



Complaints Policy - Serial, Persistent or Unreasonable Complaints

Brookfield Community Primary School is committed to providing a high quality service. This includes dealing with all complaints or concerns fairly and impartially.

The School Compliments and Complaints Policy provides a formal 2 stage procedure to resolve a complaint. If, when all stages of the complaints procedure have been followed, a complainant tries to re-open the same issue, they will be informed that the procedure has been completed and the matter is now closed. If a complainant continues to make contact on the same issue, then the school may view this as 'serial' or 'persistent'. We will not normally limit the contact complainants have with our school and will always seek to resolve concerns or complaints through informal dialogue and communication. However, complainants should ensure that their communication about the complaint is reasonable, directly relevant to the particular issue and is not excessive nor repetitive. We need to ensure that the efficient operation of the school is not disrupted, and we do not expect our staff to tolerate unacceptable behaviour, therefore we will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening. This approach can also be taken to manage unreasonable or persistent contact not directly associated with, or resulting from, formal complaints.

Brookfield Community Primary 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 the complaint or the outcomes being 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. In considering whether behaviour is serial, vexatious or unreasonable, the school has due regard to guidance from the DfE and the [Office of the Independent Adjudicator](#), which 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

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 Brookfield Community Primary School causing 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 Woodfield Primary School.

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, we will implement a tailored communication strategy.

For example, we will:

- 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

However, regardless of the application of any communication strategy, we will provide parents and carers with the information they are entitled to under The Education (Pupil Information) (England) Regulations, within the statutory time frame.

Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Woodfield Primary School. They will consider whether Woodfield Primary School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD