



## Policy on Unacceptable Actions

### 1. Introduction

Jordanhill School receives enquiries, feedback and, from time to time, complaints regarding its services.

In the case of complaints, the school will make enquiries, resolve issues, and, where appropriate, conduct investigations. We aim to do this in as fair and transparent a manner as possible in accordance with our Complaints Policy.

The school has a limited resource for undertaking investigations into complaints and aims to work to strict timescales in terms of responding to, and concluding, its investigations.

The school will only respond to, and make enquiries and conduct investigations on, matters within its remit. It will not get involved in personal grievances between a complainant and other members of the community or the actions of other professionals and organisations over which it has no control.

This policy sets out the school's approach to the relatively few correspondents and complainants whose actions or behaviour we consider unacceptable and should be read in conjunction with our policy on [Dignity at Work](#). This policy is modelled on best practice by government bodies, the Scottish Public Service Ombudsman and the Scottish Information Commissioner.

For the purpose of this policy, the term 'complainant' includes anyone who contacts Jordanhill School in connection with enquiries, feedback or complaints and includes anyone acting on behalf of a complainant.

### Policy Aims

- This policy aims to make clear to all complainants, both at initial contact and throughout their dealings with the school, what we can and cannot do in relation to their enquiry or complaint. In doing this, we will be open and transparent and meet all realistic expectations.
- We will deal fairly, honestly, consistently and appropriately with all complainants, including those whose actions we consider unacceptable. We believe that all complainants have the right to be heard, understood and respected. We also believe that school staff have the same rights.
- We will provide a service that is accessible to all complainants. However, where we consider a complainant's actions to be unacceptable, we retain the right to restrict or change access to our service.
- We will ensure that other members of the school community do not suffer any disadvantage from complainants who act in an unacceptable manner.

## 2. Defining Unacceptable Actions

Unacceptable actions can refer to behaviour that is **abusive or aggressive** towards staff. It can also refer to the actions of complainants whose persistence may result in **unreasonable demands** on our offices

It is these behaviours and actions that we consider unacceptable and aim to manage under this policy.

We group these actions under two broad headings.

### Defining Aggressive or Abusive Behaviour

Aggressive behaviour is any behaviour that results in physical harm or causes staff to feel afraid, threatened, abused or bullied. It also includes language (whether oral or written) that may cause staff to feel afraid, threatened, abused or bullied.

Examples of behaviours grouped under this heading include

- Threats
- Physical violence
- Verbal or written abuse, including swearing
- Derogatory remarks and rudeness
- Inflammatory and/or defamatory statements and unsubstantiated allegations

We expect all staff to be treated courteously and with respect as set out in our policy on [Dignity at Work](#). Violence or abuse towards staff is unacceptable. We understand the difference between aggression and anger. The anger felt by many complainants involves the subject matter of their complaint. However, it is not acceptable when anger escalates into aggression or inflammatory statements directed towards or about staff.

### Defining Unreasonable Demands

Complainants may make what we consider to be unreasonable demands on us through the amount of information they seek, the nature and scale of service they expect or the number of approaches they make.

Some complainants will not accept that Jordanhill School is unable to assist them further or provide a level of service other than that provided already. Complainants may not accept a decision taken in relation to their complaint or contact the school repeatedly about the same issue.

**Demands are unreasonable if they start to impact substantially on our work.** For example, when the amount of time spent talking to a complainant on the telephone, or responding to, reviewing and filing e-mails or written correspondence impacts on our ability to deal with that complaint, with other people's complaints or the delivery of the school's core functions.

What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the complainant.

The following are illustrative examples of unreasonable demands. This list is not exhaustive.

- Demanding responses within an unreasonable timescale
- Insisting on seeing or speaking to a particular member of staff
- Continual phone calls, e-mails, letters or other communications
- Continuing to raise the same issue in the hope of eliciting a different response
- Repeatedly changing the substance of the enquiry or complaint, or raising unrelated concerns

- Focusing on a trivial matter to an extent out of proportion to its significance
- An unwillingness to accept documented evidence as factual
- Persisting in pursuing a complaint where the school's Complaints Policy has been exhausted or refusing to progress a complaint to the next stage
- Insisting they have not had an adequate response despite a large volume of correspondence
- persistent refusal to accept explanations relating to what the school can or cannot do
- continuing to pursue a complaint without presenting any new information
- any other demands which place an unreasonable burden on the school's staff, time or resources

It is also wrong to ask the school to act contrary to official advice and/or policy. This includes guidance given to it by statutory agencies such as Social Work, health agencies, the Police, the Scottish Children's Reporter Administration, Scottish Government guidance or, where not appropriate, relevant policy that has been agreed by the Board of Managers.

### 3. Managing Unacceptable Actions

Where there have been unacceptable actions, we may restrict contact in person, by telephone, letter or electronically, or by any combination of these. In all cases, we will try to maintain at least one form of contact.

The following illustrate our approach to managing examples of unacceptable actions.

- A complainant's action can be considered unacceptable if all internal review mechanisms have been exhausted and the complainant continues to dispute the school's decision relating to their complaint. The complainant will be told that no future phone calls or correspondence will be accepted concerning this complaint. Future correspondence will be read and filed, but only acknowledged or responded to if the complainant provides significant new information relating to the complaint.
- **Jordanhill School operates a zero tolerance policy to violent, aggressive or abusive behaviour.** The threat or use of physical violence, verbal abuse or harassment towards school staff is likely to result in the ending of all direct contact with the complainant. Incidents will be reported to the police. This will be the case if physical violence is used or threatened.
- Jordanhill School will not deal with correspondence that is abusive or contains allegations that lack substantive evidence. When this happens, we tell the complainant that we consider their language offensive, unnecessary and unhelpful. We ask them to stop using such language and state that we will not respond to their correspondence if they do not stop.
- Jordanhill School staff will end telephone calls or meetings if they experience aggressive, abusive or offensive behaviour.

We view the use of social media networks such as Facebook, Twitter and YouTube to be covered by this policy. This list is not exhaustive.

Where a complainant repeatedly phones, visits the school offices, sends irrelevant documents or raises the same issues, we may decide to:

- take telephone calls from the complainant only at set times on set days, or put an arrangement in place for only one member of staff to deal with calls or correspondence from the complainant in the future
- return the documents to the complainant or, in extreme cases, advise the complainant that further irrelevant documents will be destroyed

- take other action that we consider appropriate — we will, however, always tell the complainant what action we are taking and why

Where a complainant continues to correspond on a wide range of issues, and this action is considered excessive, then the complainant will be told that only a certain number of issues will be considered in a given period and they will be asked to limit or focus their requests accordingly.

#### **4. Deciding to Restrict Contact from the Complainant**

With the exception of immediate decisions taken at the time of an incident, decisions to restrict contact with the school are only taken after careful consideration of the situation by the depute rector and/or Primary Headteacher. Wherever possible, we give a complainant the opportunity to modify their behaviour or action before a decision is taken.

Complainants are told in writing why a 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. They will also be directed to a copy of this policy and the school's complaints policy.

Where a decision is made to restrict contact, alternative arrangements would be made for conveying important information about a young person's progress and development.

In the case of a parent/carer who fails to comply with this policy the school may, in extremis, take appropriate action to prevent the individual from entering the school premises and/or being present at any school event or activity.

The school exclusions policy also allows for a child to be excluded if the school is of the opinion that the parent or pupil refuses or fails to comply, or to allow the pupil to comply, with the rules regulations or disciplinary requirements of the school.

#### **Appealing a Decision to Restrict Contact**

A complainant can appeal on the grounds of factual accuracy a decision to restrict contact. They must do so in writing only to the Bursar within 10 working days of receipt of the letter.

A senior member of staff who was not involved in the original decision will consider the appeal. The outcome will normally be advised within 10 working days of receipt of the appeal.

#### **Recording and Reviewing a Decision to Restrict Contact**

We record all incidents of unacceptable actions by complainants. Where it is decided to restrict complainant contact, an entry noting this is made in the relevant file and on appropriate computer records.

A decision to restrict contact with a complainant may be reconsidered by a senior member of staff if the complainant demonstrates a more acceptable approach.

A complainant can request a review of a decision to restrict contact. A senior member of staff who was not involved in the original decision will consider the request. They have the discretion to annul or vary the restriction, based on the evidence available to them. The complainant will be advised of the outcome of the review in writing.