

Proactive handling of vexatious complaints and abuse of staff in schools

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Amid growing concerns about rising parental complaints of an increasingly vexatious nature, Victoria Hatton explains how school leaders can de-escalate issues.

Perhaps sparked by a post-Covid shift in public attitudes identified by the Home-School Support and others, parental complaints are on the rise. Coinciding with this, there is growing evidence of greater abuse of staff, which has led to one trust establishing its own code of conduct for parents, and some sector leaders to call for an NHS-style zero-tolerance campaign.

At Browne Jacobson, providers continue to tell us about the huge volume and complexity of complaints they are handling, and the significant toll on staff and governors' resources and wellbeing. It has even been suggested this is a contributing factor to the ongoing recruitment and retention challenges faced by schools.

If this spike in complaints reflects cultural change, as many in the industry suspect, then it's time for schools to be proactive rather than reactive in their complaints handling processes.

Start with an open mind

Schools and academy trusts are legally required to have and to effectively implement a complaints procedure that deals with the handling of complaints from parents, as well as a process for dealing with complaints from others, such as ex-parents or members of the local community.

A proactive approach to complaints management should involve a genuine, fresh and holistic review of not just this complaints procedure, but the processes and procedures that underpin it.

A good starting point is to undertake a complaints audit, in which complaints received over a length of time are gathered and reviewed to identify common themes.

Findings could indicate recurring issues such as bullying, reasonable adjustments for children with special educational needs, or particular schools within a multi-academy trust seeing more complaint escalation than others.

This could instigate a review of internal processes, staff training or improved communication practices with parents.

De-escalation strategies

Communication is a crucial part of any complaints management strategy as it is at the heart of building relationships and trust with parents.

Effective relationship management can also prevent a parent's concern – expressed informally as a worry or doubt over an issue – escalating into a formal complaint over a school's action, or inaction, which may eventually require a time-consuming governor panel hearing.

Schools should therefore ensure staff are equipped with the communication skills needed to deal with unhappy parents and understand their options – whether it is to seek support from more senior colleagues, explain the need for more time or delegate an investigation.

An important aspect of this process is to separate the complaint, which may or may not have merit, from the complainant, whose behaviour or correspondence may be difficult, unpleasant or offensive.

Best practice guidance from the Department for Education states a school must be careful in how it marks complaints or complainants as ‘serial’. For example, this should only be marked against the subject or complaint itself rather than the complainant, shouldn’t happen before a complaint procedure has been completed, or lead to a school ceasing correspondence just because an individual is difficult to deal with.

In the case of repetitious or vexatious complaints, or complaints pursued in an unreasonable manner – such as with the use of intimidation, threatening language or discriminatory conduct – the school may have good cause to limit its dealings with both the complaint and complainant. In relation to the complainant, this may include restricting the individual’s access to the school site or contact with school staff.

Prevention is better than cure

Proactive complaints management can avoid complaints happening altogether, ensure informal concerns don’t escalate into formal complaints, and avoid follow-on processes such as subject access requests or contact from third parties like local MPs and media outlets.

Ultimately, this will save precious time for staff and governors, preserve and develop relationships with parents, and protect the reputation of the school.

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