

***‘Inspiring Confident Learners, Reflecting Christian Values’***

**Policy for dealing with persistent or vexatious**

**complaints / harassment**

**INTRODUCTION**

The headteacher and SLT deal with specific complaints as part of their day-to-day

management of the school, in accordance with the School’s Complaints Policy.

The majority of complaints are handled in an informal manner and are resolved quickly,

sensitively and to the satisfaction of the complainant.

However, there are occasions when complainants behave in an unreasonable manner when

raising and/or pursuing concerns. The consequences are that the actions of the

complainants begin to impact negatively on the day-to-day running of the school and directly

or indirectly the overall well-being of the children or staff in the school.

In these exceptional circumstances, the school may take action in accordance with this

policy.

**1. AIMS OF POLICY**

**1.1** The aims of this policy are to:

a. Uphold the standards of courtesy and reasonableness that should characterise all

communication between the school and persons who wish to express a concern or

pursue a complaint;

b. Support the well-being of children, staff and everyone else who has legitimate

interest in the work of the school, including governors and parents;

c. Deal fairly, honestly, openly and transparently with those who make persistent or

vexatious complaints and those who harass members of staff in school while

ensuring that other stakeholders suffer no detriment.

**2. PARENTS’ EXPECTATIONS OF THE SCHOOL**

**2.1** Parents/carers/members of the public who raise either informal concerns or formal

complaints with the school can expect the school to:

a. Ensure that the Complaints policy and this policy are available with the other policies

on the website.

b. Respond within a reasonable time;

c. Be available for consultation within reasonable time limits bearing in mind the needs

of the pupils within the school and the nature of the complaint; Filey C.E. Nursery & Infants Academy Policy for dealing with persistent or vexatious complaints / harassment

d. Respond with courtesy and respect;

e. Attempt to resolve problems using reasonable means in line with the school’s

complaints policy, other policies and practice

**3. THE SCHOOL’S EXPECTATIONS OF PARENTS/CARERS/MEMBERS OF THE PUBLIC**

**3.1** The school can expect parents/carers/members of the public who wish to raise concerns

with the school to:

a. Treat all school staff with courtesy and respect;

b. Respect the needs and well-being of pupils and staff in the school;

c. Avoid any use, or threatened use, of violence to people or property;

d. Avoid any aggression, verbal abuse or other intimidating behaviour;

e. Ensure that written communications state the facts surrounding the concern without

using threatening or unpleasant language.

f. Recognise the time constraints under which members of staff in schools work and

allow the school a reasonable time to respond;

g. Recognise that resolving a specific problem can sometimes take some time;

h. (In the case of a complaint) follow the School’s Complaints Policy.

**4. WHO IS A PERSISTENT COMPLAINANT?**

**4.1** For the purpose of this policy, a persistent complainant is a parent/carer or member of

the public who complains about issues, either formally or informally, or frequently raises

issues that the complainant considers to be within the remit of the school, and whose

behaviour is unreasonable. Such behaviour may be characterised by:

a. Actions which are obsessive, persistent, harassing, prolific, repetitious;

b. Prolific correspondence or excessive e-mail or telephone contact about a concern or

complaint;

c. Uses Freedom of Information requests excessively and unreasonably

d. An insistence upon pursuing unsubstantial complaints and/or unrealistic or

unreasonable outcomes;

e. An insistence upon pursuing complaints in an unreasonable manner;

f. An insistence on only dealing with the headteacher on all occasions irrespective of

the issue and the level of delegation in the school to deal with such matters;

g. An insistence upon repeatedly pursuing a complaint when the outcome is not

satisfactory to the complainant but cannot be changed, for example, if the desired

outcome is beyond the remit of the school because it is unlawful.

**4.2** For the purpose of this policy, harassment is the unreasonable pursuit of such actions as

in (a) to (g) above in such a way that they:

a. Appear to be targeted over a significant period of time on one or more members of

school staff and/or

b. Cause on-going distress to individual member(s) of school staff and/or

c. Have a significant adverse effect on the whole/parts of the school community and/or

d. Are pursued in a manner which can be perceived as intimidating and oppressive by

the recipient. This could include situations where persistent demands and criticisms,

whilst not particularly taxing or serious when viewed in isolation, have a cumulative

effect over time of undermining confidence, well-being and health.

**5. THE SCHOOL’S ACTIONS IN CASES OF PERSISTENT OR VEXATIOUS COMPLAINTS OR HARASSMENT**

**5.1** In the first instance the school will communicate either in writing or verbally (confirmed

with a letter) to inform the complainant that his / her behaviour is considered to be becoming

unreasonable / unacceptable and, if it is not modified, action may be taken in accordance

with this policy.

**5.2** If the behaviour is not modified the school will take some or all of the following actions as

necessary, having regard to the nature of the complainant’s behaviour and the effect of this

on the school community:

a. Inform the complainant in writing that his/her behaviour is now considered by the

school to be unreasonable/unacceptable and, therefore, to fall under the terms of this

policy;

b. Inform the complainant that all meetings with a member of staff will be conducted

with a second person present and that notes of meetings may be taken in the

interests of all parties;

c. Inform the complainant that, except in emergencies, all routine communication with

the complainant to the school should be by letter only;

d. In the case of physical, or verbal aggression or other forms of intimidating behaviour,

take appropriate advice and consider warning the complainant about being banned

from the school site; or proceed straight to a temporary ban;

e. Consider taking appropriate advice on pursuing a case under Anti-Harassment

legislation;

f. Consider taking advice from the HR / Legal Services about putting in place a specific

procedure for dealing with complaints from the complainant, i.e. the complainant will

not be able to deal directly with the headteacher but only with a third person, to be

identified by the governing body of the school, who will investigate, determine

whether or not the concern / complaint is reasonable or vexatious and then advise

the headteacher accordingly.

**5.3** In the event of extreme situations or events, the school may take the decision to move

implementing one of the above steps immediately. In this situation the complainant will be

informed in writing.

**5.4** The head and SLT will keep the Chair of governors informed at all times.

**5.5** Legitimate new complaints will still be considered, even if the person making them is, or

has been, subject to the Policy for Dealing with Persistent or Vexatious Complaints and/or

Harassment. However, the school will be advised by the HR / Legal Services the school

subscribes to.

**5.6** If a complainant’s persistent complaining/harassing behaviour is modified and is then

resumed at a later date within a reasonable period of time, the school may resume the

process identified above at an appropriate level. In these circumstances, advice may be

sought from the HR/Legal Services the school subscribes to.

**6. REVIEW**

**6.1** The School will review as appropriate, and at a minimum once in a school year, any

sanctions applied in the context of this policy.