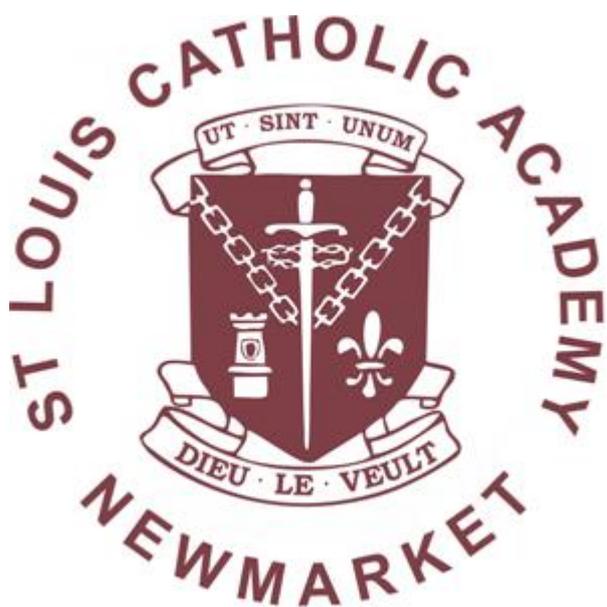


St Louis Catholic Academy

"Loving to Learn - Learning to Love"

Vexatious Complaints Policy



2016 - 2020

Date approved	16 th NOVEMBER 2016
Signed	Mrs Julianne Whipp
Minuted	16 TH NOVEMBER 2016
Amended	FGB – 8 th February 2017
Date of next review	November 2020

Audience

The intended audience for this policy is any 'Interested Party' of St Louis Catholic Academy that may be / has become involved in the complaints process.

The School appreciates all feedback, including suggestions, concerns, complaints and compliments. Such feedback is how we know when the school does well, and how we know what we need to improve upon.

Purpose

The Head Teacher and Staff deal with Complaints as part of their day-to-day management of the school, in accordance with the School's Complaints Policy and 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 occasions when complainants behave in an unreasonable manner when raising and / or pursuing complaints. The consequences are that the actions of the complainant begin to impact negatively on the day-to-day running of the school and directly or indirectly on the wellbeing of the children and/or staff in the school. In these exceptional circumstances, the school may take action in accordance with this policy.

Aims

The aims of this Policy are to:

- . Uphold the standards of courtesy and reasonableness that should characterise all communication between the school and any interested party or complainant.
- . Support the wellbeing of the children, staff and Head Teacher, and any other interested party, including governors 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 whilst ensuring that no other stakeholders suffer any detriment.
- . Neither this policy nor the corresponding Complaints Procedure Policy will address complaints relating to Child Protection or staff discipline for which specific procedures are in place.

Parents' Expectations of the School

Parent / Carers or other Interested Parties who raise an informal or formal complaint with the School can expect the school to:

- . Publicise how and when complaints can be raised with the school.
- . Publicise the school's Complaints Procedure Policy on the school website.
- . Publicise the school's policy for dealing with persistent and / or vexatious complaints.
- . Respond within a reasonable time.
- . Be available for consultation within reasonable time limits, bearing in mind the needs of the pupils and staff 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 schools' Complaints Procedure Policy, and in consultation with the RC Diocese of East Anglia.
- . Keep Complainants informed of progress towards a resolution of the complaints raised.

What the school expect from complainants

We understand that raising a complaint can be a stressful time, and we are sympathetic to that. However, whilst we believe that all complainants have a right to be heard, understood and respected, we also believe that School Staff and Governors have the same right.

We expect a complainant to be polite and courteous. We will not tolerate aggressive, abusive or unreasonable behaviour. We will also not tolerate unreasonable demands or unreasonable persistence or vexatious complaining.

Persistent or Vexatious Complaints and Harassment - Definitions

The school maintains this policy in respect of vexatious and / or persistent complaints, and may choose to exercise it if appropriate.

For the purposes of this Policy, a **Vexatious** or **Persistent** complainant is any Interested Party who raises complaints (either informally or formally) or who frequently raises issues that the complainant considers to be within the remit of the school, and whose behaviour is considered to be unreasonable. Such behaviour may be characterised by:

- a) actions that are obsessive, persistent, harassing, prolific or repetitious;
- b) prolific correspondence or excessive email or telephone contact about a complaint;
- c) use of Freedom of Information requests excessively and unreasonably;
- d) an insistence upon pursuing unsubstantial complaints, and / or unrealistic or unreasonable outcomes;
- e) an insistence upon pursuing complaints in an unreasonable manner;
- f) an insistence upon only dealing with the Head Teacher on all occasions, irrespective of the issue and/or the level of delegation in the School to deal with such matters; and
- g) 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 purposes 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, at one or more members of staff; and / or
- . cause ongoing stress to individual member(s) of staff; and / or
- . have a significantly adverse effect on the whole / parts of the school; and / or
- . are pursued in a manner which could be perceived as intimidating and/or oppressive by the recipient(s). This could include situations where persistent demands or criticism, whilst not especially taxing or serious when viewed in isolation, have the cumulative effect over time of undermining confidence, well-being and health.

The school's actions

In the first instance, the School will verbally inform the complainant that his / her behaviour is considered to be approaching unreasonable / unacceptable and, if it is not modified, action may be taken in accordance with this policy. This will be confirmed in writing by the Head Teacher or their delegated member of Staff.

If the complainant's behaviour is not modified, the school will take some or all of the following actions as necessary, having regard for the complainant's behaviour, and the effect of this behaviour on the school:

- . Inform the complainant in writing that his / her behaviour is now considered by the school to have be unreasonable / unacceptable and, therefore to fall within the terms of this policy.
- . Inform the complainant in writing that all meetings with any member(s) of staff will be conducted with a third person present, and that notes of meetings may be taken in the interests of all parties.
- . Inform the complainant in writing that, except in emergencies, all routine communication between the complainant and the School should be by letter only.
- . (in the case of physical or verbal aggression) Take advice from Human Resources and / or Legal Services, and consider warning the complainant about being banned from the School site; or proceed immediately to a temporary ban.
- . Consider taking advice from the Human Resources and / or Legal Services on pursuing a case under Anti-Harassment legislation.
- . Consider taking advice from Human Resources / Legal Services about implementing specific procedures for dealing with complaints from the complainant, i.e. the complainant will not be able to deal directly with the Head Teacher. Instead they communicate with a third party to be identified by the Governing Body of the school who will investigate to determine whether or not the complaint is reasonable or vexatious, and then advise the Head Teacher accordingly.

Thus, based upon the last bullet point above, legitimate new complaints may still be considered, even if the person making them is, or has been, subject to the terms of this policy. In such matters, the school may be additionally advised by Human Resources and / or 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, then the school may resume the process identified above, at an appropriate level. In these circumstances, the School may be advised by Human Resources and / or Legal Services.

Anyone who is considered to have made a vexatious complaint and anyone who has become a subject of this Policy, will not be considered as an applicant for / or to hold a position on any of the School's formal Committees, including the Governing Body and the Friends of St Louis, unless otherwise approved by the Governing Body.