



Managing Serial and Unreasonable Complaints Policy

This policy applies to all academies of the Bonitas Multi-Academy Trust

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Published	Bonitas website Website of each school Internal network of each school

The Bonitas Trust and the schools within it are committed to dealing with all complaints fairly and impartially, in a friendly, respectful and professional way, 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. Complainants are expected to understand the need to also behave in a friendly, respectful way; it is in everyone's best interests to help ensure that matters can be resolved as quickly and informally as possible.

Bonitas Trust and the schools within it define 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.

Parents, carers and members of the community should try to limit their communication with the trust / 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.

The trust recognises that there will be occasions when, despite having followed all stages of the procedure, the complainant remains dissatisfied. If, at any stage, the trust or the school believes that the concern or complaint is vexatious, has insufficient grounds, has already been considered in full or has been closed, under this policy, the CEO, Headteacher or Chair of Governors/Trustees (as appropriate) may write to the complainant to refuse to consider the concern or complaint further, giving reasons why they are refusing to do so.

Whenever possible, the Headteacher or Chair of Governors (where the complaint is made to the school) or the Chief Executive Officer (CEO) or Chair of Trustees (where the complaint is made to the Trust) will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues, the Headteacher / CEO, as applicable, will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the School / Trust 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.

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 the school or the trust.

BARRING

Schools have to act to ensure that they remain a safe place for pupils, staff and other members of their community (see DfE Advice on school security: Access to, and barring of individuals from, school premises December 2012).

An individual, including a parent/carer may be asked to leave the premises in the event their behaviour is a cause for concern. A parent is defined in section 576 Education Act 1996 as not just natural parents, but also anyone with parental responsibility in the Children Act 1989 or who has care of the child.

For the purposes of the below, 'serious cases' are defined as circumstances when the school / Trust considers that the parent(s)' conduct is aggressive, abusive or insulting behaviour, or language from a parent(s) presents a risk to staff or pupils. It is enough for a member of staff or a pupil to feel threatened. In such a circumstance, schools / trust have a power in common law to bar the parent(s) from the premises.

In serious cases the Headteacher / CEO can notify an individual in writing that their implied licence to be on school premises has been temporarily revoked. This bar, if immediate will be:

- a provisional barring until the individual/parent/carer makes representation to the Chair of Governors/Chair of Trustees.
- confirmed or removed once representation considered.

Alternatively, the school / Trust can serve notice of intent, invite the individual / parent / carer to make representations within a given deadline and then decide whether or not to bar.

Where the barring is confirmed, the school / Trust will set a time period for which the bar applies.

For the period that the bar is in place, section 547 of the Education Act 1996 makes it a criminal offence for a person who is on school premises without lawful authority to cause or permit a nuisance or disturbance on the school premises.