



**Amotherby Community Primary School**

**Dealing with Persistent or Vexatious  
Complaints/Harassment Policy**

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1		
2		
3		

## **Policy for Dealing with Persistent or unreasonable Complaints/Harassment Including, Aggressive Behaviour from Parents & Visitors.**

### INTRODUCTION

The Head Teacher and staff deal with specific complaints as part of their day-to-day management of the school in accordance with the School's Complaints 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 rare 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. In these exceptional circumstances the school 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 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 governors and parent/carers;
- 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' EXPECTATIONS OF THE SCHOOL

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

- regularly communicate to parents/carers in writing: -
  - inform parents/carers how and when problems can be raised with the school
  - inform parents/carers when necessary about the existence of the school's complaints procedure, and
  - inform parents/carers when necessary of the existence of the Policy for Dealing with Serial, Persistent or Unreasonable Complaints and/or Harassment including Aggressive Behaviour from Parents and Visitors in Schools;
- respond within a reasonable time;
- be available for consultation within reasonable time limits bearing in mind the needs of the pupils within the school and the nature of the complaint;
- respond with courtesy and respect;
- attempt to resolve problems using reasonable means in line with the school's complaints procedure, other policies and practice and in line with advice from the Local Authority (LA) keep complainants informed of progress towards a resolution of the issues raised.

### THE SCHOOL'S EXPECTATIONS OF PARENTS/CARERS/MEMBERS OF THE PUBLIC

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

- treat all school staff with courtesy and respect;
- respect the needs and well-being of pupils and staff in the school;
- 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 work and allow the school a reasonable time to respond;
- recognise that resolving a specific problem can sometimes take some time;
- in the case of a complaint, follow the School's Complaints Procedure.

Types of behavior that are considered serious and unacceptable and will not be tolerated are:

- shouting at members of the school community, either in person or over the telephone;
- physically intimidating a member of the school community, e.g. standing very closer to her/him;
- spreading malicious and untrue rumors about school or a member of staff in a way designed to cause harm or upset. In this instance, statements will be sought from anyone who reports this.
- the use of aggressive hand gestures including finger pointing;
- any threatening of a member of the school community; this can include verbally, via texts, emails Facebook, etc.;
- shaking or holding a fist towards another person;
- swearing, pushing, hitting (e.g. slapping, punching and kicking) and spitting;
- breaching the school's security procedures.

This list is not an exhaustive list but seeks to provide illustrations of such behavior

#### 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, 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 or 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 Head Teacher on all occasions irrespective of the issue and the level of delegation in the 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 the school 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 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 the school community and/or
- are pursued in a manner which can be perceived as intimidating and oppressive by the recipient. This may 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 ACTIONS IN CASES OF SERIAL, PERSISTENT OR UNREASONABLE COMPLAINTS OR HARASSMENT

In the first instance the school will inform the complainant in writing 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 (see Model Letter 1)

If the behaviour is not modified the 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 the school 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.
- inform the complainant that all meetings with a member of staff will be conducted with a governor 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 the school should be by letter only.
- in the case of physical, or verbal aggression following advice from the LA, instructing and informing the complainant about being banned from the school site. • consider taking advice from the LA on pursuing a case under Anti-Harassment legislation or request an Anti-Social Behaviour Order.
- consider taking advice from the HR / Legal Services of the LA 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 Head Teacher or member of staff but only with a third person to be identified by the Governing Body of the school, who will investigate, determine whether or not the concern / complaint is reasonable or vexatious and then advise the Head Teacher accordingly.

Thus, legitimate new complaints may still be considered even if the person making them is, or has been, subject to the Policy for Dealing with Serial, Persistent or Unreasonable Complaints and/or Harassment including Aggressive Behaviour from Parents and Visitors in Schools. However, the school will be advised by the HR / Legal Services of the LA, or take private legal instruction.

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 may resume the process identified above at an appropriate level. In these circumstances advice may be sought from the HR/Legal Services of the LA. REVIEW - The School will review this policy every two years or as deemed appropriate.

MODEL LETTER 1:  
INITIAL LETTER INFORMING A COMPLAINANT THAT HIS/HER BEHAVIOUR IS CONSIDERED  
TO FALL BELOW A REASONABLE/ ACCEPTABLE STANDARD  
RECORDED DELIVERY

Dear

This letter is to inform you that the school considers your actions in [describe actions, dates, behaviour] on ..... when you ..... to be unreasonable/unacceptable [delete as appropriate].

We would ask you to bear in mind the fact that such behaviour on a school site can be disruptive and distressing to pupils, staff and parents/carers [delete if behaviour complained of did not occur on school site e.g. persistent use of e-mail, verbally abusive telephone calls].

We are aware that you have raised some concerns, and would advise you that these are usually dealt with most effectively through the School's Complaints Procedure.

At the moment we are dealing with these issues by [describe actions being taken to resolve concern]. Please note that the School's Policy for Dealing with Persistent or Vexatious Complaints/Harassment sets out standards of behaviour expected of all people in their dealings with the School.

These include:

- behaving reasonably;
- treating others with courtesy and respect;
- resolving complaints using the School's Complaints Procedure;
- avoiding physical and verbal aggression at all times.

The Policy also indicates the steps that we may take if these standards are breached. These include: making special arrangements for meetings and communication with the school; considering a ban from the school premises; considering legal action.

I would ask that you allow school time to resolve the issues according to the correct procedures, and would assure you that we shall take every step to move this process forward as quickly as possible.

Yours sincerely  
Headteacher