

# BOURN CHURCH OF ENGLAND PRIMARY ACADEMY

## POLICY FOR MANAGING SERIAL AND UNREASONABLE COMPLAINTS



HR/Admin & Communications

December 2019

### 1. Introduction

- 1.1. Bourn Primary Academy is committed to dealing with all complaints fairly and impartially, and to providing a high quality of service to those who complain. The School will not normally limit the contact complainants have with the School. However, the School does not expect the staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.
- 1.2. This policy can also be used to manage unreasonable or persistent contact with the School which is not directly associated with, or resulting from, formal complaints.

### 2. Definitions

- 2.1. Bourn Primary defines unreasonable behaviour as that which hinders the School's consideration of complaints because of the frequency or nature of the complainant's contact with the School.
- 2.2. Serial or unreasonable behaviour can include times when 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 complaint 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 Complaints Procedure has been fully and properly implemented and completed including referral to the Education and Skills Funding Agency;
- 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.

2.3. A complaint may also be considered unreasonable if the complainant does so either face-to-face, by telephone, in writing or electronically:

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information on social media or other public forums.

### **3. Excessive Communication regarding Complaints**

3.1. 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 (by letter, phone, email or text), as it could delay the outcome being reached.

### **4. The School's Actions**

4.1. Whenever possible, the Head Teacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking to the complaint.

#### **4.2. Restricting or Stopping Responses**

4.2.1. If the behaviour continues, the Head Teacher 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, the School may specify methods of communication, such as restricting the complainant to a single point of contact via an email address and/or limiting the number of responses in a communication plan. This will be reviewed after six months.

4.2.2. If a complainant tries to re-open a complaint which has already been dealt with through the School's Complaints Procedure, the Head Teacher or Chair of Governors can inform the complainant that the procedure has been completed and that the matter is now closed. If the complainant contacts the School again on the same issue, the correspondence may be viewed as "serial" or "persistent" and the School may choose not to respond.

- 4.3. The decision to stop responding will never be taken lightly. The School needs to be able to say “yes” to all of the following.
- The School has taken every reasonable step to address the complainant’s concerns.
  - The complainant has been given a clear statement of the School’s position and their options (if any).
  - The complainant is contacting the School repeatedly but making substantially the same points each time.

4.4. Once the School has decided that it is appropriate to stop responding, it will let the complainant know through either a hard copy letter or an email.

#### 4.5. **Communication Strategy for Persistent Correspondents**

4.5.1. If an individual’s behaviour is causing a significant level of disruption, regardless of whether or not they have raised a complaint, the School can implement a tailored communication strategy. For example, the School can:

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

4.5.2. Regardless of any communication strategy being implemented, the School must provide parents/carers with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005, within the statutory time frame.

#### 4.6. **Barring from the School Premises**

4.6.1. In response to any serious incident of aggression or violence, the School will immediately inform the police and communicate its actions in writing. This may include barring an individual from Bourn Primary.

4.6.2. Although fulfilling a public function, the School is a private place and the public has no automatic right of entry. The Head Teacher and the Governing Body will act to ensure that it remains a safe place for pupils, staff and other members of the school community.

### 5. **Monitoring**

5.1. The Full Governing Body will receive a report if this policy is invoked and will be kept informed of the stage reached.

5.2. This policy will be reviewed by the HR/Admin and Communications Committee every two years.