



Unreasonable and Vexatious Complaints Policy

Approved by: Finance, Audit & Risk Committee		Date: November 2022
Last reviewed:	November 2020	
Next review date:	November 2024	

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1. Introduction

Bohunt Education Trust (BET) is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with a member 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, threatening or harassing.

2. Definition

BET defines unreasonable behaviour in complaints where that behaviour hinders our consideration of complaints because of the frequency or nature of their contacts with the school, such as if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or specify 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 engage with complaints investigation;
- refuses to accept that certain issues are not within the scope of a complaints procedure or that certain outcomes cannot be provided or agreed to because they would otherwise place the member School or Trust in breach of any duty owed in law to another person, including with respect to breach of confidentiality;
- 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, 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, within the agreed timeframes as updated from time to time, with the issues raised in the complaint, 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) but refuses to escalate the outcome in accordance with the Complaints Policy;
- refuses to accept the findings of the investigation into that complaint where the Complaints Policy has been fully and properly implemented and completed including referral to the Education Skills and Funding Agency;
- seeks an unrealistic outcome;
- makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with or once the outcome has been communicated without escalating the outcome in accordance with the Complaints Policy;
- uses threats to intimidate;
- uses abusive, harassing, bullying, offensive, or discriminatory language or violence;
- knowingly provides false information;
- publishes unacceptable information on social media, instant messenger or other public fora whether virtual or physical.

3. Contacts whilst a complaint is being investigated

Complainants should limit the number 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.

4. Steps taken before marking a complaint “unreasonable”

- Our School and the Trust take all complaints seriously, and follow the Complaints Policy in order to seek an agreed and amicable resolution and reconciliation. We will always treat complaints reasonably and nothing in this Policy prevents a parent/carer raising a genuine new concern or complaint.
- Whenever possible, the Head or the Director of Governance (or in the case of the Trust the CEO and Chair of the Board) will discuss any concerns with the complainant informally before applying an ‘unreasonable’ marking to any complaint and may propose mechanisms to assist the complainant with contacting the School with respect to the complaint.
- If the behaviour continues, the Head of School (or CEO) will write to the complainant explaining that their behaviour with respect to complaints is unreasonable and asking them to change it.
- For complainants who excessively contact our School or 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 regularly and at least termly.
- In response to any serious incident of aggression or violence or behaviour giving rise to cause for concern, the School or Trust will put its concerns and actions in writing immediately and the police may be informed.

5. Barring from School Premises

A School or the Trust may decide to bar an individual from any School or Trust premises: however before any decision to ban an individual is made, the individual will always have the right to express their views on any such proposal to bar an individual formally from School or Trust premises. This decision will be reviewed at regular intervals, and at least every term.

If an individual continues to make or pursue unreasonable complaints, the School or Trust as the case may be reserves the right to seek further legal advice and take such steps as are appropriate in all the circumstances, including for example seeking court orders to limit the individual’s contact with or presence in or near to School or Trust premises, any students, staff, parents/carers or other third parties as set out in the court order.