

Academic Year 2022/2023

Managing Serial and Unreasonable Complaints Policy



This policy must be read in conjunction with:

- Anti-Bullying Policy
- Behaviour Policy
- Complaints Policy and procedures
- DfE document Behaviour and discipline in schools: Advice for Head teachers and school staff February 2014

This policy sets out Moorlands Primary School Managing Serial and Unreasonable Complaints Policy and procedures.

Signed by Head Teacher: *Boss.*

Signed by Chair of Governors: *[Signature]*

Approved: 22/11/2022

Review Period: Annually

Next Review Date: November 2023

Moorlands Primary School

Managing Serial and Unreasonable Complaints Policy

This policy should be read in conjunction with the Moorlands Primary School Complaints policy and procedures. If this has not been followed or complaints persist after resolution, then this policy may be implemented.

Rationale

At Moorlands Primary School we believe that:

- All children, staff and parents be treated with respect and dignity
- Any complaints should be referred and received with courtesy
- Complaints brought to the attention of the school should follow the agreed procedures and parents feel this has received full attention
- All complaints be fully investigated in a timely manner
- Urgent complaints should receive immediate attention
- The majority of concerns and complaints can be resolved through effective teacher-parent communication

Parent's Code of Conduct

Schools have a duty of care towards their employees. This means that staff (including the headteacher) should not be placed in upsetting or dangerous situations. Staff members should not be expected to respond to abusive communications or to attend meetings where parents are behaving aggressively.

We will stop or cancel meetings/ communications if parents do not follow the code of conduct outlined in home/ school agreement and Parental Code of Conduct policy.

It is a criminal offence to cause or permit "a nuisance or disturbance" on school premises. This means that complainants can be legally removed from the site if they are acting in an abusive or threatening way at meetings and banned from the school premises.

Unreasonable Behaviour

Moorlands 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 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.

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.

Persistent or Vexatious Complaints

Most complaints raised will be valid, and therefore we will treat them seriously. Once the school has followed all the stages of our complaints procedure, the chair of governors 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. The school can ultimately decide not to respond to persistent complaints, in line with Department for Education Guidance provided the complaints policy and procedures have been actioned.

This may happen when:

- Has made the same complaint before, and it's already been resolved by following the school's complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory, or repetitive; including through use of digital and social media
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaint's procedure
- Pursues a valid complaint, but in an unreasonable manner e.g., refuses to articulate the complaint, refuses to co-operate with this complaint's procedure, or insists that the

complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out

- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance, or excessive demands on school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

School procedures

Moorlands Primary School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain; following our agreed complaints procedures. 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.

- They have taken every reasonable step to address the complainant's needs
- The complainant has been given a clear statement of the school's position and what their options are
- The complainant is contacting the school repeatedly, but making the same points each time

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- Put any other strategy in place as necessary

Outcomes

Whenever possible, the head teacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

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 Moorlands Primary 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 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 Moorlands Primary School site.

Ceasing responses by the school

- We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

Duplicate Complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to consider.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to the DfE if they are dissatisfied with our original handling of the complaint
- If there are new aspects, we will follow this procedure again.

Group or Complaint Campaigns

Where the school receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the school, the school may respond to these complaints by:

- Publishing a single response on the school website
- Sending a template response to all the complainants

In addition to this, we make clear to parents that we do not allow 'group complaints' by explaining:

- 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

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

Complaints Procedures Flowchart for Parents and Carers



Stage 1: Step 1

All initial concerns should be reported to your child's class teacher.

Stage 1: Step 2

If you are not satisfied with the outcome of your complaint you may escalate it to the Phase Leader for your child's year group.

The following members of staff are Phase Leaders:

Year R: Mrs N Henneberg
Y1-5: Miss Anna Llewellyn and Miss G Waring
Y6: Mr A Turner

Please contact the office to make an appointment. All of our phase leaders teach so will not be able to see or speak to you immediately. They will get back to you as soon as possible.

Stage 1: Step 3

If you are still unhappy with how your complaint has been handled, then you may wish to consider making an appointment with an Assistant Head, Deputy Head or Headteacher, depending on the nature of your complaint.

The following members of staff are part of the Senior Leadership Team:

Headteacher- Mrs L Ross
Deputy Headteacher- Mrs R Wright
Assistant Head Teachers - Miss S Roughton and Mrs N Pfeiffer

Please contact the office to make an appointment or request a call back. They will get back to you as soon as possible.

Most complaints can be resolved during one of these above steps. If your concern has not been resolved, then you may escalate your concern further.

The above steps are informal and known as STAGE 1

Stage 2: Step 4

If steps 1-3 (Stage 1) do not resolve your complaint, then you are welcome to bring it to the attention of the Governing Body.

This is known as STAGE 2 and is a formal procedure.

All complaints to the Governing Body **MUST** be made in writing.

Please include:

- Your initial complaint
- Steps that have been made to resolve your complaint so far

This letter should be addressed to the Chair of Governors:

Mrs L Rankin

Complaints escalated to the Governing Body will be referred back to the parent where STAGE 1 of the procedures have not been followed.

The Governing Body will investigate your complaint and respond within 2 school weeks.

Stage 3: Step 5

If you are dissatisfied with the outcome of your complaint at Stage 2 then you are welcome to request a meeting within 1 week of the outcome. This is known as **STAGE 3**, where a panel review the complaint and steps taken to attempt to resolve it and respond accordingly, within 10 working days

Stage 3: Step 6

At this stage the decision and outcome of the Governing Body regarding your complaint is unlikely to change. A complainant who remains unsatisfied after their complaint has been fully considered under the arrangements described above will be able to make a complaint to the Secretary of State.

However, under Section 23 (2) of the Education Reform Act, the Secretary of State may not consider any such complaint unless it has first been through all stages of approved local arrangements.

Formal Complaints about the Head Teacher should be brought directly to the Governing Body **in writing**, outlining the complaint and the steps taken to attempt to resolve it so far.

The Governing Body will investigate your complaint and respond within 2 school weeks.

COMPLAINTS ABOUT INDIVIDUAL GOVERNORS

If a formal (i.e. written) complaint is made by any member of the school community about the conduct of an individual governor, a panel composed of three governors will be convened in order to investigate the validity of the complaint. If the panel decides after investigation that the complaint is justified, it will prescribe an appropriate sanction OR in serious cases will refer the matter to the full governing body. A governor who is the subject of a complaint may then make an appeal to an independent appeal panel made up of three further governors.

School Communication Flowchart

As a school, we value the communication that we have with our parents and the support that it provides in developing our pupils. The flowchart below has been designed to support effective communication between school and our families. It is a tiered approach which aims to support both parents and staff and allow the opportunity to resolve issues efficiently and effectively. We endeavour to deal with any queries or concerns as quickly and effectively as possible. However, there are occasions where staff roles determine that immediate correspondence is not possible, but please be reassured that they will get back to you within a realistic timeframe.



Tier 1 should always be used as the first point of contact between families and school. The table below clarifies whether the communication requires the attention of your child's class teacher or if the school office is the more appropriate.

Tier 1	Class Teacher	<p>Teachers are available most days after school and appointments can be made by contacting the school office</p> <p>If the matter is urgent, please contact the school office who will let the teacher know at the earliest possible convenience</p>
	<p>The following queries are to be raised with your child's class teacher in the first instance</p> <ul style="list-style-type: none"> ✓ School events information (please website or newsletter first) ✓ Home learning queries ✓ Learning concerns ✓ Special needs concerns ✓ Behaviour issues ✓ Home/pastoral/friendship concerns 	
	Office Staff	<p>We appreciate that these lists are not exhaustive. If you are unsure of who to contact to help deal with your issue/ concern, please contact the school office in the first instance; they will take some details from you and arrange for the most suitable person to get back to you.</p>
	<p>The following queries can be dealt with directly through the office (either by email, phone or in person)</p> <ul style="list-style-type: none"> ✓ Last-minute school events information/ changes to usual school day (please check website or newsletter first) ✓ Reporting an absence ✓ Requesting a leave of absence ✓ Issues with clubs ✓ Payment queries ✓ Medication/injuries ✓ Appointments <p>Reporting another adult is picking up your child (this must be a phone call and not via email)</p>	

If further support is required, the following Leadership team members are available to support in their specific areas as detailed below. Either a teacher, a parent or a combination of the two can request a conversation/meeting with the Leadership team member most closely related to the nature of the concern. Again, these requests can be made through the school office or via the teacher with whom the original concern was raised.

Tier 2	Mrs N Henneberg (YR Phase Leader)	<ul style="list-style-type: none"> ✓ Initial complaints regarding teaching and learning for Foundation Stage ✓ Year R behaviour concerns
	Miss A Llewellyn Miss G Waring (Y1-5 Phase Leaders)	<ul style="list-style-type: none"> ✓ Initial complaints regarding teaching and learning for Y1-5 classes ✓ Behaviour concerns for Y1-5 classes (after speaking with class teacher) ✓ Phonics Screening ✓ Key stage 1 SATs information ✓ Y4 Multiplication Checks
	Mr A Turner (Y6 Phase Leader)	<ul style="list-style-type: none"> ✓ Initial complaints regarding teaching and learning for Y6 classes ✓ Behaviour concerns for Y6 classes (after speaking with class teacher) ✓ Secondary School Transition Arrangements ✓ Key stage 2 SATs information ✓ Young leaders
	Mr B Kill (YR-2 Assistant SENCo) Mrs L Whittingstall Bean (Y3-6 assistant SENCo)	<ul style="list-style-type: none"> ✓ Escalated SEND concerns after talking to the class teacher first ✓ ELSA Provision
	Miss S Roughton (Assistant Head for Inclusion)	<ul style="list-style-type: none"> ✓ Initial complaints regarding SEND concerns / practice ✓ Escalated SEND concerns or referral requests ✓ EHCP queries ✓ ELSA provision ✓ Safeguarding or welfare requests ✓ Medical and Individual Healthcare plans
	Mrs N Pfeiffer (Assistant Head for Teaching and Learning)	<ul style="list-style-type: none"> ✓ Escalated complaints regarding teaching and learning ✓ Safeguarding

Tier 3	Mrs R Wright (Deputy Head / Associate Head teacher)	<p>Having followed this flowchart through Tier 1 - 3, if a matter requires further attention, it can be brought to the Deputy Head or Head teacher.</p> <p style="text-align: center;">This can be organised through the office. As this stage, you may be referred to the Complaints Policy</p> <p>If you are writing to the school it is really useful if you give us as much information about the background of your concern or complaint as possible, including who it involves, and what you would like the outcome to be.</p>
	Mrs L Ross (Head teacher)	