

**The Firs Lower School**  
**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 on 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;

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- 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 aggressive, malicious, include threats and/or violence, offensive or discriminatory language, knowingly false, using falsified information
- b. Publishing unacceptable information on social media, newspapers or on websites.
- c. Prolific correspondence or excessive e-mail or telephone contact about a concern or complaint that places excessive demands on staff time and stressful contact with staff regarding the complaint.
- d. A refusal to articulate the complaint or the outcomes sought, despite offers of assistance.
- e. A refusal to cooperate with the complaints investigation process while still wishing their complaint to be resolved.
- f. An insistence upon pursuing complaints in an unreasonable manner and in ways which are incompatible with the School Complaints Policy.
- g. The introduction of trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions and insists they are fully answered, often immediately and to their own timescales.
- h. Uses Freedom of Information requests excessively and unreasonably
- i. An insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;
- j. Making unjustified complaints about staff who are trying to deal with the issues and seeking to have them replaced.
- k. 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;

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- l. An insistence upon repeatedly pursuing a complaint, despite previous investigations or responses concluding that the complaint is groundless or has been addressed.
- m. Seeking an unrealistic outcome.
- n. Refuses to accept the findings of the investigation into the complaint where the procedures in the School Policy have been fully and properly implemented.

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 / email 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. Make the decision to 'stop responding' to further complaints:  
The decision to stop responding will never be taken lightly. The school will ensure the following applies:
  - The school has 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 school repeatedly, making substantially the same points each time

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

- 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 school with the intention of causing disruption, inconvenience or anxiety

The complainant will be informed in writing that this decision has been taken.

- f. Consider taking appropriate advice on pursuing a case under Anti-Harassment legislation;
- g. 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.