Policy For Handling Unreasonably Persistent, Harassing, Vexatious, Unreasonable Or Abusive Complaints

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The Headteacher and governing body are committed to the improvement of our school. We welcome feedback from parents / carers and others, and will always try to resolve any concerns as quickly as possible. There is a procedure for parents / carers/others to use if they wish to make a formal complaint.

Sometimes, however, parents, carers or others pursuing complaints or other issues treat staff and others in a way that is unacceptable and or behave in an unacceptable manner. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening, inappropriate or harassing behaviour.

The aim of this policy is to clarify the process for dealing with unreasonable complainants or parents who do not act appropriately.

What do we mean by 'an unreasonable complainant?'

An unreasonable complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include parents, carers or others who pursue complaints in an unreasonable manner and those who do not act in an appropriate manner towards staff at the school.

Unreasonable behaviour may include:

- Actions which are:
  - Out of proportion to the nature of the complaint, or
  - Persistent – even when the complaints procedure has been exhausted, or
  - Personally harassing, or
  - Unjustifiably repetitious, or
  - Obsessive, harassing, or prolific
- Prolific correspondence or excessive email or telephone contact about a concern or complaint.
- Repetitious complaints where the complainant has no view about what would satisfy him/her and/or no intention to resolve the complaint.

- Acting in a way not in line with the school aim of reaching a resolution and working with the school.
- An insistence on
  - Pursuing unjustified or unmeritorious complaints and/or
  - Unrealistic outcomes to unjustified complaints
- An insistence on
  - Pursuing justifiable complaints in an unreasonable manner e.g. using abusive or threatening language;
  - Making complaints in public; or
  - Refusing to attend appointments to discuss the complaint.
- 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.

What is 'harassment'?

We regard harassment as the unreasonable pursuit of issues or complaints, particularly if the matter appears to be pursued in a way intended to cause personal distress rather than seek a resolution.

Behaviour will fall within the scope of this policy if:

- It appears to be deliberately targeted over a significant period of time at one or more members of school staff or others.
- The way in which a complaint or other issues is pursued (as opposed to the complaint itself) causes ongoing distress to school staff or others.
- It has a significant and disproportionate adverse effect on the school community.
- Actions are pursued aggressively or in any manner not appropriate to an effective resolution.

What can you expect from the school?

Anyone who raises informal or formal issues and complaints with the school can expect the school to:

- Follow the school's complaints procedure.
- Respond within a reasonable time.
- Be available for consultation within a reasonable time limit, bearing in mind the needs of pupils at the school and the nature of the complaint.
- Respond with courtesy and respect.
- Attempt to resolve problems using reasonable means in line with the schools complaints procedure, other policies and practice and in line with guidance from West Sussex County Council.
- Keep those involved informed of progress towards a resolution.

What the school expects of you

The school expects anyone who wishes to raise concerns with the school to:

- Treat all staff with courtesy and respect.
- Respect the needs of pupils and staff within the school.
- Never to use violence (including threats of violence) towards people or property.
- Recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to a complaint.
- Recognise that some problems may not be resolved in a short time.
- Follow the schools complaints procedure.
- Speak politely and respectfully using appropriate language and avoid any aggression or verbal abuse, including name-calling.
- Raise concerns/complaints in an appropriate place and at an appropriate time (for example not in front of other parents or pupils and not in an open public space).
- To be prepared to work towards a resolution and in partnership with the school.

Schools responses to unreasonably persistent complaints, vexatious complainants, unreasonable complaints or harassment

This policy is intended to be used in conjunction with the school's complaints procedure. Taken together, these documents set out how we will always seek to work with parents, carers and others with a legitimate complaint to resolve a difficulty and reach a resolution.

However, in cases of unreasonably persistent complaints or harassment, the school may take any or all of the following steps, as appropriate:

- Inform the complainant informally that his/her behaviour is now considered by the school to be unreasonable or unacceptable, and request a changed approach.
- Inform the complainant in writing that the school considers his/her behaviour to fall under the terms of this policy.
- Require all future meetings with a member of staff to be conducted with a third person present. In the interests of all parties, notes of these meetings may be taken.
- Inform the complainant that, except in emergencies, the school will respond only to written communication.
- Inform the complainant in writing that his/her behaviour is now considered to fall under the terms of this policy and that any complaint

will not be investigated further until it is pursued in a manner the school considers to be reasonable.
- Place restrictions on the individuals access to school and/or staff.
- Cease all correspondence and communication with the complainant other than that necessary for the health and safety of any child/adult in school.
- Involve the police.
- Involve officers of the local authority.

The school has a duty of care to staff and pupils and will take emergency measures should these become necessary in extreme cases.

Physical or verbal aggression

The school, governing body and West Sussex County Council will not tolerate **any** form of physical or verbal aggression or personal harassment against school staff. If staff are subject to this type of aggression the school may:

- Prohibit the individual from entering the school site, with immediate effect.
- Inform the individual that communication with them will cease other than in an emergency.
- Request an Anti-Social Behaviour Order (ASBO).
- Prosecute under Anti-Harassment legislation.

Time Frame and Review

If a complainant's harassing/persistent 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.

If a complainant's harassing/persistent behaviour is modified and the complaint still lies within the time limit specified within the school's complaints policy, the school will use its discretion and may resume the investigation of the complaint. The school will review as appropriate, and at a minimum of once a year, any sanctions applied in the context of this policy.

Legitimate new complaints, if not pursued in a harassing or unreasonable way, will still be considered, even if the person making them is (or has been) subject to the vexatious persistent complaints policy. The school nevertheless reserves the right not to respond to communications from individuals subject to the policy.