

## SABDEN PRIMARY SCHOOL



### **Policy for handling unreasonably persistent, harassing, vexatious, unreasonable or abusive complaints**

The Headteacher and Governing Body are committed to the improvement of our school. 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 Complaint Procedure.

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 negatively impact on the day to day running of the school, and directly or indirectly the overall wellbeing of the children or staff in the school. In these exceptional circumstances, the school may take action in accordance with this policy.

#### Aims of the policy

The aims of this policy are to:

- 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.
- Support the wellbeing of children, staff, and everyone else who has a legitimate interest in the wellbeing of the school, including governors and parents
- Deal 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.

#### Expectations of the school

- Parents/carers/members of the public who raise informal concerns or formal complaints with the school can expect the school to:  
deal with these in line with the School's Complaint Procedure
- Respond within a reasonable time
- Be available for discussion in reasonable time limits bearing in mind the needs of all people within the school and the nature of the complaint
- Respond with courtesy and respect
- Attempt to resolve problems in line with the School's Complaint Procedure, other policies and practise and in line with advice from the Local Authority.

## Expectations of parents/carers/members of the public

- The school can expect parents/carers/members of the public who wish to raise problems with the school to:
- Treat all school staff with courtesy and respect;
- Respect the needs and wellbeing of pupils and staff within school
- Avoid any use or threatened use of violence to people or property
- Avoid any aggression or verbal abuse
- Recognise the time constraints under which staff in schools work and allow the school a reasonable time to respond
- Recognise that resolving a specific problem can often take some time

## Who is a persistent or vexatious complainant?

For the purpose of this policy, a persistent or vexatious complainant is a person who complains about issues either formally or informally or frequently raises issues, and whose behaviour is unreasonable. Such behaviour may (but are not exclusively) be characterised by:

- Actions which are obsessive, persistent, harassing, prolific, repetitious
- Actions which are out of proportion to the nature of the complaint;
- Actions which are personally harassing
- Repetitious complaints where the complainant has no view about what would satisfy him/her and/or no intention to resolve the complaint
- Prolific correspondence or excessive email or telephone contact about a concern or complaint
- Uses Freedom of Information requests excessively or unreasonably
- An insistence upon pursuing unsubstantial or trivial complaints and/or unrealistic or unreasonable outcomes
- An insistence upon pursuing complaints in an unreasonable manner
- An insistence on introducing trivial or irrelevant information which the complainant expects to be taken into account and commented upon or raising a large number of detailed or unimportant questions insisting that they are answered fully
- Making unjustified complaints about the investigator seeking to have them replaced
- 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
- 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
- Copying the complaint to other people/bodies (such as the Local Authority or SEN team) before the school have had chance to deal with the complaint as per the School Complaint Policy

For the purpose of this policy, harassment is the unreasonable pursuit of such actions in such a way that they:

- Appear to be targeted over a significant period of time on one or more members of school staff
- Cause ongoing distress to individual member(s) of school staff
- Have a significant adverse effect on the whole/parts of the school community
- 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.

- Unnecessarily take up an inordinate amount of staff time, detracting from staff members' ability to undertake legitimate school business.

#### The School's Actions in cases of persistent/vexatious complaints or harassment

The school will write to the complainant and advise that their behaviour is considered to be unreasonable/unacceptable and if not modified, action may be taken in line with this policy.

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.

- Contact the police if appropriate
- 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
- Inform the complainant that, except in emergencies, all routine communication from the complainant to the school and vice versa should be by letter only
- Take advice from HR/Legal Services in relation to the complainant either being temporarily banned from the school site or proceed straight to a permanent ban
- Take advice on pursuing a case under anti-harassment legislation
- Take advice from HR/Legal Services in relation to a specific procedure for dealing with complaints from the complainant e.g. the complainant is no longer permitted 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 and determine whether or not the concern/complaint is reasonable or vexatious and then advise the headteacher accordingly

If the harassing/persistent 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.

**Please note that in serious cases where the effects of the vexatious complaints/harassment have had significant effects on the school community, the school may choose to go directly to HR/Legal Services in relation to the specific procedure for dealing with complaints, and omit the writing of the letter to the complainant.**

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