

## 2023 Serial & Persistent Complainants Model Guidance for Schools

The school will do their best to be helpful to people who contact them with a complaint or concern or a request for information. However, in cases where we are contacted repeatedly by an individual making the same points, or who asks us to reconsider our position after a decision is made, the school would need to take the appropriate actions.

Once the school has done everything, we can in response to a complaint then any complainant will need to be informed by the Chair of Governors that the procedure has been completed and the matter now closed. Should a complainant contact the school again on the same issue then the correspondence may be viewed as serial or persistent and the school may choose not to respond. The school will always ensure that the complainant has completed the school's complaints procedure before such a decision is taken.

### Policy

Staff are not expected to tolerate unacceptable behaviour and the school will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening. Unreasonable behaviour is defined as that which hinders the school's 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 complaint's investigation process
- Refuses to accept that certain issues are not within the scope of a complaint's procedure
- Insists on the complaint being dealt with in ways which are incompatible with the Complaints Policy or with good practice
- Introduces trivial or irrelevant information which the complainant expects 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 a complaint where the school's Complaints Policy has been fully and properly implemented and completed including referral to the Department for Education
- Seeks an unrealistic or unachievable 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 limit the numbers of communications with a school while a 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.

The school will take the decision to stop responding only when **all** the following apply:

- The school has taken every reasonable step to address the complainant's needs.
- The complainant has been given a clear statement of the school's position and their options (if any); and
- They are contacting the school repeatedly but making substantially the same points each time.

Additional weight is added if any of the following also apply:

- The school has reason to believe the individual is contacting them with the intention of causing disruption or inconvenience.
- The communications are often or always abusive or aggressive; or
- The individual makes insulting, personal comments about or threats towards staff.

If the behaviour continues the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking 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 usually be reviewed after **six months**.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the Police informed. This may include banning an individual from the school.

Further advice and guidance will be sought, at need, from the School Governance and Data Protection Team.

### **Barring from the School Premises**

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

If a parent's behaviour is a cause for concern, a school can ask them to leave school premises. In serious cases, the Headteacher or the local authority can notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any representations that the parent may wish to make. Schools should always give the parent the opportunity to formally express their views on the decision to bar in writing.

The decision to bar should then be reviewed, taking into account any representations made by the parent and either confirmed or lifted. If the decision is confirmed the parent should be notified in writing, explaining how long the bar will be in place.

Anyone wishing to complain about being barred can do so, by letter or email, to the Headteacher or Chair of Governors. However, complaints about barring cannot be escalated to



the Department for Education.

### **Communication Strategies**

If an individual's behaviour is causing a significant level of disruption, regardless of whether or not they have raised a complaint, schools can implement a tailored communication strategy. For example, they can restrict the individual to a single point of contact via an e-mail address, and/or limit the number of times they can make contact, such as a fixed number of contacts per term. It can be suggested that complainants who are difficult to deal with ask a third party to act on their behalf.