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	Persistent or Vexatious Complaints Policy	Minute No:	13.11.19.11.04
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Gaudium et Spes

“Live, Love and Learn in the Light of Christ”

Persistent or Vexatious Complaints/Harassment in School Policy

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 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:

- uphold the standards of courtesy, language 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, threaten or use inappropriate language towards or concerning members of staff in school while ensuring that other stakeholders suffer no detriment.

2. Who is a Persistent Complainant?

2.1 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 obsessive, persistent, harassing, prolific, repetitious;
- b) prolific correspondence or excessive e-mail or telephone contact about a concern or complaint, including negative online reviews of the school;

- c) uses Freedom of Information requests excessively and unreasonably;
- d) an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;
- e) an insistence upon pursuing complaints in an unreasonable manner, including the use of inappropriate language;
- f) 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;
- g) 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.

2.2 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.

3. The School's Actions in Cases of Persistent or Vexatious Complaints or Harassment

3.1 In the first instance the Headteacher 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.

3.2 This will be confirmed in writing.

3.3 If the behaviour is not modified the Headteacher, in consultation with the Chair of Governors, 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 only;

- d) (in the case of physical, or verbal aggression) take advice from 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;
 - e) consider taking advice regarding pursuing a case under Anti-Harassment legislation;
 - f) put in place a single point of contact for the complainant through which all correspondence must go through;
 - g) take legal advice regarding 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 party 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.
- 3.4 New complaints that have not, in the Chair of Governor's view, already been considered under the school's Complaints Policy will proceed straight to Stage 3 of the school's Complaints Policy.
- 3.5 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 Headteacher will resume the process identified above at an appropriate level. In these circumstances advice will be sought from the Legal Services.