



Diocese of Norwich  
St Benet's  
Multi Academy Trust

**[Academy Name]**

# **Vexatious Complaints Policy- Primary Academies**

<b>Policy Type:</b>	Trust Core Policy
<b>Approved By:</b>	St. Benet's MAT Board of Trustees
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<b>Person Responsible:</b>	Chief Executive Officer

# **A policy for handling unreasonably persistent, harassing, vexatious, unreasonable or abusive complaints at [Name of Academy]**

## **1. Roles and Accountabilities**

The Diocese of Norwich St. Benet's Multi Academy Trust is accountable for all policies across its Academies. All policies, whether relating to an individual academy or the whole Trust, will be written and implemented in line with our ethos and values as articulated in our prospectus. We are committed to the provision of high quality education in the context of the Christian values of responsibility, respect and dignity where individuals are valued, aspirations are high, hope is nurtured and talents released.

A Scheme of Delegation for each academy sets out the responsibilities of the Local Governing Body and Principal / Head Teacher. The Principal / Head Teacher of each academy are responsible for the implementation of all policies of the Academy Trust.

All employees of the Academy Trust are subject to the Trust's policies.

There is a procedure for parents/carers to use if they wish to make a formal complaint about our academy. Sometimes, however, parents or carers 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.

## **2. 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 and carers who pursue complaints in an unreasonable manner and those who do not act in an appropriate manner towards staff at the academy.

Unreasonable behaviour may include:

- 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 academy aim of reaching a resolution and working with the academy
- 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.

### **3. 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 academy staff or others.
- The way in which a complaint or other issues is pursued (as opposed to the complaint itself) causes ongoing distress to academy staff or others;
- It has a significant and disproportionate adverse effect on the academy community.
- Actions are pursued aggressively or in any manner not appropriate to an effective resolution

### **4. What can you expect from the academy?**

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

- Follow the Academy'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 academy and the nature of the complaint
- Respond with courtesy and respect;
- Attempt to resolve problems using reasonable means in line with the Academy's complaints procedure, other policies and practice and in line with guidance from the local authority.
- Keep those involved informed of progress towards a resolution.

## **5. What the academy expects of you**

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

- Treat all staff with courtesy and respect
- Respect the needs of pupils and staff within the academy;
- Never use violence (including threats of violence) towards people or property;
- Recognise the time constraints under which members of staff in academy's work and allow the academy a reasonable time to respond to a complaint
- Recognise that some problems may not be resolved in a short time;
- Follow the academy's 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 academy

## **6. Academy's responses to unreasonably persistent complaints, vexatious complainants, unreasonable complaints or harassment**

This policy is intended to be used in conjunction with the academy'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 academy may take any or all of the following steps, as appropriate:

- Inform the complainant informally that his/her behaviour is now considered by the academy to be unreasonable or unacceptable, and request a changed approach;
- Inform the complainant in writing that the academy considers his/her behaviour to fall under the terms of the Vexatious Complaints 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 academy 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 academy considers to be reasonable
- Place restrictions on the individual's access to academy and/or academy staff.
- Cease all correspondence and communication with the complainant other than that necessary for the health and safety of any child/adult in academy.
- Involve officers of St. Benet's Multi Academy Trust to assist in finding a resolution.

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

## **7. Physical or verbal aggression**

The academy and the St. Benet's Multi Academy Trust will not tolerate **any** form of physical or verbal aggression or personal harassment against academy or Trust staff. If staff are subject to this type of aggression the academy may:

- Prohibit the individual from entering the academy or Trust sites, with immediate effect;
- Inform the individual that communication with them will cease other than in an emergency
- Prosecute under Anti-Harassment legislation.

## **8. 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 academy, 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 academy's Complaints Policy, the academy will use its discretion and may resume the investigation of the complaint. The academy 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 academy nevertheless reserves the right not to respond to communications from individuals subject to the policy.

This policy will be reviewed every two years.