



Managing Serial and Unreasonable Complaints Policy

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1. Purpose and scope

1.1 Education South West is committed to handling complaints fairly, impartially and promptly. This policy sets out how we will manage contact/complaint behaviour that becomes unreasonable or persistent to the extent that it hinders fair consideration of issues or places a disproportionate burden on staff, pupils, or resources.

1.2 This policy does not apply to staff grievances. It is to be used in the event of persistent/unreasonable contact arising from or connected to complaints made to the Trust or any individual school/management within the Trust. It sits alongside the published Complaints Procedure and should not be used to avoid addressing legitimate concerns.

1.3 Legal and guidance basis: Education Act 2002 s.29 requires maintained schools to establish and publish complaints procedures; the Department for Education (DfE) publishes non-statutory best practice guidance and a model policy for managing serial/unreasonable complaints, which schools must have regard to. Academies such as those who form Education South West mirror equivalent expectations.

2. Principles

2.1 Fairness & proportionality: We will balance the complainant's right to be heard with the rights of staff, pupils, stakeholders and third parties to work and learn in a safe environment.

2.2 Evidence-led decisions: Any restriction on contact will be based on documented evidence of impact and behaviour, not on the content or merit of the complaint itself.

2.3 Safeguarding & equality: We will ensure decisions reflect our safeguarding duties and Public Sector Equality Duty, including considering and implementing reasonable adjustments where appropriate.

3. Definitions: unreasonable or persistent behaviour

3.1 Behaviour may be considered unreasonable where it hinders complaint consideration or the ability to effectively manage a school or the Trust due to the frequency, nature or tone of contact. Examples include:

3.1.1 Refusing to articulate or clarify the complaint or desired outcomes despite offers of assistance.

3.1.2 Refusing to cooperate with the investigation or insisting on processes incompatible with the published procedure.

3.1.3 Introducing trivial/irrelevant information and demanding it be considered; raising large volumes of minor queries and insisting on immediate timescales.

3.1.4 Making unjustified complaints about staff handling the process; changing the basis of the complaint as it proceeds; repeating the same complaint despite completion of the Complaints Procedure.

3.1.5 Refusing to accept findings where the procedure, including escalation stages, has been properly completed. 3.1.6 Seeking unrealistic outcomes; publishing unacceptable material on social media; insistence or interfering with the Trust's management of pupil behaviour or staff disciplinary procedures; using threats, abusive/offensive/discriminatory language or violence.

3.1.7 Repeated requests for confidential information relating to the subject of a complaint – sanctions taken against any pupils or staff remain confidential.

3.2 Persistent means repeated contact or new issues which substantially overlap with matters already addressed, without new material information.

4. Proportionality and impact test

4.1 Before applying restrictions, the Complaints Co-ordinator (Headteacher or Trust Leader/Deputy CEO) will complete an impact and proportionality based on the following criteria:

4.1.1 Burden on the school: frequency, duration, breadth of communications; staff time; disruption to teaching/learning; duplication.

4.1.2 Tone and conduct: distress or harassment caused to staff; abusive/threatening language; publication or sharing of unacceptable or confidential content.

4.1.3 Value/purpose: whether the complaint raises issues of substance or public interest; whether new evidence has emerged.

4.1.4 Context/history: previous handling; whether outcomes have been provided and reasonable adjustments or change to practice already made.

5. Managing contact: possible restrictions

5.1. Depending on severity and evidence, we may implement one or more measures for a defined period (normally 3–6 months, reviewed as needed):

5.1.1 Single Point of Contact (SPOC): all communication through a named senior leader.

5.1.2 Channel limits: communication restricted to written correspondence via a monitored mailbox.

5.1.3 Frequency/time limits: e.g., no more than one consolidated email per fortnight; responses within published timescales only.

5.1.4 Meeting controls: meetings by appointment only; remote/telephone meetings where appropriate; inclusion of a second staff member/representative as note-taker.

5.1.5 Site access: where behaviour poses risk, we may restrict attendance to site by removing a licence to access the premises, except for statutory purposes, consistent with our visitor code and safeguarding duties.

5.1.6 Ceasing engagement on a closed complaint: if the complaints procedure is complete and no new material information is presented.

6. Decision, notification and review

6.1. Decision-maker: Headteacher/Principal or CEO/Headteacher, advised by Complaints Co-ordinator and Chair of Governors/Trustee. Notification letter will explain behaviour found, evidence relied upon, restrictions applied, duration, and review date. Complainant may request governance review.

7. Recording and data protection

7.1 We may maintain a restricted-access log of communications, decisions, and review outcomes, retaining only what is necessary and proportionate under data protection law.

8. Interaction with complaints procedure and other processes

8.1. This policy does not replace the published Complaints Procedure; substantive complaints will still be considered unless the procedure is complete or the issue is out of scope, having regard for Section 3 of this policy.

8.1.1 Issues with separate statutory routes (e.g., exclusions, admissions, SEN/ EHCP matters, data protection, employment grievances, matters more appropriately directed to a third party) will be signposted to the correct process.

8.1.2 If a complainant believes the school/Trust prevented completion of the procedure, they may contact DfE using the GOV.UK service after our process has concluded.

8.1.3 Systemic concerns may be raised with Ofsted; individual case matters usually are not for Ofsted.

9. Freedom of Information (FOI) and vexatious requests

9.1 Information requests under FOIA/EIR will be handled under our FOI procedure. Where a request is vexatious, we may refuse it under FOIA s.14(1) with a recorded rationale and refusal notice, following ICO guidance.

10. Equality, reasonable adjustments and safeguarding

10.1 We will consider reasonable adjustments for disabled complainants, language support, and accessibility. Legitimate safeguarding concerns are never restricted by this policy and will be escalated immediately under our safeguarding procedures.

11. Monitoring and review

11.1 The governing body/board will receive anonymised, termly data on the application of this policy and will review its effectiveness at least every 3 years or sooner in light of changes to DfE guidance or ICO practice.

12. Publication

12.1 This policy and the Complaints Procedure will be published on the Trust website and available on request in alternative formats.

13. Related policies

13.1 Complaints Procedure; Behaviour/Visitor Code; Safeguarding; Data Protection; FOI Publication Scheme; Equality Duty.