



# Vexatious Complaints Policy

**‘Educational Inclusion’ is about equal opportunities for all pupils. It pays particular attention to the provision for, and achievement of, different groups of pupils’**

**Developed by**

**West Sussex Model Policy**

**In consultation with**

**Staff and Governors**

**Responsible Committee**

**R&F (Resources and Finance)**

**Approval Date**

**20/1/26**

**Review Date**

**31/1/27**

## **Context**

Thakeham Primary School is committed to dealing with all complaints fairly and impartially, and seeks to swiftly resolve all such matters in line with our Complaints Policy, other related policies and in line with local and national guidance from those authorised to advise schools.

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.

## **Aims**

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.

## **Expectations of the School by Parents/Carers/Members of the Public**

Parents/carers/members of the public who raise either informal concerns or formal complaints with the school can expect the school to:

- communicate how and when problems can be raised with the school;
- provide access to the school's Complaints Policy;
- provide access to the school's Managing Serious and Unreasonable Complaints Policy;
- respond within a reasonable time;
- 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;
- respond with courtesy and respect;
- attempt to resolve problems using reasonable means in line with school policy and procedures and in line with advice from the WSCC;
- keep complainants informed of progress towards a resolution of the issues raised.

## **The School's Expectations of Parents/Carers/Members of the Public**

The school can expect parents/carers/members of the public who wish to raise problems 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 aggressive behaviour;
- 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;
- abide by any communication plan implemented as a result of this policy
- in the case of a formal complaint, follow the School's Complaints Procedure.

## Who is a Persistent Complainant?

Thakeham Primary School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- uses actions which are obsessive, persistent, harassing, prolific, repetitious;
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- unacceptable information on social media or other public forums.

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 ongoing 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.

### **The School's Actions in Cases of Persistent or Vexatious Complaints or Harassment**

In the first instance the school 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. This will be confirmed in writing.

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.

**For complainants who excessively contact Thakeham Primary School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts** outlined in a communication plan. This will be reviewed after six months.

The plan may include:

- informing the complainant that, except in emergencies, all routine communication with the complainant to the school should be by letter only. The school has a duty of care to staff and pupils and will take emergency measures should these become necessary in extreme cases.
- placing restrictions on the individual's access to school and/or school staff.
- involving officers of the local authority.
- Barring an individual from our school site in response to any serious incident of aggression or violence

We may consider taking advice from WSCC on pursuing a case under Anti-Harassment legislation.

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.