

ETTINGTON C of E PRIMARY SCHOOL

Reviewed October 2023



*Ettington Church of England
Primary School*

*Learning for Fullness of Life
Trust - Respect - Love*

HABITUAL (PERSISTANT) OR VEXATIOUS (UNREASONABLE) COMPLAINTS POLICY 2023-2024

Ratified October 2023

Chair of Governors

Headteacher

A stylized, handwritten signature in black ink, consisting of several loops and curves.

A handwritten signature in black ink that reads 'Michelle Howe'.

Managing Habitual (persistent) or vexatious (unreasonable) Complaints

Introduction

Building on the theological concepts that God created the earth and everything in it, we provide opportunities to appreciate God's creation of the world and how EVERYONE was made in God's image (Imago Dei) and loved, valued, celebrated and represented. As a school, we aspire to live out God's plan for all to flourish. We believe in providing our children with varied opportunities to use and develop the gifts and talents they have been blessed with, to ensure they embrace "Life in its fullness" (John 10:10).

Our managing serial and unreasonable complaints policy is based upon a Christian Values system of Trust, Love and Respect. We aim to ensure that all stakeholders feel safe, secure and happy in school. Our aim is that we can live life in all fullness and can trust each other, respect what God has given us and ultimately love and be loved.

This policy should be read and applied alongside the school's **Complaints Policy** document and relates to the management of the very small number of unreasonable and unreasonably persistent complainants the school may encounter. Our school does not have unlimited resources of staff time and the aim of this policy is to apply a reasonable limit to the amount of time staff commit to such complainants whilst ensuring the school still behaves in a reasonable manner towards them.

Managing Serial and Unreasonable Complaints

Ettington Church of England Primary School welcomes feedback from parents / carers and will always try to resolve any concerns as quickly as possible, using the school's **Complaints Policy**, as necessary. Sometimes however, complainants treat staff, governors and others in a way that is unacceptable and / or behave in an unacceptable manner. Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept disrespectful, threatening, inappropriate or harassing behaviour. The aim of this policy is to clarify the process for dealing with unreasonable complainants who act inappropriately.

We are 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 our school. However, we do not expect our staff and governors to tolerate unacceptable behaviour and will act to protect staff and governors from that behaviour, including that which is abusive, offensive, or threatening.

Our school defines serial and unreasonable complaints as *'those who, because of the frequency or nature of their contact 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 complaints investigation process while still wishing their complaint to be resolved
- refuses to accept that certain issues are not within the scope of a complaint's procedure
- insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice
- introduces trivial or irrelevant information which the complainant expects to be considered and commented on, or raises large numbers 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 that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- pursues complaints in a manner which causes ongoing distress to school staff or others – this may be considered vexatious
- aggressively pursues complaints in any manner not appropriate to an effective resolution
- deliberately targets one or more members of school staff or members of the Governing Body over a significant period of time
- makes excessive demands on school time by frequent, lengthy complicated and stressful contact with staff and governors regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with – this may be considered harassment

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
- knowingly provides falsified information
- publishing unacceptable information in a variety of media such as in social media websites and newspapers

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 to seek a resolution.

A complainant will be acting unreasonably under the terms of this policy if their behaviour demonstrates one or more of the above traits.

Complainants should limit the number of communications with the school that relates to their complaint, while the 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.

The school will take every reasonable step to address the complainant's concerns and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals.

We will follow our complaints procedure wherever possible.

If the complainant continues to contact the school in a disruptive way, we may put communications strategies in place.

We may:

- give the complainant a single point of contact via an email address
- limit the number of times the complainant can make contact, such as a fixed number per term
- ask the complainant to engage a third party to act on their behalf, such as Citizens Advice
- put any other strategy in place, as necessary.

We may stop responding to the complainant when all of these factors are met and:

- we believe we have taken all reasonable steps to help address their concerns
- we have provided a clear statement of our position and their options
- the complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience and / or they are making substantially the same points each time

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make. We may also seek legal advice at any point.

In response to any serious incident of harassment, aggression or violence, the concerns and actions taken will be put in writing immediately (including the decision to stop responding) and the police informed. This may include barring an individual from our school premises. **Reviewing the Procedure**

The Governing Board will review this procedure annually or sooner if it is deemed necessary.

Responsibility for reviewing the procedure may be delegated to a committee of the Governing Board, an individual governor or the Headteacher.