



TMPF Dealing with Vexatious and/or Persistent Complainants Policy 2024

Policy ratified: Spring 2023

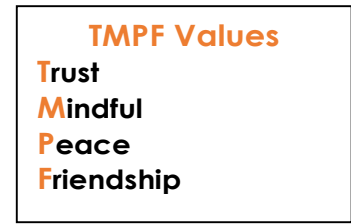
Policy updated: December 2024

Changes made:

- i. *Addition of St. Peters C E First School and Talbot First School*
- ii. *Addition of Vice-CEO role*

Date of next review: Dec 2025

The Moorlands Primary Federation comprises nine schools: Bishop Rawle C. E. Primary School; Dilhorne Endowed C. E. Primary School; Great Wood Primary School; Talbot First School, St. Peter's C E First School, Hollinsclough C.E. Academy; Manifold C.E. Academy, St. Werburgh's C. E. Primary School; and The Valley Primary School.



Introduction

This policy relates to each school comprising The Moorlands Primary Federation (see above). From this point onwards, they will be referred to as the Trust or TMPF. The term 'leader' refers to School Leader, Executive Principal or Vice-Chief Executive Officer or Chief Executive Officer (CEO).

Leaders and staff deal with specific complaints as part of their day-to-day management of the school in accordance with TMPF Complaints Policy.

The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant.

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

Aims of policy

The aims of this policy are to:

- uphold the standards of courtesy and reasonableness that should characterise all communication between the school and persons who wish to express a concern or pursue a complaint;
- support the well-being of children, staff and everyone else who has legitimate interest in the work of the school, including Trustees and parents;
- deal fairly, honestly, openly and transparently 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.

Parents/carers/members of the public can expect of TMPF schools

Parents/carers/members of the public who raise either informal concerns or complaints can expect from each Trust school:

- communication to parents/carers in writing;
- how and when problems can be raised with the school;
- adherence to TMPF Complaints Policy;
- a response within a reasonable time;

- the availability of staff for consultation within reasonable time limits bearing in mind the needs of the pupils within schools and the nature of the complaint;
- a response with courtesy and respect;
- an attempt to resolve problems using reasonable means in line with the Trust's Complaints Policy and advice from the Local Authority and Department for Education.

The aim is to keep complainants informed of progress towards a resolution of the issues raised.

TMPF's Expectations of parents/carers/members of the public

TMPF expect parents/carers/members of the public/stakeholders who wish to raise a concern or issue with our schools to:

- treat all school staff with courtesy and respect;
- respect the needs and well-being of pupils and staff in our schools;
- avoid any use, or threatened use, of violence to people or property;
- avoid any aggression or verbal abuse (including the use of inappropriate language whether or not directed at a member of staff);
- recognise the time constraints under which members of staff in schools work and allow each school a reasonable time to respond;
- recognise that resolving a specific problem can sometimes take some time;
- (in the case of a formal complaint) follow TMPF Complaints Policy.

Persistent Complainants?

For the purpose of this policy, a persistent complainant is a parent/carer or member of the public who complains, 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 obsessive, persistent, harassing, prolific, repetitious;
- prolific correspondence or excessive e-mail or telephone contact about a concern or complaint;
- uses Freedom of Information requests excessively and unreasonably;
- 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 the School Leader/Executive Principal or Vice-CEO or CEO on all occasions, irrespective of the issue and the level of delegation in each school to deal with such matters;

- an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of each school or the Trust.

For this policy, harassment is the unreasonable pursuit of such actions listed above in such a way that they:

- appear to be targeted over a significant period on one or more members of school staff and/or;
- cause ongoing distress to individual member(s) of school staff and/or;
- have a significant adverse effect on the whole/parts of each school's community or Trust and/or;
- are pursued in a manner which can be perceived as intimidating 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, well-being and health.

The Trust's actions in cases of persistent or vexatious complaints or harassment

In the first instance each school will verbally inform the complainant that his / her behaviour is becoming unreasonable / unacceptable and, if it is not modified, action may be taken in accordance with this policy.

This will be confirmed in writing (via letter or email). If the behaviour is not modified, each school will 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 each school's community:

- inform the complainant in writing that his/her behaviour is now considered by each school to be unreasonable/unacceptable and, the matter will be referred to the Executive Principal/Vice-CEO/CEO;
- the Executive Principal/Vice-CEO/CEO will write to the complainant outlining the unreasonable behaviour and;
- inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties;
- inform the complainant that, except in emergencies, all routine communication with the complainant to each school should be by letter and posted or emailed to office@XXXXX.staffs.sch.uk only (XXXXX insert school name);
- consider taking advice from the Trust's Human Resources advisor, PHRP/LA;

- consider warning the complainant about being banned from the school site or proceed straight to a temporary ban;
- consider taking advice from the Trust's solicitors (Weightmans Solicitors) on pursuing a case under Anti- Harassment legislation or the Trust's solicitors may put in place a specific procedure for dealing with complaints from the complainant, i.e. the complainant will not be able to deal directly with school staff but only with a third person to be identified by the Trust Board, who will investigate, determine whether or not the concern / complaint is reasonable or vexatious and then advise Leaders accordingly;
- In the case of physical, or verbal aggression, the school and Trust will report the matter to the police.

If a complainant's persistent complaining/harassing behaviour is modified and is then resumed later within a reasonable period of time, TMPF may resume the process identified above at an appropriate level. In these circumstances advice may be sought from the Trust's human resources advisor.

Appendix 1 – notice to be displayed in all TMPF school entrance foyers

We warmly welcome visitors to our school premises.

We will act to ensure it remains a safe place for pupils, staff, and all other members of our community. If you have concerns, we will always listen to them and seek to address them.

Please be aware, however, that abusive, threatening, or violent behaviour will not be tolerated on our school premises.

Visitors behaving in this way will be asked to leave and where appropriate, be prosecuted.

The Moorlands Primary Federation