



**HuishEpiscopi**

**VEXATIOUS COMPLAINTS  
POLICY**

**2019-2022**



<b>Document title</b>				
VEXATIOUS COMPLAINTS				
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			Full Board	
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<b>For public access on request</b> <i>Tick as appropriate</i>			<b>Approved by</b>	
Post		Online		The Principal
<b>Notes</b>				

## **VEXATIOUS COMPLAINTS POLICY**

The majority of complaints are resolved through a properly managed complaints procedure. There are occasions when:

- Despite all stages of the procedure being followed, the complainant remains dissatisfied. If a complainant tries to reopen the same issue the Chair of Governors may write informing them that all stages of the procedure have been exhausted and the matter is now considered to be closed.
- Complainants behave in an unreasonable manner when raising or pursuing concerns. In these circumstances the Academy may take action in accordance with the Policy for dealing with persistent or vexatious complaints/harassment in Schools.

## **POLICY FOR DEALING WITH PERSISTENT OR VEXATIOUS COMPLAINTS / HARASSMENT IN SCHOOLS**

The Principal and staff deal with specific complaints as part of their day-to-day management of the Academy in accordance with the **Academy'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. In these circumstances the Academy may take action in accordance with this policy.

### **1. AIMS OF POLICY**

The aims of this policy are to:

- uphold the standards of courtesy and reasonableness that should characterise all communication between the Academy and persons who wish to express a concern or pursue a complaint
- support the well-being of students, staff and everyone else who has legitimate interest in the work of the Academy, including Directors and parents
- deal fairly, honestly and properly with those who make persistent or vexatious complaints and those who harass members of staff in the Academy while ensuring that other stakeholders suffer no detriment.

## **2. HUMAN RIGHTS**

2.1 In implementing this policy the Academy will seek to ensure that its actions are in accordance with its obligations under the Human Rights Act 1998 and the Convention Rights embodied within it in order to protect the Human Rights of both persistent complainants and all other stakeholders.

## **3. PARENTS' EXPECTATIONS OF THE ACADEMY:**

3.1 Parents/carers/members of the public who raise either informal or formal issues or complaints with the Academy can expect the Academy to:

- a) regularly communicate to parents/carers in writing:
  - (i) how and when problems can be raised with the Academy,
  - (ii) the existence of the Academy's complaints procedure, and
  - (iii) the existence of the Policy for Dealing with Persistent or Vexatious Complaints and/or Harassment in Schools.
- b) respond within a reasonable time
- c) be available for consultation within reasonable time limits bearing in mind the needs of the students within the Academy and the nature of the complaint
- d) respond with courtesy and respect
- e) attempt to resolve problems using reasonable means in line with the Academy's complaints procedure, other policies and practice and in line with guidance and advice from the Local Authority.
- f) keep complainants informed of progress towards a resolution of the issues raised.

## **4. THE ACADEMY'S EXPECTATIONS OF PARENTS/CARERS/MEMBERS OF THE PUBLIC**

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

- a) treat all Academy staff with courtesy and respect
- b) respect the needs and well-being of students and staff in the Academy
- c) avoid any use, or threatened use, of violence to people or property
- d) avoid any aggression or verbal abuse
- e) recognise the time constraints under which members of staff in schools work and allow the Academy a reasonable time to respond
- f) recognise that resolving a specific problem can sometimes take some time
- g) (in the case of a complaint) follow the Academy's complaints procedure

## **5. WHO IS A PERSISTENT OR VEXATIOUS COMPLAINANT?**

5.1 For the purpose of this policy, a persistent complainant is a parent/carer or member of the public who repeatedly complains about an issue or issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of the Academy 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
- c) an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes
- d) an insistence upon pursuing complaints in an unreasonable manner
- e) 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 Academy because it is unlawful.
- f) discussing issues in front of children.
- g) undermining staff/Academy policies in front of children, staff and other parents.

5.2 For the purpose of this policy, harassment is the unreasonable pursuit of such actions as in (a) to (e) above in such a way that they:

- a) appear to be targeted over a significant period of time on one or more members of Academy staff and/or
- b) cause ongoing distress to individual member(s) of Academy staff and/or
- c) have a significant adverse effect on the whole/parts of the Academy 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.

## **6. THE ACADEMY'S ACTIONS IN CASES OF PERSISTENT OR VEXATIOUS COMPLAINTS OR HARASSMENT**

6.1 In the first instance the Academy will 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.

6.2 If the behaviour is not modified the Academy 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 Academy community:

- a) inform the complainant in writing that his/her behaviour is now considered by the Academy 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 from the complainant to the Academy should be by letter only.
- d) consider contacting the Police and consider warning the complainant about being banned from the Academy site; or proceed straight to a temporary ban in cases of criminal harassment and/or physical or verbal aggression
- e) consider taking advice from the Local Authority on pursuing a case under Anti- Harassment legislation

6.3 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 in Schools. In these circumstances advice may be sought from the Local Authority.

6.4 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 Academy may resume the process identified above at an appropriate level. In these circumstances advice may be sought from the Local Authority.

## **7. REVIEW**

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

Approved by Directors: 9 July 2019  
Date for review (3 years): 8 July 2022