

Donnington Wood CE Junior School

A STATEMENT OF POLICY

Managing Serial and Unreasonable Complaints or Contact

The following policy is based on DFE policy and guidance.
It has been reviewed by the school's Governing Body

Date; February 2022
Review Date; February 2024
Update by: Mr Fox Headteacher

Policy for Managing Serial and Unreasonable Complaints or Contact

Donnington Wood CE Junior 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 to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Donnington Wood 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 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 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.

(Under no circumstances should a complainant be marked as 'serial' for exercising their right to refer their complaint to their MP, regardless of which stage the complaint has reached.)

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 the 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.

Complaints may be received which are considered to be vexatious and we may then choose not to respond. 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

We will not refuse to accept further correspondence or complaints from an individual from whom we have had repeat or excessive contact with. The application of a 'serial or persistent' marking will only be against the subject or complaint itself rather than the complainant.

However if they wish to further the complaint, the complainant can currently write to The Secretary of State who has a duty to consider all complaints raised but will only intervene where the governing body has acted unlawfully or unreasonably and where it is expedient or practical to do so.

The School Complaints Unit (SCU) considers complaints relating to LA maintained schools in England on behalf of the Secretary of State.

Further information can be obtained from the SCU by calling the National Helpline on 0370 000 2288 or going online at: www.education.gov.uk/help/contactus or by writing to: Department for Education School Complaints Unit 2nd Floor, Piccadilly Gate Store Street Manchester M1 2WD

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 Donnington Wood CE.

Barring from school premises

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

If an individual's behaviour is a cause for concern, the headteacher (or next most senior member of staff in the absence of the executive headteacher) can ask them to leave school premises. In some

cases, individuals can be barred from entering school premises. The individual will always be given the opportunity to express formally their views on a decision to bar.

The headteacher's decision to bar will then be reviewed by either:

- the chair of governors
- a committee 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
- when the decision will be reviewed

Once the school's appeal process has been completed, individuals may be able to apply to the Courts. Individuals wishing to exercise this option should seek independent legal advice.

[Controlling access](#) to school premises provides more guidance on access to school premises.