



**St Mary's Catholic**  
**Primary School**

Vexatious or Persistent Complaints Policy  
September 2020

## **Unreasonably Persistent, Vexatious and Unreasonable Behaviour of Complainants**

Generally, dealing with a complaint/concern is straightforward. However, in a small number of cases, people pursue their complaints in a way which can either impede the investigation of their complaint or it has a significant impact on school resources and/or the emotional well-being of staff. This can happen either while their complaint is being investigated, or once the school has finished dealing with it.

### a) What do we mean by 'an unreasonable complainant'?

An unreasonable complainant may be anyone who engages in unreasonable behaviour when making a complaint. The parent may even threaten to make a complaint to other stakeholders but do not actually pursue it. Behaviour will include parents / carers who pursue complaints in an unreasonable manner and those who do not act in an appropriate manner towards staff at the school.

Unreasonable behaviour may include:

- Actions which are
  - Out of proportion to the nature of the complaint.
  - Persistent – even when the complaints procedure has been exhausted.
  - Personally harassing.
  - 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 school aim of reaching a resolution and working with the school
- Abusive in nature.
- An insistence on
  - Pursuing unjustified or un-merited 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 a complaint or threatening to pursue a complaint in public, including social media e.g. writing unsavoury comments about the school and staff on Facebook, setting-up of closed 'rooms' and Whatsapp groups
  - Refusing to attend appointments to discuss the complaint.
  - Deliberately withholding information

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

### What St. Mary's School expects of you

St. Mary's School expects anyone who wishes to raise concerns with the school to:

- Treat all staff with courtesy and respect in and out of school.
- Respect the needs of pupils and staff within the school.
- Never to use violence (including threats of violence) towards people or property.
- Recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to a complaint.
- Recognise that some problems may not be resolved in a short time.
- Follow the school's complaints policy.
- Speak politely and respectfully, using appropriate language, and avoid any aggression or verbal abuse, including name-calling either in person, on the telephone or in messenger groups with other stakeholders
- 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 place or using social media).
- To be prepared to work towards a resolution and in partnership with the school.

However, in cases of unreasonably persistent complaints or harassment, as determined by the Headteacher in conjunction with the chair of governors under this policy the school may take any or all of the following steps, as appropriate:

- Inform the complainant formally that his/her behaviour is now considered by St. Mary's School to be unreasonable or unacceptable, and request a changed approach.
- Inform the complainant in writing that St. Mary's School considers his/her behaviour to fall under the terms of the Unreasonably Persistent Complaints Policy.
- Require all future meetings with a member of staff to be conducted with a third person present. In the interest of all parties, notes of these meetings may be taken.
- Inform the complainant that, except in emergencies, the school 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 school considers to be reasonable.

- Place restrictions on the individual's access to St. Mary's Catholic Primary School and/or its staff.
- Cease all correspondence and communication with the complainant, other than that necessary for the health and safety of any child/adult in school.
- Involve appropriate third parties ie Local Authority, Diocesan Officials, Police.
- Remove the parent's or carers license to enter school grounds

St. Mary's Catholic Primary School has a duty of care to staff and pupils and will take emergency measures, should these become necessary in extreme cases.

#### Physical or verbal aggression

St. Mary's Catholic Primary School will not tolerate **any** form of physical or verbal measures or personal harassment against school staff. If staff are subject to this type of aggression the school may:

- Prohibit the person from entering the school site, with immediate effect.
- Inform him/her that communication with them will cease, other than in an emergency.
- Request the equivalent of an ASBO
- Prosecute under anti-Harassment legislation.

#### Time Frame and Review

If a complainant's harassing/persistent behaviour is modified and is then resumed at a later date within a reasonable time, the school may resume the process identified above.

If a complainant's harassing / persistent behaviour is modified and the complaint lies within the time limit specified within St. Mary's Catholic Primary School's Complaints Policy, the school will use its discretion and may resume the investigation of the complaint. The school will review, as appropriate, and at a minimum of once a year, any sanctions applied in the context of the 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. St. Mary's Catholic Primary School, nevertheless, reserves the right not to respond to communications from individuals subject to this policy.

**This policy could be used in conjunction with:**

**St Mary's Complaints Policy**

**St Mary's Parental/Carers Licence Policy**