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Rush Green Primary School



Policy for Dealing with Persistent or
Vexatious Complaints / Harassment

Contents

1. Introduction
2. Aims of the Policy
3. Parents' expectations of the school
4. The school's expectations of Parents/Carers/Members of the public
5. Who is a persistent complainant?
6. The school's actions in cases of persistent or vexatious complaints or harassment
7. Model Letter 1
8. Model Letter 2

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 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 impact negatively on the day-to-day running of the school and directly or indirectly the overall well-being of the children in the community. 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 well-being of children, staff and everyone else who has legitimate interest in the work of the school, including governors and parents

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.

PARENTS' EXPECTATIONS OF THE SCHOOL

Parents / carers / members of the public who raise either informal concerns or formal complaints with the school can expect the school to:

Regularly communicate to parents / carers in writing:

- a. How and when problems can be raised with the school
- b. The existence of the school's complaints procedure, and

c. The existence of the Policy for Dealing with Persistent or vexatious complaints / and or Harassment in schools

Respond within reasonable time

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.

Respond with courtesy and respect.

Attempt to resolve problems using reasonable means in line with advice from the Local Authority (LA)

Keep complainants informed of progress towards a resolution of the issues raised.

THE SCHOOL'S EXPECTATION OF PARENTS/ CARERS / MEMBERS OF THE PUBLIC

The school can expect parents/carers/members of public who wish to raise problems with the school to:

Treat all school staff with courtesy and respect

Respect the needs and well-being of pupils and staff in the 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 members of staff in schools work and allow the school a reasonable time to respond

Recognise that resolving a specific problem can sometimes take some time

In the case of a complaint, please follow the School's Complaints Procedure.

WHO IS A PERSISTENT COMPLAINANT?

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:

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

Prolific correspondence or excessive e-mail or telephone contact about a concern or complaint;

An insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;

An insistence upon pursuing complaints in an unreasonable manner;

An insistence on dealing only 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 or against an agreed school policy.

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

- Appear to be targeted over a significant period of time on one or more members of school staff and/or
- Cause ongoing distress to individual member(s) of school staff and/or
- Have a significant adverse effect on the whole/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, well-being and health.
- Undermine or intimidate members of staff on social media, by the uploading of content or adding comments and/or photos about teachers and other members of staff which discusses them in a derogatory way

THE SCHOOL'S ACTIONS IN CASES OF PERSISTENT OR VEXATIOUS COMPLAINTS OR HARASSMENT

In the first instance the school will verbally inform the complainant that his/her behaviour is considered to be unacceptable and, if it is not modified or stopped, action may be taken in accordance with this policy.

This will be confirmed in writing (Model Letter 1)

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:

- 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);
- 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);
- 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);
- (in the case of physical or verbal aggression) take advice from LA HR/Legal Services(services purchased by the Governing Body) and consider warning the complainant about being banned from the school site; or proceed straight to a temporary ban;
- Consider taking advice from the LA on pursuing a case under Anti-Harassment legislation;
- Consider taking advice from HR/Legal Services of the LA 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.

Thus, 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. However, the school will be advised by the HR/Legal Services of the LA.

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 of the LA.