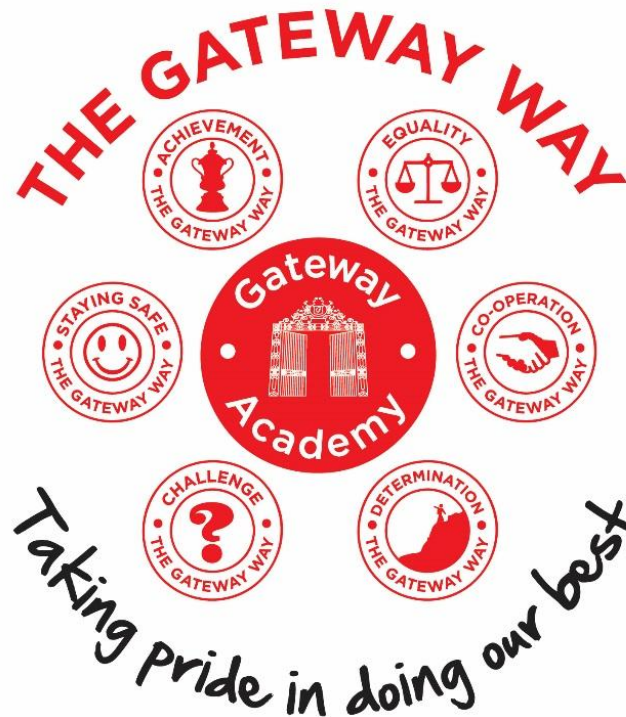


Gateway Academy



MANAGING SERIAL AND UNREASONABLE COMPLAINTS AND UNACCEPTABLE BEHAVIOUR POLICY

Approved by:	Lisa Breslin and Claire Cleary
Last reviewed:	September 2026
Next review due:	September 2027 (or sooner if guidance or legislation changes)

This policy should be read alongside the Academy Complaints Policy, Staff Code of Conduct, Health and Safety Policy, Data Protection Policy, Online Safety Policy and any relevant safeguarding procedures.

PURPOSE AND PRINCIPLES

Gateway Academy is committed to handling complaints fairly, impartially, consistently and in accordance with its published Complaints Policy. Most concerns can be resolved through constructive communication. The Academy will not normally restrict a complainant's access to the complaints process simply because they are persistent or dissatisfied with an outcome.

At the same time, the Academy has a legal and common-law duty to protect the health, safety, welfare and dignity of its employees. Staff are not expected to tolerate abuse, intimidation, harassment, discrimination, threats, violence, repeated personal attacks, intrusive contact or behaviour that unreasonably interferes with their work. Where conduct crosses that line, the Academy will take proportionate action to protect staff, pupils and the wider school community.

This policy therefore balances two important principles: the right to raise legitimate concerns and have them considered properly, and the Academy's duty to maintain a safe, respectful and workable environment for staff and pupils.

LEGAL AND STATUTORY FRAMEWORK

This policy has been updated with regard to the following legislation and national guidance in force in England at the date of review:

- Education (Independent School Standards) Regulations 2014, including the requirement for academies to have and implement a compliant complaints procedure.
- Department for Education: Best practice guidance for academies complaints procedures.
- Department for Education: Controlling access to school premises.
- Department for Education: Preventing and tackling the bullying and harassment of school staff (published July 2026), including the accompanying guidance on statutory obligations, online safety and incident handling.
- Health and Safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999, including duties to assess and reduce risks to employees' health, safety and welfare.
- Equality Act 2010, including duties relating to discrimination, harassment, reasonable adjustments and the Public Sector Equality Duty.
- Worker Protection (Amendment of Equality Act 2010) Act 2023, including the duty on employers to take reasonable steps to prevent sexual harassment of employees.
- Protection from Harassment Act 1997.
- Education Act 1996, section 547, concerning nuisance or disturbance on school premises.
- Data Protection Act 2018 and UK GDPR, in relation to the lawful, necessary and proportionate handling of personal information.
- Defamation Act 2013 and relevant civil and criminal law where false, threatening, harassing or abusive publication or communications may require legal advice or action.

Nothing in this policy prevents the Academy from taking immediate safeguarding, health and safety, employment, civil or criminal action where the circumstances require it.

SCOPE

This policy applies to parents, carers, former parents, members of the public and any other person who contacts the Academy in connection with a complaint, concern or dispute. It may also be used where a person's behaviour towards the Academy or its staff is unacceptable even if no formal complaint has been made.

The policy does not replace the Academy's Complaints Policy. It may be applied alongside that policy where the manner, frequency or nature of contact becomes unreasonable or where staff safety or welfare is at risk.

WHAT THE ACADEMY MEANS BY UNREASONABLE, PERSISTENT OR SERIAL BEHAVIOUR

Behaviour may be considered unreasonable where, because of its nature, frequency, persistence or impact, it hinders the fair consideration of a complaint, disrupts the Academy's work, places an unreasonable burden on staff, or causes staff or pupils to feel intimidated, harassed, threatened or unsafe. A single serious incident may also justify immediate action.

Examples may include where a person:

- refuses to explain the substance of a complaint, the grounds for it or the outcome sought, despite reasonable offers of assistance
- refuses to cooperate with the published complaints procedure, or insists that the complaint is handled in a way that conflicts with the procedure, statutory requirements or natural justice
- repeatedly changes the basis of the complaint, adds new allegations at a late stage, or raises substantially the same matter after it has already been fully considered
- refuses to accept that a matter is outside the scope of the complaints procedure or that the Academy's internal procedure has been completed
- makes excessive demands for immediate or repeated responses, sends large volumes of correspondence, repeatedly telephones or attends without appointment, or contacts multiple staff about the same issue
- demands responses to trivial, repetitive or irrelevant questions that do not materially affect the complaint
- makes unfounded or repeated complaints about staff who are managing the complaint and seeks to have them removed or replaced without reasonable grounds
- refuses to accept the outcome of a properly conducted investigation and continues to pursue the same allegations without significant new evidence
- seeks outcomes that are unlawful, outside the Academy's powers or plainly disproportionate
- knowingly provides false or falsified information, or deliberately misrepresents correspondence or events
- uses abusive, insulting, discriminatory, humiliating, sexually inappropriate or offensive language
- makes threats, engages in intimidation, harassment, stalking, aggressive behaviour, violence or conduct that causes a member of staff or pupil to feel unsafe
- records staff covertly in circumstances where this is intrusive or used to intimidate, harass or publish personal material, subject to the law and the specific circumstances

- publishes or threatens to publish personal, abusive, discriminatory, harassing, defamatory or otherwise unacceptable material about staff, pupils or the Academy on social media, messaging services, websites or other public forums
- contacts staff through their personal social media, personal telephone numbers, private email accounts or other non-Academy channels without invitation
- makes repeated Freedom of Information requests or subject access requests as part of a wider pattern of abusive or disruptive conduct. Any such request will nevertheless be handled under the applicable statutory information-rights regime and will not be refused merely because this policy is engaged

EQUALITY, DISABILITY AND COMMUNICATION NEEDS

Before deciding that behaviour is unreasonable, the Academy will consider whether disability, health, language, literacy, communication needs or other relevant circumstances may be affecting the person's ability to engage with the process. Reasonable adjustments will be made where required by the Equality Act 2010. This may include, for example, agreeing a preferred communication method, allowing additional time, using plain language, providing accessible information, or permitting a supporter or representative.

Reasonable adjustments do not require staff to accept abuse, threats, harassment, discriminatory behaviour, violence or an unreasonable level of contact. Restrictions may still be imposed where they are necessary and proportionate.

PROTECTING STAFF

The Academy will take reports of abuse, intimidation, harassment and threatening behaviour towards staff seriously. A member of staff who experiences or witnesses such behaviour should report it promptly to a CoHeadteacher or other appropriate senior leader. The Academy will consider the impact on the individual member of staff as well as the wider pattern of behaviour.

Depending on the circumstances, protective measures may include:

- appointing one named senior contact and directing all communication through that person
- preventing direct contact with the staff member who has been targeted or complained about, except where their involvement is strictly necessary and appropriately managed
- requiring communication to be in writing, or limiting telephone or face-to-face contact
- requiring meetings to be pre-arranged, attended by two members of staff, held remotely, or held in a controlled location
- ending a telephone call or meeting where abusive, discriminatory, threatening or persistently disruptive behaviour continues after a clear warning
- providing a staff member with management support, a risk assessment, adjustments to working arrangements, debriefing and access to occupational health or employee assistance support where appropriate
- preserving evidence of abusive or threatening communications, including screenshots, emails, voicemail or CCTV in accordance with data protection requirements

- referring online abuse to the relevant platform and, where appropriate, seeking removal of content or legal advice
- reporting matters to the police where there is a threat, violence, harassment, stalking, hate crime, criminal damage or other suspected offence
- seeking HR or legal advice, including consideration of civil remedies such as an injunction where necessary
- limiting or withdrawing access to Academy premises in accordance with section 10 of this policy

A member of staff will not be expected to continue direct engagement with a person where the Academy considers that doing so would expose them to a foreseeable risk to their health, safety, dignity or welfare.

INFORMAL ACTION BEFORE RESTRICTIONS

Where it is safe and appropriate to do so, a CoHeadteacher or the Chair of Governors will first try to resolve concerns informally. This may include explaining the expected standards of communication, clarifying the complaints process, agreeing a single point of contact, or setting clear boundaries for future contact.

An informal stage may be omitted where there has been serious aggression, threats, violence, harassment, discriminatory abuse, sexual harassment, stalking, a significant safeguarding concern, or another incident where immediate protective action is reasonable.

FORMAL RESTRICTIONS AND COMMUNICATION PLANS

If unreasonable behaviour continues, or if the seriousness of an incident justifies immediate formal action, a CoHeadteacher may issue a written communication plan or other proportionate restriction. The letter will normally explain the behaviour of concern, the standards expected, the restriction being imposed, the reason for it, the duration or review date, and how the person can make representations.

Restrictions may include one or more of the following:

- all contact to be made through a named senior member of staff
- contact only by a specified method, such as email or letter
- a limit on the frequency of contact, for example one consolidated email within an agreed period unless there is a genuine emergency or safeguarding issue
- no direct contact with named members of staff
- appointments only, with no unscheduled visits
- meetings only with specified staff present or by remote means
- a requirement that correspondence is concise and limited to genuinely new and relevant information
- a decision not to respond further to correspondence that merely repeats matters already answered and contains no significant new evidence
- other reasonable steps necessary to protect staff or maintain the effective operation of the Academy

Any restriction will be tailored to the circumstances, kept under review and used for no longer than is reasonably necessary. A standard review period of up to six months may be used, but serious cases may require a longer period. The Academy may review sooner if behaviour materially improves or deteriorates.

WHEN THE ACADEMY MAY STOP RESPONDING

The Academy may decide that it will not continue to respond to repeated correspondence about a matter where the complaints procedure has been completed, the issues have been fully addressed, there is no significant new evidence, and further contact is unreasonable or abusive. The person will be told in writing that the Academy considers the matter closed and the circumstances in which further correspondence will be considered.

This does not prevent the person from raising a genuinely new complaint, a safeguarding concern, or information that materially changes the position. Such matters will be considered on their merits.

BARRING OR RESTRICTING ACCESS TO ACADEMY PREMISES

Academy premises are private property and members of the public do not have an automatic right of entry. Parents and carers ordinarily have an implied licence to enter at specified times and for specified purposes, such as collecting a child, attending an appointment or taking part in an Academy event. That licence may be limited or withdrawn where necessary to protect pupils, staff or the safe operation of the Academy.

Where an individual's behaviour is aggressive, abusive, insulting, threatening, intimidating or otherwise presents a risk to staff or pupils, a CoHeadteacher may ask them to leave and may impose a temporary bar or notify them of an intention to bar them. The individual will be given a reasonable opportunity to make written representations unless immediate action is required for safety reasons.

After considering any representations, the decision to continue a bar will be reviewed by the Chair of Governors or a panel of governors who were not directly involved in the incident. The written outcome will explain the duration of the bar, the arrangements for contact with the Academy and children where relevant, and when the decision will be reviewed.

A bar from the premises does not remove a parent's right to receive information about their child, participate in the complaints process, or fulfil parental responsibilities. Alternative arrangements will be made where necessary, for example for drop-off and collection, meetings, communications or attendance at important events.

Under section 547 of the Education Act 1996, a person who is on school premises without lawful authority and causes or permits nuisance or disturbance may commit a criminal offence. Where there are reasonable grounds to suspect an offence, the Academy may contact the police and/or take legal advice. Trespass alone is normally a civil matter.

SERIOUS INCIDENTS, POLICE AND LEGAL ACTION

The Academy may contact the police immediately where behaviour includes violence, a credible threat of violence, stalking, harassment, hate-related abuse, criminal damage, malicious communications or another suspected criminal offence. The Academy does not have to complete its complaints process before taking steps needed to protect staff or pupils.

The Academy may also seek HR or legal advice and may consider civil remedies where appropriate. This may include a warning letter, restrictions on contact, action relating to trespass, or an application for an injunction. Decisions will be based on the seriousness, frequency and impact of the behaviour and the need to protect staff and pupils.

SOCIAL MEDIA, ONLINE PUBLICATION AND RECORDING

The Academy supports lawful freedom of expression and recognises that people may express criticism of the Academy. However, freedom of expression does not require the Academy to tolerate unlawful harassment, threats, discriminatory abuse, doxxing, publication of private information, impersonation, malicious communications, or material that creates a risk to staff or pupils.

Where online activity targets a member of staff, the Academy may preserve evidence, report content to the platform, ask for material to be removed, involve the police where an offence may have occurred, and seek legal advice. Staff should not be expected to engage personally with online criticism or abuse directed at them.

Any recording of meetings or conversations should normally be agreed in advance. The Academy will consider requests to record as a reasonable adjustment where appropriate. Covert recording may damage trust and may itself be treated as unacceptable where it is used to intimidate, harass, misrepresent or publicly expose staff, subject always to the facts and the law.

INFORMATION RIGHTS: FOI AND SUBJECT ACCESS REQUESTS

Requests made under the Freedom of Information Act 2000, Environmental Information Regulations 2004, UK GDPR or Data Protection Act 2018 will be considered under the relevant statutory regime and the Academy's information-governance procedures. This policy does not remove or reduce statutory information rights.

Where an information request forms part of a wider pattern of unreasonable conduct, the Academy may manage the surrounding communication under this policy while separately considering whether the request itself may lawfully be refused or limited under the applicable information-rights legislation. Specialist advice will be taken where appropriate.

REPRESENTATIONS AND REVIEW

A person who is subject to a formal communication restriction or premises bar may make written representations to the person identified in the decision letter. A review will consider whether the restriction remains necessary and proportionate, whether the behaviour has changed, whether reasonable adjustments are required, and whether the arrangements continue to protect staff and permit essential communication.

A restriction may be varied, shortened, extended or lifted following review. Where the internal review process has been completed, a person may seek independent legal advice about any further remedy available to them.

RECORDS, CONFIDENTIALITY AND DATA PROTECTION

The Academy will keep a secure record of significant incidents, warnings, communication plans, restrictions, premises bars, representations and review decisions. Records will be retained in

accordance with the Academy's Data Retention Schedule and processed in accordance with UK GDPR and the Data Protection Act 2018.

Information will be shared only where there is a lawful basis and a need to know, for example with relevant staff, governors, HR advisers, legal advisers, insurers, the police, safeguarding partners or other authorities. Records about staff will be handled sensitively and with regard to their privacy, safety and welfare.

RESPONSIBILITIES

CoHeadteachers are responsible for the day-to-day application of this policy, ensuring that staff are supported and that restrictions are lawful, evidence-based and proportionate. The Chair of Governors or an appropriately constituted committee will review premises bars and may review other significant restrictions where appropriate.

All staff should report concerns promptly, preserve relevant evidence and avoid engaging in prolonged or personal exchanges with individuals whose behaviour is abusive, threatening or harassing. Staff should follow leadership advice about communication and safety arrangements.

MONITORING AND REVIEW OF THIS POLICY

The Governing Board will review this policy annually, or sooner where there is a material change to legislation, Department for Education guidance or the Academy's complaints arrangements. The Academy will also review how the policy is operating in practice, including whether staff are being adequately protected and whether restrictions are being applied consistently and fairly.

Appendix A – Practical response guide for staff

Situation	Suggested Academy response
Repeated but civil contact	Acknowledge; direct to the published complaints process; consider one named contact and agreed response times.
Abusive or discriminatory language	State that the language is unacceptable; end the call/meeting if it continues; record the incident and refer to SLT.
Threats or intimidation	Do not continue the interaction alone; seek senior support immediately; preserve evidence; consider police, risk assessment and contact restrictions.
Aggression on site	Prioritise safety; call for assistance; ask the person to leave if safe to do so; contact police where necessary; consider temporary bar.
Online abuse targeting staff	Do not engage personally; preserve screenshots/links; report to SLT; consider platform report, police and legal advice.

Repeated contact with named staff member	Route all communication through a named senior leader and prevent direct contact where needed to protect the member of staff.
Safeguarding or genuine new concern within restricted contact	Ensure it is still received and assessed on its merits; a restriction must not block safeguarding information.