



Management of Persistent, Aggressive or Unreasonable Complaints and Communication

This policy has been adopted by Pathfinder Multi Academy Trust and is applicable across all schools that make up the Trust. In line with the MAT's Scheme of Delegation, this Policy must be duly applied by each Local Governing Committee and the Headteacher of each school in Pathfinder Multi Academy Trust.

Where there are specific details or any discretions in the policy that apply to an individual school or Local Governing Committee this has been made clear within the wording of the policy.

This policy will be reviewed in line with the agreed timetable for policy review or sooner as events or legislation changes require.

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Date for Review: **March 2026**

Contents

| | |
|--|-------------------|
| 1 Aims, vision and values | 2 |
| 2 Purpose and intent | 2 |
| 3 Expectations of parents/carers/members of the public | 2 |
| 4 Definition of a unreasonable complaint | 3 |
| 5 Actions | 4 |
| Stage 1: Closing the matter | 4 |
| Stage 1: Informal warning | 4 |
| Stage 2 Formal sanctions: restricted access | 4 |
| Stage 2 Barring from site | 5 |
| Stage 3 Cease to Respond | 5 |
| 6 New Complaints | 6 |
| 7 Group complaints | 6 |
| 8 Reasonable adjustments | 6 |
| 9 Links to other policies | 6 |
| Appendix A Examples of unreasonable complaints | 7 |

1 Aims, vision and values

We are committed to dealing with all complaints and interactions with staff, parents, students and members of the public fairly and impartially, and to providing a high-quality service to those who have a concern or query. The Trust envisages that the vast majority of complaints can and will be handled within the remit of the Trust's Complaints Policy.

We do not expect our staff to tolerate unacceptable behaviour. The Trust will take action to protect staff from behaviour, including that which is abusive, offensive or threatening, malicious or persistent either once investigations have been concluded and fully exhausted or whilst they are ongoing. In these exceptional circumstances the Trust or school may take action in accordance with this policy.

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, the Trust or school will inform the complainant that the procedure has been completed and that the matter is now closed.

2 Purpose and intent

If the Trust or school believes that a complaint may meet the definition of an unreasonable complainant, it will be deemed to sit beyond the remit of the Trust's Complaints Policy.

We will:

- uphold the standards of courtesy and reasonableness that should characterise all communication between the Trust or school and persons who wish to express a concern or pursue a complaint.
- support the wellbeing of children, staff, and everyone else who has legitimate interest in the work of the Trust or school, including Trustees, Governors and parents.
- deal fairly, honestly, openly, and transparently with those who make persistent or vexatious complaints and those who harass members of staff in school, while ensuring that other stakeholders suffer no detriment.

3 Expectations of parents/carers/members of the public

We expect parents, carers and members of the public who wish to raise problems with us to:

- treat all staff with courtesy and respect
- respect the needs and wellbeing of pupils and staff
- avoid any use, or threatened use, of violence to people or property
- avoid any aggression or verbal abuse
- recognise the time constraints under which members of staff work and allow a reasonable time to respond
- recognise that resolving a specific problem can often take some time
- (in the case of a complaint) follow the Trust's Complaints Procedure
- recognise the appropriate communication channels as set by the school

Parents, carers or members of the public who raise either informal concerns or formal complaints with the Trust or school can expect the organisation to:

- regularly communicate with the enquirer in writing and confirm: how and when problems can be raised
- respond within a reasonable time
- be available for consultation within reasonable time limits bearing in mind the operational needs of the organisation, pupils and staff and the nature of the complaint
- respond with courtesy and respect
- attempt to resolve problems using reasonable means in line with the Trust's Complaints Procedure and other policies and practice
- keep complainants informed of progress towards a resolution of the issues raised
- communicate clearly a preferred communication means

4 Definition of a unreasonable complaint

For the purpose of this policy, a persistent complainant is a parent, carer or member of the public who complains about issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of the Trust or school, or whose behaviour is unreasonable. The Department for Education (DfE) provides the following criteria:

The characteristics of a 'frivolous' or 'vexatious' complaint are:

- 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

Further examples can be read in Appendix A.

Such behaviour may be characterised by:

- actions which are obsessive, persistent, harassing, prolific, repetitious
- an insistence upon pursuing complaints in an unreasonable manner
- an insistence on only dealing with a specific person on all occasions irrespective of the issue and the level of delegation in the organisation to deal with such matters
- an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the organisation because it is unlawful

For the purpose of this policy, harassment is the unreasonable pursuit of such actions in such a way that they:

- appear to be targeted over a significant period of time on one or more members of staff
- cause ongoing distress to individual member(s) of staff
- have a significant adverse effect on the whole or parts of the organisation
- are pursued in a manner which can be perceived as intimidating and oppressive by the recipient
- This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, wellbeing, and health

- unnecessarily take up an inordinate amount of staff time, detracting from staff members' ability to undertake legitimate school business

A complaint may also be considered unreasonable, and this policy invoked if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- maliciously
- aggressively and where the tone of any communication is deemed to be aggressive and threatening
- using threats, intimidation or violence
- using abusive, offensive or discriminatory language
- knowing it to be false
- using falsified information
- publishing unacceptable information in a variety of media such as on social media websites and in newspapers.

Complainants should limit the numbers of communications 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.

5 Actions

Stage 1: Closing the matter

Once a school or the Trust has followed all the stages of the Complaints Procedure, the Chair of Governors or the CEO can tell the complainant that the matter is closed. If the complainant tries to re-open the same issue, this can be classed as a persistent or 'serial' complaint. Schools should not refuse to accept further correspondence or complaints from an individual they have had repeat or excessive contact with. The application of a 'serial or persistent' marking should be against the subject or complaint itself rather than the complainant.

Stage 1: Informal warning

As a first step, the Trust's CEO, or in the case where the complaint directly relates to the CEO, The Chair of the Board of Trustees will invite the complainant to a meeting to inform them that the Trust considers the actions of the complainant to meet the threshold for either a vexatious, persistent, aggressive or unreasonable complaint. The Trust will raise their concern and give warning to the complainant that further complaints in the same manner will result in sanctions.

Stage 2 Formal sanctions: restricted access

The Trust will write to the complainant explaining that their behaviour is unreasonable or unacceptable, and that the Trust considers it to fall under the terms of this policy.

For complainants who excessively contact the Trust or its schools causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This may result in informing the complainant that:

- all meetings with a member of staff will be conducted with a second person being present and notes of the meeting may be taken in the interest of all parties
- except in emergencies, all communication to the school must be in writing

- advice may be sought from our legal advisors under anti-harassment legislation.

Stage 2 Barring from site

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

If a complainant's behaviour is a cause for concern, a member of staff can ask them to leave the premises or to refrain from any contact with the organisation except for in emergencies.

In serious cases, the Trust can notify (in writing) that a complainant's implied license to be on Trust premises including any school has been temporarily revoked subject to any representations that the complainant may wish to make. We will always give the complainant the opportunity to formally express their views on the decision to bar in writing.

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

All bar and sanctions will usually be reviewed after 6 months.

Legitimate new complaints, if not pursued in a harassing or unreasonable way, may still be considered.

If a complainant's persistent complaining or harassing behaviour is modified and is then resumed at a later date within a reasonable period of time, the Trust or school may resume the process identified above at an appropriate level. In these circumstances advice may be sought from HR and legal advisers even if the person making them is, or has been, subject to the contents of this policy.

Anyone wishing to complain about being barred can do so by letter or email to the Chair of Governors (at the school) or Chair of Trustees if about the Multi Academy Trust. However, complaints about barring cannot be escalated to the Education Skills Funding Agency.

Once the Trust's Complaints Procedure has been completed, the only remaining avenue of appeal is through the courts; independent legal advice must therefore be sought.

Stage 3 Cease to Respond

As a Trust we can decide not to respond to persistent complaints. In line with the DfE guidance, the Trust will only take the decision to stop responding when:

- The Trust has taken every reasonable step to address the complainant's needs
- The complainant has been given a clear statement of the school's or Trust's position and what their options are
- The complainant continues to repeatedly raise the same points each time

Once The Trust has decided it is appropriate to stop responding, it will let the complainant know in writing. This may be a hard copy letter or an email. As the DfE suggests, the Trust will then restrict the complainant to a single point of contact with

the school via an email address, or setting a fixed number of times in which they can contact the school per term.

6 New Complaints

If the complainant raises a new issue, the Trust must begin the complaints procedure again.

7 Group complaints

The Trust will deal with parents' complaints separately and hold individual meetings. We aim to make it clear to parents that:

- Their right to complain rests on their position as the parent of an individual pupil
- They cannot raise a complaint on behalf of other pupils or a group of pupils
- They can raise group concerns more constructively in other ways, for example through the parent-teacher association.

In some cases, you may find it helpful to send a template response to all complaints or publish a single response to an issue on the school's website. However, you should limit your formal complaints procedure to individual complaints.

8 Reasonable adjustments

During the course of a complaint or communications with a parent or carer, schools may request that reasonable adjustments are made to communication channels. There are many ways that adjustments can be made and schools should choose adjustments to support the individual situation:

- Agreeing weekly communication or updates rather than daily
- Agreeing one channel of communication (meetings, emails or phone calls)
- Setting processes in place so that emails are timely (schedule send to arrive in office hours or agreeing email timings to avoid delay)
- Limit the number of contact times per term
- Establishing a single point of contact: using an office email or named member of staff for communication

(DfE, Best Practice Guidance for Schools Complaints Procedure, 2019)

9 Links to other policies

This policy links to the following policies:

- Accessibility Plan
- Complaints Procedure
- Equality Information and Objectives
- Health and Safety Policy
- Safeguarding and Child Protection Policy
- Special Educational Needs Information Report and Policy

Appendix A Examples of unreasonable complaints

Such behaviour may be characterised by someone who:

- 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 cooperate with the complaints investigation process while still wishing their complaint to be resolved.
- refuses to accept that certain issues are not within the scope of the organisation.
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or 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 Trust's Complaints Procedure has been fully and properly implemented and completed.
- seeks an unrealistic outcome.
- makes excessive demands on staff's time by frequent, lengthy, complicated and stressful contact regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
- uses Subject Access Requests (SAR) and Freedom of Information Act (FOIA) requests excessively and unreasonably.