

North Norfolk Academy Trust

Policy and Procedure for dealing with persistent or vexatious complainants or harassment from parents or members of the public



North
Norfolk
**Academy
Trust**



Preparation for life's journey

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Review: Triennially

Next Review: July 2020

Owner: Chief Executive Officer

Lead: Chief Financial Officer

Date sent to Joint Consultative Committee: Not applicable

NB This policy does not cover complaints from staff in the course of or in relation to their employment. The Trust's policy on Grievance procedures.

Introduction

The Headteacher and staff deal with specific complaints as part of their day-to-day management of the school in accordance with the School's Complaints and Compliments Policy.

The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant, who could be a pupil's parent, relative or carer.

However there are occasions when complainants behave in an unreasonable manner when raising and/or pursuing complaints. The consequences are that the actions of the complainant begin to impact negatively on the day to day running of the school and directly or indirectly the overall well-being of staff, children and parents in the school community. In these exceptional circumstances the school may take action in accordance with this policy.

Aims of the policy

1.1 The aims of the policy are to:

- Uphold the standards of courtesy and reasonableness that should characterise all communication between the Trust, the school(s) and persons who wish to express a concern or pursue a complaint;
- Support the wellbeing of the children, students, staff and everyone who has a legitimate interest in the work of the school(s) and the Trust, including governors, directors and parents;
- Deal fairly with those who make persistent or vexatious complaints and those who harass members of staff in school.

Parents Expectations of the Trust/School

2.1 Parents/carers/members of the public who raise either formal complaints or informal concerns with the school(s) or the Trust can expect the Trust or the School to:

- Regularly communicate to parents/carers in writing:
 - a) How and when problems can be raised with the school or Trust
 - b) The existence of the school's complaints policy
 - c) The existence of this guidance
- Respond within a reasonable time
- Be available for consultation within reasonable time limits bearing in mind the needs of the children and students within 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 Policy
- Keep complainants informed of progress towards the resolution of the issues raised

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

3.1 The Trust/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 wellbeing of children, students and staff in the school
- Avoid any use, or threatened use, of violence to people or property
- Avoid any aggression or verbal abuse
- 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 time

- (In the case of a complainant) follow the school's Complaints Procedure.

Who is a Persistent Complainant:

4.1 For the purpose of this document, a persistent complainant is a parent/carer/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 persistent, obsessive, harassing, prolific, repetitious
- Prolific correspondence or excessive email or telephone contact about a concern or complaint
- 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 a specific member of staff on all occasions irrespective of the issue and the level of delegation in school to deal with such matters
- An insistence on repeatedly pursuing a complaint where the outcome is not satisfactory to the complainant but cannot be changed

4.2 For the purpose of this guidance, harassment is the unreasonable pursuit of such actions as 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 the individual member(s) of school staff and/or
- Have a significant adverse effect on the whole/parts of the school community including individuals
- Are pursued in a manner which can be perceived as intimidation 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, wellbeing and health.

The Trust/School's Actions in the Case of Persistent or Vexatious Complaints or Harassment:

5.1 In the first instance the Trust/school will verbally inform the complainant that his/her behaviour is considered to be unreasonable/ unacceptable and, if it is not modified, action may be taken.

5.2 This will be confirmed in writing (Model Letter 1)

5.3 If the behaviour is not modified the Trust/school may 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 his/her behaviour is now considered by the school to be unreasonable/unacceptable and, therefore, to fall under the terms of this guidance. (Model Letter 2)
- Inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of the meeting may be taken in the interest of all parties (Model Letter 2)
- Inform the complainant that, except in emergencies, all routine communication with the complainant should be by letter only (Model Letter 2)
- (in the case of physical or verbal aggression) take legal or specialist advice and consider warning the complainant about being banned from the school site; or proceed immediately to a temporary ban
- Consider taking advice on pursuing a case under Anti-Harassment legislation
- Consider taking advice 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 Headteacher 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 Headteacher accordingly.

5.4 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.

5.5 Members of the Governing Body will act as a Complaints Committee and an Appeals Committee at the appropriate procedural stage.

Review

7.1 The school will review as appropriate, and at a minimum once in a school year, any sanctions applied in the context of this guidance.