



Colliers Green CofE Primary School

Colliers Green, Cranbrook, Kent. TN17 2LR

Document Control Sheet

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Document History

Date:	Summary of Changes:
May 2023	A new policy based on exemplar from Satswana (our DPO)

Unreasonably Persistent or Vexatious Complaints

POLICY

1. Introduction

A small percentage of people may correspond with, or complain to, Colliers Green Primary School in a way that could reasonably be described as obsessive, harassing, bullying, intimidating or abusive. Colliers Green Primary School does not tolerate bullying, harassment or intimidation, in any form, of any of their employees or parents. This applies to such behaviour from members of the public and School employees/ parents/Governors alike.

2. Harassment

Under the Protection from Harassment Act 1977 S1(1)

A person must not pursue a course of conduct—

(a) which amounts to harassment of another, and

(b) which he knows or ought to know amounts to harassment of the other.

Such action can be:

- Physical Conduct;
- Verbal Conduct;
- Non-Verbal Conduct.

3. Bullying

The School defines bullying as a pattern of offensive, intimidating, malicious, insulting, humiliating behaviour intended to undermine an individual or group, gradually and as a consequence eroding their confidence and capability possibly with the intention to force them to resign and this will not be tolerated.

Such behaviour may also be designed to annoy and/or to create extreme workload for a school which normally employs teaching and administration staff for a limited period of time as the school requires.

Such behaviour might also be designed to cause extreme distress.

Such behaviour might also be repetitive.

Such behaviour from a minority of individuals can take up a disproportionate amount of limited school resources and can affect the school's ability to do its work and provide a service to the community and can result in unacceptable stress for the Head, Senior Leadership Team and other employees.

4. Defining Vexatious or Unreasonably Persistent Complaints

Vexatious or persistent complaints and correspondence can be characterised in the

following ways:

- Behaviour which is obsessive, persistent, harassing, prolific, repetitious and/or
- Behaviour which is designed to cause extreme distress, bully, humiliate and intimidate specific individuals and the Governing Body and/or
- Frequent correspondence timed to cause the school maximum disruption and workload and/or
- Behaviour which displays an insistence on pursuing unmeritorious issues, trivial points and/or unrealistic outcomes beyond all reason and/or
- Displays an insistence upon pursuing complaints or issues in an unreasonable and abusive manner and/or
- Repeated and/or frequent and/or simultaneous requests for information, whether or not those requests are made under the access to information legislation, and/or
- Behaviour where ex-employees are contacted to try to undermine the school's reputation
- Behaviour which has the effect of hindering the school's ability to go about its democratic business due to the extreme workload generated.
- Behaviour where the aim is character assassination.
- Behaviour characterised by a refusal to accept that issues raised are not within the power of the school to investigate, change or influence

5. Use of this Policy

In the first instance the Headteacher will consult with the Chair of Governors of the School. With the Head's agreement, the complainant will be contacted in writing (and provided with a copy of this policy), to explain why the behaviour is a concern and ask them to change their behaviour.

If the behaviours persist and the Head or Governors identify behaviour that they think exhibits these characteristics, and which they believe may be vexatious or unreasonably persistent, they should refer it to full FGB under closed session.

- In exceptional circumstances (for example significant time until the next available meeting), the policy can be triggered by e-mail consultation with a minimum of 5 Governors including the Chair or Vice-Chair

If the school agrees with the assessment, it should prepare a brief statement of why it considers the complaint or correspondence to be vexatious, including its effect upon the Headteacher, Governors, and/or the school. This should be accompanied by a report for the school showing the workload effects and resource impact, and, if resources allow, information about the related correspondence via email, telephone and letter, including information about whom the correspondence was addressed to, who it was copied to, and a brief description of each piece of correspondence.

Sanctions can include:

- Being allowed to communicate with one nominated member of the school or staff
- Receiving no responses further enquiries and communications on the same matter if no substantive new issue is raised
- Receiving no responses to all enquiries and communications made to the school for 6 months if no substantive new issue is raised

6. Handling correspondence and complaints deemed to be vexatious

The Headteacher / Chair of Governors / school will write to the correspondent advising them that their complaint and/or correspondence has been determined to be vexatious and giving the reason for that decision.

7. Parent guardians at the school

If the complainant is a **parent/guardian of the school**, the notification letter should state which sanction the school has imposed. They should be advised that the decision will be reviewed in six months from the date of the letter advising them that their complaint/correspondence is vexatious. The school and if necessary its community will be informed that a constituent has been designated as an unreasonably persistent or vexatious complainant.

Sanctions can include:

- Being permitted to only communicate with one nominated member of the school or staff
- Being permitted to only communicate in a specific way, for example, letter rather than e-mail or telephone.
- Receiving no responses further enquiries and communications on the same matter if no substantive new issue is raised
- Receiving no responses to all enquiries and communications made to the school for 6 months if no substantive new issue is raised

Review of Sanction:

At the following FGB meeting which occurs six months after the correspondent has been advised that their complaint and/or correspondence is vexatious, that decision should be reviewed. The school should consider whether there has been any improvement in the vexatious behaviour over that time. The Headteacher should write to the correspondent advising them of the outcome of the review. If the behaviour has improved, future correspondence can be treated in the normal way. If there has not been a significant improvement, the correspondence will continue to be treated as vexatious and will be reviewed annually

8. Non-parent/guardians of the school

If the complainant(s) does not have any connection with the school they will be advised that all future correspondence will be ignored and left unread. There is no route of appeal against the decision that a complaint or correspondence is vexatious.

9. Persistent communication on the same matter from multiple complainants.

If the persistent communication on one matter is from 4 or more complainants, rather than from one complainant, the Head or Chair of Governors identifying the behaviour will draft a standard response to all further communications on that matter. As no sanctions are being imposed, this action can be triggered without approval at a full FGB meeting.

10. Review

This document was approved for use at the meeting of the school on 17th May 2023 and it shall be reviewed every two years.

Signed:

Dated: