

Stratford-sub-Castle Church of England VC Primary School

*Learning for life in a positive and caring
Christian community*

Policy for Unreasonable or Vexatious Complaints#2

The *Policy for Unreasonable or Vexatious Complaints* was reviewed during the Autumn Term 2016
This document is the result of that review.

DATE AGREED BY FULL GOVERNING BODY:	19.09.16
REVIEW DATE:	Autumn 2018
AUTHOR:	Mrs Kay Bridson & Mr Peter Habert
HEADTEACHER:	Mrs Kay Bridson
CHAIR OF GOVERNORS:	Miss Angela Britten
SIGNED:	
TO BE READ IN CONJUNCTION WITH:	<i>Complaints (Informally Raising Concerns Flowchart)</i> <i>School Complaints (Guidance for Schools and Governors)</i> <i>Formal Complaints Procedure</i> <i>Code of Conduct (for staff, supply and volunteers)</i> <i>Code of Conduct for School Governors</i> <i>Safeguarding Policy</i> <i>Whistleblowing Policy</i>

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Policy for Unreasonable or Vexatious Complaints

This policy should be read in conjunction with the 'Formal Complaint Procedure' and 'School Complaints - Guidance for Schools and Governors' documents.

This policy was agreed by the Governing Body on 19.09.16. This policy will be reviewed in September 2018.

Stratford-sub-Castle Primary School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Stratford-sub-Castle Primary School defines unreasonable complainants as *"those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints."*

A complaint may be regarded as unreasonable when the person making the complaint:

- 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 process outlined in the 'Formal Complaints Procedure' while still wishing their complaint to be resolved
- Refuses to accept that certain issues are not within the scope of the 'Formal Complaints Procedure'.
- Insists on the complaint being dealt with in ways which are incompatible with the 'Formal Complaints Procedure' or with good practice
- Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises a large number 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)
- Refuses to accept the findings of the investigation into the complaint where the school's 'Formal Complaints Procedure' has been completed including, where appropriate, referral to the Department for Education
- Seeks an unrealistic outcome
- Makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint either in person, in writing, by email and by telephone while the complaint is being dealt with

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:

- Maliciously
- Aggressively
- Using threats, intimidation or violence
- Using abusive, offensive or discriminatory language
- Knowing it to be false
- Using falsified information
- Publishing unacceptable information in a variety of media such as in social media websites and newspapers

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking.

If the behaviour continues the Headteacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact

Stratford-sub-Castle Primary School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a written communication plan. This will usually be reviewed after 6 months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from Stratford-sub-Castle Primary School.

Barring from the school premises:

Although fulfilling a public function, our school is a private place and the public has no automatic right of entry. We therefore act to ensure we remain a safe place for pupils, staff and other members of our community.

If a complainant or parents behaviour is a cause for concern they will be asked to leave school premises. In serious cases the Headteacher will notify them in writing that their implied licence to be on school premises has been temporarily revoked subject to any written representation that they wish to make. The decision to bar will be reviewed upon receipt of any representations made and will either be confirmed or lifted. Any decision will be notified in writing with an explanation of how long the bar will be in place.

Should anyone wish to complain about being barred they can do so via letter or email to the Headteacher or Chair of Governors. However, complaints about being barred cannot be escalated to the Department for Education. Once the school's complaints procedure has been completed the only remaining avenue of appeal is through the Courts.

Next Document Review Date: September 2018

Associated Documents:

- Complaint Procedure
- Complaint Procedure (Complainant Summary)
- School Complaints – Guidance for Schools and Governors