouTube to be covered by this Policy.

In extreme situations, we may seek a prohibitory or preventive injunction against the individual, report incidents to the Police and seek prosecution.

Immediate Actions in response to Aggressive or abusive behaviour

In the event of violence or abuse we will take a “Zero Tolerance” approach.

If a member of our staff feels afraid, threatened or abused they are entitled to:

- tell the stakeholder that their behaviour is unacceptable
- end a telephone call if the behaviour persists
- ask the stakeholder to leave the school buildings or property
- adjourn or end a visit or meeting
- call the Police.

Any immediate steps will be followed by either an informal warning about future conduct or consideration of further action under this Policy as well as supporting the Police in their investigation where this is reported.

In the event of aggression towards staff, managers and staff should report issues through the Headteacher who should enter the matter as violent incident on our Health and Safety system.

Where abuse is in the form of social media posts, we will consider:

- Flagging and reporting any abusive comments to the platform operator to remove posts or other markers
- Blocking the individual from the site if operated by the school
- Reporting the matter to the Police
- Taking legal advice on further options.

Restricting Parent or Stakeholder Contact

There are very few parents or stakeholders whose actions we consider unacceptable. We aim to manage these actions based on their nature and extent. If our ability to do our work and provide a service to others is affected adversely, we may need to restrict that parent or stakeholder's contact with us in order to manage the unacceptable action.

This will only be taken after careful consideration of the situation by Headteacher. Wherever possible, we will give the individual the opportunity to change their behaviour or action before a decision is taken.

Adequate records will be retained by the school of the details of the case and the action that has been taken where this Policy has been invoked.

Issuing a Parent or stakeholder Contact Restriction (PSCR)

First Stage – Warning

The school will compile documented evidence that captures why the parent or stakeholder's behaviour is causing concern and meets the criteria of unacceptable actions as outlined in this Policy, captures any decision.

Any decision to restrict contact will take into consideration the frequency and nature of the behaviour and actions, and any impact on the staff member's feelings/welfare.

Parents and stakeholders will be advised that their behaviour is giving cause for concern, to provide them with the opportunity to modify their behaviour in advance of any sanction being applied. A written warning informing parents and stakeholders of our policy for dealing with problem behaviours will be sent and will:

- identify the unacceptable behaviour
- explain why it is inappropriate
- explain the steps we have taken
- advise the parent or stakeholder that, if they do this again, restrictions will be put in place

The Headteacher will notify the Chair of Governors where they have written to the parent or stakeholder.

Second Stage – Imposition of PSCR

If the behaviour continues, the Headteacher will make a decision as to the action to take. A letter will then be sent to the parent or stakeholder outlining this decision. All letters will include:

- Why we have taken the decision we have
- What specific action we are taking

- The duration of that action (this could be 3, 6 or 12 months or linked to the end of Autumn, Spring or Summer terms)
- The date the PSCR will be reviewed and the end of that duration
- The circumstances that the PSCR could be reviewed in advance of that date (e.g. new relevant information or continued unacceptable actions)
- Arrangements for emergency and other necessary contact while the PSCR is in place.
- That if any unacceptable actions continue, a further restriction may be put in place.

A log of the decision made and records of all contacts with the parent or stakeholder will be kept. This information will be treated as confidential and only shared with those who may be affected by the decision in order them to carry out their role at work.

Key information to be recorded includes:

- Details of the scope of any restriction
- The extent of the restriction, for example for parents/carers, what engagement with the school will continue to take place where their child remains a pupil at the school
- Details of any decision not to put a further complaint about the same matter from the parent or stakeholder through the complaint procedure but confirming that the complaint and decision will be logged by the school
- The timescale of any restriction (this could be 3, 6 or 12 months or linked to the end of Autumn, Spring or Summer terms depending on the circumstances of the case).

Any further contact from the parent or stakeholder, for example on a new issue, will be treated on its merits on a case-by-case basis.

If the matter relates to a parent whose child/ren still attend the school, then ongoing contact will be taken into account whilst protecting the staff members concerned and arrangements put in place to mitigate risks to the parent.

Forms that a PSCR may take

We may:

- Restrict contact in person, by telephone, letter, email or by any combination of these.
- Negotiate a Behaviour Contract with the individual that clearly outlines the expected behaviour and consequences if that standard is not met
- Specify one form of contact, for example a named staff member that the parent or stakeholder may only contact or shared mailbox. No other staff member would have direct contact with the parent or stakeholder in this circumstance.
- Impose restrictions within the school's email system that mean that all emails from the parent or stakeholder are automatically forwarded to one place.
- Advise a parent or stakeholder that they are not permitted on school premises or impose conditions on their entry.

None of the above actions preclude the school reporting behaviour to the Police.

Where a parent or stakeholder repeatedly phones, visits, raises the same issues, or sends large numbers of documents where their relevance isn't clear, we may decide to:

- limit contact to telephone calls from the individual at set times on set days
- restrict contact to a nominated member of staff who will deal with future calls or correspondence from the individual
- see the individual by appointment only
- restrict contact from the individual to writing only
- retain the documents without providing a response or in extreme cases, return any documents to the individual
- restrict contact to a joint mailbox
- take any other action that we consider appropriate.

In all cases, the school will keep a record of the unreasonable contact.

Where we consider continued correspondence on a wide range of issues to be excessive, we will take legal advice and may tell the parent or stakeholder that only a certain number of issues will be considered in a given period and ask them to limit or focus their requests accordingly.

We reserve the right to refuse to consider a complaint or future complaints from an individual on the same subject matter. Each complaint will be considered on its merits, ensuring that any repeated complaints are not responded to. We will take into account the impact on the individual and also where there would be a broader public interest in considering the complaint further, in accordance with the principles and processes outlined in this Policy.

We will always tell the individual what action we are taking and why.

Limits of PSCR in relation to individual's Statutory Rights

Although a PSCR may have been imposed on a parent or stakeholder, they may still retain rights to contact the school on other issues. In cases where the school is required by law to provide support or respond to an individual subject to a PSCR, the normal school processes should be followed.

Limits of PSCR in relation to urgent or emergency situations

Although a PSCR may have been imposed on a parent or stakeholder, they may still need to make urgent contact with the school in emergency situations. In such cases, normal school processes should be followed.

Continuation of unacceptable behaviour after a PSCR has been issued

Where a PSCR has been imposed and unacceptable behaviour continues, the Headteacher, with the support of the Chair of Governors, may escalate the case to the County Council and request their intervention. In such cases, the County Council will write directly to the parent or stakeholder regarding their behaviour.

Roles and responsibilities

When a school employee makes an immediate decision in response to aggressive or abusive behaviour, the parent or stakeholder is advised at the time of the incident.

When a decision has been made to restrict contact in accordance with this policy, we will always tell the individual in writing. We will explain why the decision has been made to restrict future contact, the restricted contact arrangements and, if relevant, the length of time that these restrictions will be in place. This ensures that the individual has a record of the decision. The decision in writing can be supplemented by another form of communication if written communication is not the most appropriate medium for the individual.

Where it is decided to restrict a parent or stakeholder's contact, an entry noting this will be made in the relevant file and appropriate computer records. We record all incidents of unacceptable actions by parents and/or stakeholders. Again, the decision in writing can be supplemented by another form of communication if written communication is not the most appropriate medium for the individual.

An annual review of the application of this Policy will be undertaken to ensure consistency and share approaches.

Equalities, Diversity and Reasonable Adjustments

When implementing this Policy, the school will do so in compliance with its duties under the Equality Act 2010, making adjustments it deems to be reasonable ('Reasonable Adjustments') for parents and/or stakeholders as appropriate.

Representation and multi-agency approach

In cases where action under this policy has not led to a change in behaviour, the school will seek legal advice on considering whether there are any other individuals who may be able to represent the parent or stakeholder in the handling of any issues or complaints they are bringing to the school, to assist with de-escalating any unreasonable behaviour on the part of a parent or stakeholder. For example, this could be a family member, friend or support worker. Consideration could also be given, if appropriate, to a multi-agency approach if the individual concerned is receiving support from social services.