



UNREASONABLE COMPLAINTS

This policy has been adopted by Instanter Learning Trust and is applicable to all schools within the Trust.

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Unreasonable Complaints

The majority of individuals with complaints or concerns behave reasonably in pursuing their complaint. This means that they:

- treat all staff with courtesy and respect.
- respect the needs of pupils/students and staff.
- avoid the use of violence (including threats of violence) towards people and property.
- do not use intimidating/aggressive behaviour or inappropriate language towards staff.
- recognise the time constraints under which members of staff work and allow a reasonable time to respond to a complaint.
- recognise that resolving a specific problem can sometimes take some time.
- follow the Trust's complaints procedures.

However, a small number of complainants may be deemed "unreasonably persistent complainants". This means that, in complaining about issues, either formally or informally, they behave unreasonably, for example by:

- actions which are obsessive, persistent, harassing, prolific, repetitious; and/or
- prolific correspondence or excessive e-mail or telephone contact about a concern or complaint; and/or
- using social media to make comments in relation to the complaint, the School/Trust or individuals that work with the School/Trust.
- an insistence upon pursuing unmeritorious complaints and/or unrealistic or unreasonable outcomes; and/or
- an insistence upon pursuing meritorious complaints in an unreasonable manner.

A complaint may be regarded as unreasonable or disregarded if the complainant:

- is anonymous.
- refuses to articulate their complaint or to specify the grounds of the complaint.
- refuses to co-operate with the complaints investigation process while still wishing for their complaint to be resolved.
- refuses to accept that certain issues are not within the scope of the complaint's procedure.
- insists on the complaint being dealt with in ways which are incompatible with the complaint's procedure or good practice.
- introduces trivial or irrelevant information or raises large numbers of detailed but unimportant questions to be dealt with 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 the Trust complaints procedure has been fully and properly implemented and completed, including referral to the Education Skills and Funding Agency;
- seeks an unrealistic outcome.
- makes excessive demands on School / Trust time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint, in person, in writing, by email and / or by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the complainant does so in any of the following manners or circumstances:

- 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 social media websites and newspapers.

Whenever possible, the Investigating Lead will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the School/Trust will write a formal letter explaining that their behaviour is unreasonable and asking the complainant to change it. The School/ Trust may specify methods of communication and limit the number of contacts with the School/Trust in a communication plan. This will usually be reviewed after 6 months.

Should a complaint meet the criteria as "unreasonable", this will be stated in a formal letter to the complainant and there would be no grounds for the complaint to be escalated further.

In response to any serious incident of aggression or violence, the concerns and actions will be put in writing immediately and the police informed. This may result in banning an individual from the School and/or other Trust premises.