



EBOR ACADEMY TRUST

Policy Number

41

## Managing Serial and Unreasonable Communications Policy

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## 1. Purpose and scope

1.1 Ebor Academy Trust is committed to handling communication fairly, impartially and within the official time limits set by government regulations. This policy sets out how we will manage 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.

1.3 The policy is to be used in the event of persistent/unreasonable contact made to the Trust or any individual school/management within the Trust. It forms an integral part of the trust's complaints suite and sits alongside the published Complaints and Data Processing Procedures.

1.4 The Department for Education (DfE) publishes best practice guidance and a model policy for managing serial/unreasonable complaints, which schools must have regard to. Ebor Academy Trust operates in full alignment with the standards.

## 2. Principles

**2.1 Fairness & proportionality:** The school 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, productive 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.

**2.4 Volume of correspondence:** Complainants are requested to limit communication while a query is being progressed. Repeated correspondence (whether by letter, phone, email, or text) is not helpful, as it may delay the reaching of an outcome

**2.5 Effective use of limited resources:** While the trust seeks and considers the views of parents, communication must be managed to ensure the school and its staff remain focused on strategic and educational functions without being overwhelmed by excessive correspondence

## 3. Definitions: unreasonable or persistent behaviour

Whenever possible, the school will discuss any concerns informally before applying an 'unreasonable' marking.

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

3.1.1 Refusing to articulate or clarify a 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;

- 3.1.4 raising large volumes of minor queries and insisting on immediate timescales.
- 3.1.5 Making unjustified statements about staff;
- 3.1.6 changing the basis of requests as they proceed;
- 3.1.7 repeating the same issue despite completion of the Procedure.
- 3.1.8 Refusing to accept findings where the procedure, including escalation stages, has been properly completed.
- 3.1.9 Seeking unrealistic outcomes;
- 3.1.10 Repeated requests for confidential information – sanctions taken against any pupils or staff remain confidential.
- 3.1.11 Persistent means repeated contact or new issues which substantially overlap with matters already addressed, without new material information.
- 3.1.12 Knowingly providing falsified information.
- 3.1.13 Publishes unacceptable information on social media or other public forums.
- 3.1.14 Malicious, harmful, or defamatory attacks toward the personal character of an employee are considered unreasonable and may be subject to legal scrutiny and subsequent action.
- 3.1.15 It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.
- 3.1.16 refusal to accept that certain issues are not within the scope of the complaints procedure.
- 3.1.17 Insistence or interfering with the Trust's management of pupil behaviour or staff disciplinary procedures;
- 3.1.18 using threats, abusive/offensive/discriminatory language or violence.

#### **4. Proportionality and impact test**

- 4.1 Before applying restrictions, the Complaints Co-ordinator, Headteacher or Director of Education, will complete an impact and proportionality assessment based on the following criteria and raise any concerns with the complainant informally before applying an 'unreasonable' marking:
  - 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**

If the behaviour continues, the school will write to the complainant explaining that their behaviour is unreasonable.

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

5.1.1 Single Point of Contact (SPOC): Restricting communication to written correspondence via a monitored mailbox

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 agreed purposes, consistent with our visitor code and safeguarding duties. In response to any serious incident of aggression or violence, we will immediately inform the police and communicate subsequent actions in writing.

5.1.6 Ceasing engagement: If the procedure is complete and no new material information is presented, the school may cease engagement on a closed complaint or data request.

## **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.

## **7. Complaint campaigns**

If the school becomes the focus of a number of complaints based on the same subject, a template response may be sent to all complainants or published on the school or Trust's website.

## **8. Recording and data protection**

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

## **9. Interaction with other processes**

9.1. This policy does not replace the published Complaints or Data Protection Procedures; substantive requests will still be considered unless the procedure is complete or the issue is out of scope.

9.1.1 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.

9.1.2 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.

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

## **10. Freedom of Information (FOI)/ Subject Access Requests (SARs) and vexatious requests**

10.1. The Trust may deem data requests, including Subject Access Requests (SARs) and Freedom of Information (FOI) requests, as unreasonable where they are manifestly unfounded or malicious in intent. Requests may also be refused if they are clearly used to harass the organisation or specific employees with the primary purpose of causing disruption.

10.2 A data request may be categorised as excessive or vexatious if it is clearly unreasonable or imposes a disproportionate burden on Trust resources. The Trust will evaluate proportionality by balancing the individual's right to information against the costs, staff time and disruption involved in responding. Requests are likely to be deemed excessive if they repeat the substance of previous requests before a reasonable interval has elapsed.

## **11. Equality, reasonable adjustments and safeguarding**

11.1 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.

## **12. Monitoring and review**

12.1 The Audit and Risk Committee will receive anonymised 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.

## **13. Publication**

13.1 Relevant policies are published on the Trust website and available on request in alternative formats.

## **14. Related policies:**

14.1 Complaints Policy; Behaviour/Visitor Code of Conduct; Child Protection and Safeguarding Policy; Data Protection Policy; FOI Publication Scheme; Public Sector Equality Duty.

## **Legislation**

**Complaints:** Must comply with the Education (Independent School Standards) Regulations 2014 and Education Act 2002 s.29

**SARs:** Must comply with the Data Protection Act 2018 and UK GDPR

**FOIs:** Must comply with the Freedom of Information Act 2000 (FOIA)