



Wombridge Primary School

Persistent or Vexatious Complaints Policy

Approved by governing body: October 2022
Review date: October 2024



General Introduction:

This policy supports the work of the school in promoting its mission statement, aims and values.

Vision Statement

Our vision is that our pupils learn to lead the way to life, aspiring and understanding that they can contribute to society by aiming for good qualifications which leads to a good job. We see this vision at the heart of the relationships between everyone in the school community, which is typically diverse, as is the case in most of modern urban Britain.

Our aims and ethos

We want our pupils to grow into responsible, well-educated adults, capable of thriving in today's modern society. In a diverse and multi-cultural society, it is essential that our children develop a level of knowledge and understanding that embraces the beliefs and cultures of others.

Values

L.E.A.D
Learning
Aspiration
Enjoyment
Determination

Learning

We aim to ensure teaching and learning is creative, encouraging children to interact and engage in their educational journey. We are an inclusive school that embraces diversity and values a collaborative style of learning.

Enjoyment

We are passionate about ensuring children have fun in school, whilst facilitating and building a socially connected learning environment.

Aspirations

We believe that reaching out to our children and families is hugely important. Providing new opportunities that ignites their hopes and dreams, to think beyond the walls of Wombridge with a view to improving confidence, self-esteem, and motivation.

Determination

A growth mind-set approach is cascaded throughout the school. Developing a can do, rather than can't do attitude, through perseverance.

Motto

"If you start with strengths the impossible becomes possible. Today's learners, tomorrows leaders"

1. Introduction

The head teacher 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 wellbeing of the children or staff in the school.

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

2. 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.

3. 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:

- Ensure that the Complaints policy and this policy are available on the school's website.
- Respond within a reasonable time
- Be available for consultation within reasonable time limits bearing in mind the nature of the complaint
- Respond with courtesy and respect
- Attempt to resolve problems using reasonable means in line with the school's complaints policy, other policies, and practice.

4. The schools' expectations of parents/carers/members of the public

The school can expect parents/carers/members of the public who wish to raise concerns 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, verbal abuse or other intimidating behaviour
- Ensure that written communications state the facts surrounding the concern without using threatening or unpleasant language
- 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) follow the School's Complaints Policy.

5. 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;
- Uses Freedom of Information requests excessively and unreasonably;
- An insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;
- An insistence upon pursuing complaints in an unreasonable manner;
- An insistence on only dealing with the head teacher 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.

For the purpose of this policy, harassment is the unreasonable pursuit of such actions 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 on-going 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.

6. The schools' actions in cases of persistent or vexatious complaints or harassment

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.

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;
- 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 with the complainant to the school should be by letter only;
- 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;
- Consider taking appropriate advice on pursuing a case under Anti-Harassment legislation;
- 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 head teacher 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 head teacher accordingly.

In the event of extreme situations or events, the school may take the decision to implement one of the above steps immediately. In this situation the complainant will be informed in writing.

The Head and SLT will keep the Chair of Governors informed at all times.

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.

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.

[Office of the Independent Adjudicator](#) defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- insistence upon pursuing meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value
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When we will stop responding

The decision to stop responding should never be taken lightly but will be applied when we have taken every reasonable step to address the complainant's concerns

- the complainant has been given a clear statement of our position and their options
- the complainant contacts you repeatedly, making substantially the same points each time

The case to stop responding is stronger if it meets one or more of these statements:

- their letters, emails, or telephone calls are often or always abusive or aggressive
- they make insulting personal comments about or threats towards staff
- you have reason to believe the individual is contacting you with the intention of causing disruption or inconvenience

Barring from school premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Headteachers and governing bodies therefore need to act to ensure they remain a safe place for pupils, staff and other members of their community.

If an individual's behaviour is a cause for concern, they can be asked to leave school premises. In some cases, individuals can be barred from entering school premises.

The headteacher's decision to bar should then be reviewed by either:

- the chair of governors
- a committee of governors

We will take into account any representations made by the individual and decide whether to either confirm or lift the bar. If the decision is confirmed, the individual will be notified in writing, explaining:

- how long the bar will be in place
- when the decision will be reviewed
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Once the school's appeal process has been completed, individuals who remain barred may be able to apply to the Courts for a review of the schools decision. Individuals wishing to exercise this option should seek independent legal advice.

[Controlling access to school premises](#) provides more guidance on access to school premises.

7. Review

The School will review as appropriate, and at a minimum once in a school year, any sanctions applied in the context of this policy.