Burghfield Common Federation

Mrs Bland's Infant and Nursery School
and
Garland Junior School

Persistent Complainants Policy and Procedure

Published on school website	Yes
Statutory?	Yes
Author	Executive Headteacher
Approved by	Cttee
Date approved/Adopted	Nov 2025
Date of next review	Nov 2026

This policy and procedures document sets out The Burghfield Common Federation's approach to dealing with and handling persistent parental concerns and complaints. This document is published on the school website.

1. The Burghfield Common Federation 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 the 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.

2. We expect parents/carers/members of the public who wish to raise concerns with the school to:
    - treat all school staff with courtesy and respect
    - respect the needs and well-being of children and staff in the school
    - 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 in schools work and allow the school a reasonable time to respond
    - recognise that resolving a specific problem can sometimes take some time
    - (in the case of a complaint) follow the School's Complaints Procedure.

3. The Burghfield Common Federation defines Persistent Complainants as 'those who complain about issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of the school, and whose behaviour is unreasonable.' Such behaviour may be characterised as:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- Frequently complaining about a variety of different things, or the same issue, through a number of different channels in a persistent, harassing and/or repetitious manner
- Refuses to co-operate 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 a complaints procedure
- 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
- 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, 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
- Uses Freedom of Information request excessively and /or unreasonably.

4. A complaint may also be considered persistent if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- Maliciously and/or aggressively
- Appears to be targeting, over a period of time, one or more members of school staff and/or causes ongoing distress to a member of school staff
- 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 in social media websites and newspapers.

5. The school identifies the following behaviours are unacceptable and they will not be tolerated;

- Rudeness and open defiance to a member of staff either in person, on the phone, via email or social media
- Physical assault or intimidation of staff, parents and /or children
- Use of offensive language towards other adults, staff or children
- Shouting at members of staff, either in person or over the telephone
- Breaching the school's security procedures
- Refusal to leave the school site when asked to
- Attempting to gain entry to any part of the school in disregard of procedure or without permission.

6. Where complainants are abusive or threaten staff, a formal written record will be kept by all staff of all contacts made by the complainant, making careful record of any abusive behaviour or threats – preferably recording actual words used where possible. These will be kept on file as evidence of the complainant's behaviour as this may be required for legal purposes at a later date.

7. 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.

8. Whenever possible, the Executive Headteacher or Chair of Governors will discuss any concerns with the complainant informally before the 'unreasonable' marking is applied to the complaint.

The Burghfield Common Federation will, if it deems a complainant to be persistent or vexatious:

- Verbally inform the complainant that his/her behaviour is considered to be becoming unreasonable /unacceptable and if it is not modified, action may be taken in accordance with this policy. This will be confirmed in writing.
- If the behaviour continues, the Executive Headteacher or Chair of Governors will write to the complainant explaining that their behaviour is Persistent and asking them to desist.
- For complainants who contact the school excessively, causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after 6 months.
- The school will continue to provide parents with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005 (S.1.1437) and subsequent amendments in the School information (England) Regulations 2008 (S1.1471).
- In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the school site.

Banning from the School Premises

9. Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Schools will therefore act to ensure it remains a safe place for pupils, staff and other members of their community.

10. If an individual's behaviour is a cause for concern, a school can ask him/her to leave school premises. If the complainant presents himself/herself regularly at the school site and behaves inappropriately, the school will seek advice and guidance from the LA about managing this situation.

11. In serious cases, the Executive Headteacher or the local authority can notify them in writing that their implied license to be on school premises has been temporarily revoked subject to an appeal hearing. If this decision is taken, this will be put in writing and explain how the decision can be appealed. The individual will be given the opportunity to formally express their views on the decision to ban in writing.

12. The decision will be reviewed and either confirmed or lifted. If the decision is confirmed the individual will be notified in writing, explaining how long the ban will be in place.

13. Anyone wishing to complain about being banned can do so, by letter or email, to the Executive Headteacher or Chair of Governors. However, complaints about banning cannot be escalated to the Department for Education. Once the school procedure has been completed, the only remaining avenue of appeal is through the Courts; independent legal advice must therefore be sought.

Managing staff understanding of communication with persistent complainant

14. All relevant staff likely to receive contacts will be notified of any actions they are required to take in the future – such as logging calls, not discussing the case, etc.

    Where appropriate, the case may be included as a specific item for routine inclusion in meetings with involved staff.

Resolving and managing Persistent Complainants

1. The decision to apply the Persistent Complainants Procedure is not taken by one individual in isolation, as this would not be transparent.
2. When seeking to apply the procedure, guidance will be sought from the LA.

The Investigating Officer will ensure that each complaint has been thoroughly assessed to ensure no items are overlooked and all issues raised have been previously addressed.

The following process and criteria will be applied;

Making the Decision
It is for the Governing Board to determine who will make the decision to apply the Persistent Complainants Procedure.

The Governing Board has decided that:
• Where the Complaint has gone through the formal Complaints Procedure and an appeal has been heard by a Governors' Appeal Panel, the Appeal Panel will make the decision as they will be aware of the details of the case.

and

• Where the Complaint has not yet gone through the full formal Complaints Procedure or the Complainant has made repeated contact with the school but is not engaging with the formal process, the decision will be made by the Executive Headteacher and two members of the governing board. It is recommended that one of these should be a parent governor.

No person will be involved in the decision-making process if the complaint is against that person. If the complaint is made against the Executive Headteacher then the decision will be made by a group of three governors
In making the decision to apply the Persistent Complainants Procedure the following will be considered and applied.

The answers to Section A will be '**YES'** in each case, with evidence provided to support the statements.

The case is strengthened if there is evidence to agree with one or more of the statements in Section B.

Section A

1. The school has taken every reasonable step to address the complainant's needs. **Yes/ No**

2. The complainant has been given a clear statement of the school's position and their options (if any). **Yes/No**

3. The complainant is contacting the school repeatedly, but is making substantially the same points each time or is exhibiting the behaviours described in sections 4 or 5 of the Persistent Complainants' policy above. **Yes/No**

Section B

One or more of the following statements can also be evidenced.

1. There is reason to believe that the individual is contacting the school with the intention of causing disruption or inconvenience. (Evidence could include statements for example, in writing, email, text or by telephone call) **Yes/No**

2. The communications are often or always abusive or aggressive. This includes written and verbal communications. **Yes/No**

3. The complainant makes insulting personal comments about, or threats towards staff. **Yes/No**