



# GMAT POLICIES

*Managing Serial & Unreasonable Complaints*



# Revision Information

Review Date	Changes Made	By Whom
11/10/2019	<ul style="list-style-type: none"><li>• Links to risk register added</li><li>• Review date changed</li><li>• Review of changes table added</li><li>• Format of the document amended to be in line with other trust policies.</li></ul>	AW
01/11/2021	<ul style="list-style-type: none"><li>• Links to risk register updated</li><li>• Equality, Diversity and Inclusion statement added.</li><li>• Review date changed</li></ul>	AW

## Links to Risk Management

This existence, review and adherence to this Policy is a key control of the Trust with regards to risk management. The Trust has defined, in its risk strategy, a key control to be: any control which is in place to mitigate more than one identified risk contained in the Trust's Risk Register.

This Policy is specifically in place to mitigate the following risks listed in the Trust's Risk Register:

<u>Risk ID</u>	<u>Potential Risk from Risk Register</u>
COM003	Risk of failing to comply with any legislation or regulation appropriate to the activities, size and structure of the Trust
ENV002	Risk of negative public perception by association
ENV003	Risk of poor relationships with statutory bodies, local authorities, community groups, local politicians, regulators, funders or parents

## Equality, Diversity and Inclusion

The Trust is committed to complying with the Equality Act 2010 and is committed to the principles of equality and strives to ensure that everyone who wishes to be involved in our Trust whether as learners (and their parents/guardians), staff, trustees, governors or as a general member of the public:

- has a genuine and equal opportunity to do so without regard to their age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, race, religion and belief, sex and sexual orientation; and
- can be assured of an environment in which their rights, dignity and individual worth are respected without the threat of intimidation, victimisation, harassment, bullying or abuse.

Under the Public Sector Equality Duty (PSED), the Trust is required to have due regard to:

- the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities.
- the advancement of equality of opportunity between those who share a relevant protected characteristic and those who do not share it and to foster good relations across all protected characteristics.
- review all of its policies and procedures, through consultation with its academies and institutes, to ensure compliance with education and employment legislation including the Equality Act 2010.

The Trust has an Equality and Diversity Policy which is monitored and review annually as a minimum.

**The managing serial & unreasonable complaints Policy does not and must not contradict the contents of the Equality and Diversity policy.**

## Dealing with unreasonably persistent or vexatious complaints and behaviour

Greater Manchester Academies Trust 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 our schools. 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.

Greater Manchester Academies Trust 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
- 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
- Repeatedly contacting a member of staff regarding the same matter which has already been addressed
- Speaking to the member of staff in a derogatory manner which causes offence
- Swearing, either verbally or in writing despite being asked to refrain from using such language.

Please note that this list is not exhaustive, nor does one single feature on its own necessarily imply that the complaint will be so defined.

The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complaint.

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.

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

If the behaviour continues, the executive principal, Headteacher or appropriate designated leader will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Greater Manchester Academies Trust or any of its schools 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. This may include communications on a set day.

There may be occasion where a decision is made to stop responding. Whilst this will not be taken lightly it may apply when:

- every reasonable step to address the complainant's concerns has been taken
- the complainant has been given a clear statement of your position and their options
- the complainant contacts you repeatedly, making substantially the same points each time

The case to stop responding is stronger in the following circumstances:

- letters, emails, or telephone calls are often or always abusive or aggressive
- they make insulting personal comments about or threats towards staff
- there is reason to believe the individual is contacting you with the intention of causing disruption or inconvenience

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 any of Greater Manchester academies trust sites.

Greater Manchester Academies Trust reserves the right to seek specialist advice if persistent contact by a complainant may constitute harassment.

There is no internal route of appeal against the decision that a complaint is persistent and/or vexatious.

If future complaints do raise substantive new issues, it will be investigated in accordance with the Complaints Policy.