



# **Abacus Primary School Policy for Dealing with Persistent or Vexatious Complaints/Harassment**

## **INTRODUCTION**

The headteacher and staff 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. This may impact negatively on the day-to-day running of the school and, directly and/or indirectly, the overall wellbeing of the children in the community. 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:

- Uphold the standards of courtesy and reasonableness of all communication between the school and persons who wish to express a concern or pursue a complaint;
- Support the wellbeing of children, staff and anyone else who has legitimate interest in the work of the school, including governors and parents;
- Deal fairly, honestly, openly and transparently with complainants that the school consider to be making persistent or vexatious complaints and those who harass members of staff in school while ensuring that other stakeholders suffer no detriment.

## **2. SCHOOL'S RESPONSE TO ANY COMPLAINT FROM ANY PARTY**

2.1 The school will:

- a) Communicate with parents/carers/members of the public in writing:
  - (i) How and when problems can be raised with the school;
  - (ii) The existence of the school's complaints procedure;
  - (iii) The existence of the policy for Dealing with Persistent or Vexatious Complaints and/or Harassment in Schools;
- b) 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;
- c) Respond with courtesy and respect;
- d) Attempt to resolve problems using reasonable means in line with the school's complaints procedure, other policies and practice and in line with advice from the Local Authority (LA);
- e) Respond within a reasonable time;
- f) Keep complainants informed of progress towards a resolution of the issues raised.

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

3.1 When raising a complaint, parents/carers/members of the public will:

- a) Treat all school staff with courtesy and respect;
- b) Respect the needs and wellbeing of pupils and staff in the school;
- c) Avoid any use, or threatened use, of violence to people or property;
- d) Avoid any aggression or verbal abuse;
- e) Recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond;
- f) Recognise that resolving a specific problem can sometimes take some time;
- g) Recognise that some problems may not be within the schools remit to resolve;
- h) In the case of a complaint) follow the school's complaints procedure.

#### **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 the issues, either formally or informally, and/or frequently raises issues that are outside 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) An insistence upon pursuing unsubstantiated complaints and/or seeking unrealistic or unreasonable outcomes;
- d) An insistence on only dealing with the Headteacher and/or any other single member of staff on all occasions irrespective of the issue and the level of delegation in the school to deal with such matters;
- e) An insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant;
- f) N.B. This list is not exhaustive.

4.2 For the purpose of this policy, harassment is the unreasonable pursuit of such actions as in (a) to (f) above in such way that they:

- Appear to be targeted over a significant period of time or high frequency over a short period of time on one or more members of school staff and/or
- Cause on-going distress to individual member(s) of school staff and/or
- Have a significant adverse effect on the whole, or parts of, the school community and/or
- 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, wellbeing and health of any one individual or the school community as a whole.

## **5. THE SCHOOL'S ACTION IN CASES OF PERSISTANT OR VEXATIOUS COMPLAINTS OR HARASSMENT**

5.1 In the first instance, the school will verbally 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 This will be confirmed in writing (see Model Letter 1).

5.3 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 (see Model Letter 2);
- 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 (see Model Letter 2);
- c) Inform the complainant that, except in emergencies, all routine communication with the complainant to the school should be by letter only (see Model Letter 2);
- d) In the case of physical or verbal aggression, the complainant may be warned about being banned from the school site; or proceed straight to a temporary ban;
- e) Consider 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.
- f) It should be noted that the first stage of the above procedure, detailed in paragraphs 5.1 and 5.2, may be omitted and proceed to paragraph 5.3 should the school consider the behaviour of the complainant to be serious and warrant the initial steps being omitted.

5.4 Thus, based on 5.3e, legitimate new complaints may 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 in Schools.

5.5 If a complainant's persistent complaining/harassing behaviour is modified but is resumed at a later date within a reasonable period of time, the school may resume the process identified above at an appropriate level irrespective of the facts of the complaint.

5.6 Nothing in this policy precludes the school from not engaging the procedures set out in

5.1-5.3 and reporting the matter directly to the police if, in the opinion of the school, the vexatious/harassing/threatening behaviour is beyond the scope of the policy.

## **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.