

CHIPPING SODBURY SCHOOL PROCEDURE FOR HANDLING UNREASONABLY PERSISTENT, HARASSING, VEXATIOUS, UNREASONABLE OR ABUSIVE COMPLAINTS

Rationale

The Headteacher and Governing Body are committed to providing a rich and fulfilling education for all young people. We welcome feedback from parents/carers and will always try to resolve any concerns as quickly as possible. There is a complaints procedure for parents/carers or members of the public to use should they wish to make complaint.

Sometimes, however, parents/carers or members of the public pursuing complaints or other issues treat staff and other members of the school community in a way that is unacceptable and/or behave in an unacceptable manner. Leaders of the school acknowledge their responsibilities for staff wellbeing and whilst it is recognised that some complaints may relate to serious and distressing incidents, inappropriate or harassing behaviour will not be tolerated.

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

Aims

1. To provide clarity regarding the process for dealing with the behaviours of unreasonable complainants
2. To support the well-being of students, staff and the wider school community, including Governors and parents/carers
3. To deal fairly, honestly and properly 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.

Guidelines

1. 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 members of the public 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, complaint or matter which demands a disproportionate amount of time to the detriment of core tasks when running a school.
- 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 together with the school to find an acceptable way forwards.
- 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 or behaviour;
 - Making complaints in public; or

- Refusing to attend appointments to discuss the complaint.

2. What is 'harassment'?

Harassment is regarded 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 are pursued (as opposed to the complaint itself) causes ongoing distress to school staff or others;
- It has a significant and adverse effect on the school community.
- Actions are pursued aggressively or in any manner not appropriate to an effective resolution

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 of school staff or Governors.

3. 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 students 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 school's Complaints Procedure and other policies and practice in line with guidance from the DfE and Local Authority;
- Keep those involved informed of progress towards a resolution.

4. 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 recognising adults who work in schools want the best for all young people
- Respect the needs of students and staff within the school;
- Never to use violence (including threats of violence) or offensive language 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 and/or understand that persistent, excessive and unreasonable communication eg emails, letters or phone calls are not acceptable
- Recognise that some problems may not be resolved in a short time;
- Follow the school's Complaints Procedure.
- Speak and behave politely and respectfully using appropriate language and avoid any aggression or verbal abuse, including name-calling or threatening conduct
- To treat personal matters appropriately and avoid engaging the wider school community, this rarely helps the young person concerned
- Raise concerns/complaints in an appropriate place and at an appropriate time (for example not in front of other parents or students and not in an open public space)
- To be prepared to work towards a resolution in partnership with the school

5. School's responses to unreasonably persistent complaints, vexatious complainants, unreasonable complaints or harassment

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 the Unreasonably Persistent Complaints/Harassment Procedure;
- 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, including safeguarding matters, the school will respond only to written communication which briefly states the key concern(s)/facts;
- 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 individual's access to school and/or school 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 including legal services.

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

6. Physical or verbal aggression

The school, Governing Body and South Gloucestershire Council will not tolerate **any** form of physical or verbal aggression, personal harassment or intimidation against school staff. If staff are subject to this type of behaviour 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 Acceptable Behaviour Contract(ABC);
- Prosecute under Anti-Harassment legislation.

7. 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 complaining behaviour is modified and the complaint still lies within the time limit specified within the schools 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 or persistent complaints policy. The school nevertheless reserves the right not to respond to communications from individuals subject to the policy.

Conclusion

Chipping Sodbury School is committed to supporting all young people in striving to achieve their best. Fundamental to this goal is to enable all staff to fulfil their roles and responsibilities free of harassment, threat or unreasonable demands created by a complainant. The school always wishes to establish positive working relationships with parents/carers and the wider school community as this approach supports success for students.

Committee: FGB

Approved:

Review:

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