



King David High School

Managing Unreasonable, Serial, Persistent, Vexatious or Frivolous Complaints

Approved by:

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Managing Unreasonable, Serial, Persistent, Vexatious or Frivolous Complaints Policy

At The King David High School, we are committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. However, we recognise that in a small number of cases, the behaviour of complainants may be unreasonable, or they may pursue complaints in a manner that has a detrimental effect on the work of the school.

This policy sets out our approach to managing complaints and complainant behaviour that we consider to be unreasonable, serial, persistent, vexatious or frivolous. It should be read alongside our main Complaints Procedure.

Our aims are to:

- Protect staff from unacceptable behaviour and unreasonable demands
- Ensure that other complainants are not disadvantaged by the amount of time spent responding to unreasonable complaints
- Maintain a productive relationship with complainants wherever possible
- Ensure fairness and transparency in our decision-making

Legal Framework

This policy is based on:

- DfE guidance on complaints procedures for maintained schools and academies
- The Equality Act 2010
- Section 547 of the Education Act 1996 The Key Leaders
- Our duty of care towards employees

Scope

This policy applies to all complaints made to The King David High School, including those made by:

- Parents and carers
- Members of the public
- Other stakeholders

This policy does not apply to complaints that are being dealt with through separate statutory procedures, such as:

- Admissions appeals
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusions

- Staff grievances or disciplinary matters
- Whistleblowing

A complaint may be considered serial or persistent if the complainant:

- Continues to contact the school repeatedly about the same issue after the complaints procedure has been exhausted
- Makes the same points repeatedly, without providing new information
- Refuses to accept the outcome of the investigation or panel hearing
- Seeks to prolong contact by continually raising new, but related, concerns

Unreasonable Complaints

A complaint may be considered unreasonable if the complainant:

- Makes excessive demands on staff time and resources
- Insists on speaking to or corresponding with a particular member of staff when this is not appropriate
- Refuses to accept that certain issues are not within the scope of the complaints procedure
- Makes unjustified complaints about staff who are trying to deal with the issues
- Changes the basis of the complaint as the investigation proceeds
- Denies or does not accept evidence gathered during the investigation
- Introduces trivial or irrelevant new information at a late stage
- Raises large numbers of detailed but unimportant questions

Vexatious Complaints

A complaint may be considered vexatious if:

- It appears designed to cause disruption or annoyance
- It lacks any serious purpose or value
- There is evidence of obsessive or harassing behaviour
- The complainant has a history of making multiple complaints on different matters

Frivolous Complaints

A complaint may be considered frivolous if:

- It lacks substance or merit
- It is trivial in nature
- It does not raise matters that warrant investigation

Aggressive or Abusive Behaviour

Behaviour may be considered aggressive or abusive if the complainant:

- Uses threatening, intimidating or abusive language (whether verbal or written)
- Makes personal comments or attacks on staff

- Uses inflammatory language or makes unfounded allegations
- Publishes material about the school or staff on social media that is defamatory or abusive
- Behaves in an aggressive manner during meetings or phone calls
- Makes threats of physical violence
- Harasses or intimidates staff

Our Approach to Managing Unreasonable Behaviour

Where possible, we will aim to separate the complaint and the complainant. If the complainant is behaving aggressively or with other unacceptable conduct, any communication about this conduct separately to any communication about the complaint.

We will:

- Continue to investigate legitimate complaints even if the complainant's behaviour is unreasonable
- Address concerns about behaviour separately from the complaint itself
- Make it clear which aspects of behaviour are unacceptable

Early Intervention

Where we identify that a complainant's behaviour is becoming unreasonable, we will:

- Speak to the complainant to explain our concerns about their behaviour
- Request that they modify their behaviour
- Explain the potential consequences if the behaviour continues

Actions We May Take

Depending on the circumstances, we may take one or more of the following actions:

Restricting Contact

If we close a persistent complaint, we may also choose to limit the complainant's access to school to keep raising the issue. For example, we may:

- Restrict to a single point of contact with your school via an email address
- Set a fixed number of times contact your school per term is permitted

We may:

- Limit the complainant to one method of contact (e.g., email only)
- Designate a single point of contact within the school
- Restrict the number of contacts per week or term
- Require contact to be made at specific times or on specific days
- Require all contact to be in writing

Refusing to Investigate

We may refuse to investigate a complaint if we determine it is:

- Frivolous or vexatious
- A duplicate of a previous complaint that has already been investigated
- Outside the scope of our complaints procedure

Banning from School Premises

It's 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're acting in an abusive or threatening way at meetings.

In extreme cases, where a complainant's behaviour poses a risk to staff or pupils, we may:

- Ask them to leave the premises immediately
- Ban them from entering the school site
- Contact the police if they refuse to leave or return to the site
- Any decision to ban a complainant from the premises will be made by the Headteacher in consultation with the Chair of Governors.

Refusing Group Complaints

Group complaints can make it more difficult to manage abusive complainants or declare complaints closed. Instead, you should deal with complaints separately and hold individual meetings.

We will not accept complaints made on behalf of a group of parents or carers.

- The right to complain rests on their position as the parent/carer of an individual pupil
- Parents cannot raise a complaint on behalf of other pupils or a group of pupils
- Parents can raise group concerns more constructively in other ways

In some cases, where multiple parents raise the same concern, we may:

- Send a template response to all complainants
- Publish a single response on the school website
- Hold a meeting with all affected parents to address the concern collectively