

Millfields First School



Policy for Managing Serial and Unreasonable Complaints

This policy has been adapted to manage unreasonable or persistent contact not directly associated with, or resulting from, formal complaints.

It has been taken from DfE School complaints procedures: Model policy for managing serial and unreasonable complaints and Best practice guidance for school complaints procedures 2020

Written:	November 2021
Adopted by Governors:	November 2021
To be reviewed:	November 2023

Millfields First School is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff and / or Governors to tolerate unacceptable behaviour and will take action to protect staff and / or Governors from that behaviour, including that which is abusive, offensive or threatening.

Millfields First School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff and / or Governors 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 school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff and / or governors regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Millfields First School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Millfields First School.

Managing serial and persistent complaints

Millfields First School will do our best to be helpful to people who contact us with a:

complaint or concern

request for information

However, there will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. If a complainant tries to re-open the same issue, we will inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts us again on the same issue, the correspondence may then be viewed as 'serial' or 'persistent' and we may choose not to respond. However, we will not mark a complaint as 'serial' before the complaint has been investigated properly according to school's procedure.

Millfields First School may receive complaints we consider to be vexatious. The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- insistence upon pursuing meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value

When Millfields First School will stop responding

The decision to stop responding will never be taken lightly. We may stop responding if several of the following circumstances apply:

- We have taken every reasonable step to address the complainant's concerns

- The complainant has been given a clear statement of our position and their options
- The complainant contacts school repeatedly, making substantially the same points each time
- Their letters, emails, or telephone calls are often or always abusive or aggressive
- They make insulting personal comments about or threats towards staff and / or Governors
- We have reason to believe the individual is contacting us with the intention of causing disruption or inconvenience

Communication strategy for persistent correspondents

If an individual's behaviour is causing a significant level of disruption, regardless of whether or not they have raised a complaint, Millfields First School will implement a tailored communication strategy. Examples of this may include:

- restricting the individual to a single point of contact via an email address
- limiting the number of times they can make contact, such as a fixed number of contacts per term

Millfields First School will ensure that they act reasonably and consider any new complaint.

If an individual persists to the point that may constitute harassment, Millfields First School will seek legal advice. In some cases, injunctions and other court orders have been issued to individuals preventing them from contacting schools direct.

If it is decided that it's appropriate to stop responding to an individual they will be informed.

Barring from school premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Headteachers and governing bodies will therefore need to act to ensure they remain a safe place for pupils, staff, Governors and other members of their community.

If an individual's behaviour is a cause for concern, they can be asked to leave school premises. In some cases, individuals can be barred from entering school premises. Individuals will be given the opportunity to formally express their views on a decision to bar.

The headteacher's decision to bar will then be reviewed by the chair of governors

They should take into account any representations made by the individual and decide whether to either confirm or lift the bar. If the decision is confirmed, the individual should be notified in writing, explaining how long the bar will be in place and when the decision will be reviewed.