



***The Dover Federation for the Arts
Multi Academy Trust***

***Policy for Dealing with Persistent or
Vexatious Complaints***

Policy adopted and ratified:	November 2018
Policy review date:	November 2020

Policy for Dealing with Persistent or Vexatious Complaints

The Principal and staff in The Dover Federation for the Arts Multi Academy Trust ('Trust') schools deal with specific complaints as part of their day-to-day management of the school/college in accordance with the **Trust's Complaints and Grievance Procedure**.

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/college and directly or indirectly the overall well-being of the children or staff in the school/college. In these exceptional circumstances, the school/college may take action 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 communications between the school/college and persons who wish to express a concern or pursue a complaint.
- Support the well-being of children, staff and everyone else who has a legitimate interest in the work of the school/college, including directors 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/college while ensuring that other stakeholders suffer no detriment.

Parents' Expectations of the School/College

Parents/carers/members of the public who raise either informal concerns or formal complaints with the school/college can expect the school/college to:

- Regularly communicate to parents/carers in writing:
 - how and when problems can be raised with the school/college.
 - the existence of the school's/college's complaints procedure, and
 - the existence of the Policy for Dealing with Persistent or Vexatious Complaints.
- Respond within a reasonable time.
- Be available for consultation within reasonable time limits bearing in mind the needs of the pupils/students within the school/college and the nature of the complaint.
- Respond with courtesy and respect.
- Attempt to resolve problems using reasonable means in line with the school's/college's complaints procedure, other policies and practice and in line with advice from the Trust's Legal Services keep complainants informed of progress towards a resolution of the issues raised.

The School's/College's Expectations of Parents/Carers/Members of the Public

The school/college can expect parents/carers/members of the public who wish to raise problems with the school/college to:

- Treat all school/college staff with courtesy and respect.
- Respect the needs and well-being of pupils and staff in the school/college.
- Avoid any use, or threatened use, of violence to people or property.
- Avoid any aggression or verbal abuse.
- Recognise the time constraints under which members of staff in schools/colleges work and allow the school/college a reasonable time to respond.
- Recognise that resolving a specific problem can sometimes take some time.
- In the case of a complaint, follow the **Trust's Complaints and Grievance Procedure**.

Who is a Persistent Complainant?

For the purpose of this policy, a persistent complainant is a parent/carer or member of the public who complains about issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of the school/college, and whose behaviour is unreasonable. Such behaviour may be characterised by the following.

- 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 Trustees, CEO or Principal on all occasions irrespective of the issue and the level of delegation in the school/college 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 the school/college because it is unlawful.

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

- appear to be targeted over a significant period of time on one or more members of the Trust/school/college staff and/or any stakeholder.
- cause ongoing distress to individual member(s) of school/college staff and/or
- have a significant adverse effect on the whole/parts of the school/college community 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 School's/College's Actions in Cases of Persistent or Vexatious Complaints or Harassment

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

This will be confirmed in writing (the Principal to send Model Letter 1).

If the behaviour is not modified the school/college 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 the school/college community.

- Inform the complainant in writing that his/her behaviour is now considered by the school to be unreasonable/unacceptable and, therefore, to fall under the terms of this policy (the Principal to send Model Letter 2).
- 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 (inc. in Model Letter 2).
- Inform the complainant that, except in emergencies, all routine communication with the complainant to the school/college should be by letter only (inc. in Model Letter 2).
- In the case of physical, or verbal aggression - take advice from the Trust's Legal Services via the Company Secretary and consider warning the complainant about being banned from the school/college site; or proceed straight to a temporary ban.
- Consider taking advice from the Legal Services on pursuing a case under Anti-Harassment legislation.
- Consider taking advice from the Legal Services about putting in place a specific procedure for dealing with complaints from the complainant, i.e. the complainant will not be able to deal directly with the Principal but only with a third person to be identified by the Board of Trustees, who will investigate, determine whether or not the concern/complaint is reasonable or vexatious and then advise the Principal accordingly.

Thus, based on last bullet point above, legitimate new complaints may still be considered even if the person making them is, or has been, subject to the Policy for Dealing with Persistent or Vexatious Complaints. However, the Trust will be advised by the Legal Services.

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

Review

The Trust will review as appropriate, and at a minimum once each academic year, any sanctions applied in the context of this policy.