



# **TODWICK PRIMARY SCHOOL**

## **POLICY FOR DEALING WITH PERSISTENT VEXATIOUS OR UNREASONABLE COMPLAINTS**

**Date:** 20.02.2023

**Review Date:** As Needed

**Governor Responsible:** John Ibbotson

## **General Introduction:**

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

### **Our Ethos**

Todwick Primary School operates within an ethos of shared values, highlighting honesty, respect, resilience and kindness. The school encourages this through the experiences it offers and the expectations it upholds.

Todwick Primary School strives to serve its community by providing the highest quality teaching and learning, delivering a curriculum for the development of the whole child and one that prepares them for their future in a safe, happy, caring environment.

We value children, parents and carers, staff and governors as partners in education and seek to include the wider community in the life of the school.

### **Our Vision**

Todwick Primary School provides a stimulating and inspiring learning environment for all children. We endeavour to offer rich and broad provision to enable our children and families to enjoy the school and benefit from all it has to offer.

We aim to have an innovative approach to learning, inside and outside the classroom. We will integrate active, experiential and outdoor learning into our ambitious curriculum to enable all pupils to experience a memorable, enriching and enabling school life.

We will work together as one team, sharing ideas, respecting all and supporting each other with our common goals.

### **Mission Statement**

Todwick Primary School aims to enable every pupil to be the best they can be. We do this by providing a happy, stimulating and safe environment where learning is meaningful, active and experiential so children enjoy coming to school. Our values-based ethos will nurture social, emotional and life-skills; promoting self-belief, empathy and resilience.

### **Our Values**

- Kindness
- Honesty
- Resilience
- Respect

## **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 their 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 their 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 parental access to the school site for a period of time – including attending school events
- 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.

## **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.

## **8. Parental complaints about the implementation of the policy**

Should any individual feel that this policy has been implemented unfairly, they should contact the Chair of Governors in writing detailing their complaint.