



Wellacre Academy Vexatious Complaints Policy

POLICY FOR HANDLING UNREASONABLY PERSISTENT, HARASSING, VEXATIOUS, UNREASONABLE OR ABUSIVE COMPLAINTS

The Principal and governing body are committed to the improvement of the Academy. We welcome feedback from parents/carers and will always try to resolve any concerns as quickly as possible. There is a comprehensive procedure for parents/carers to use if they wish to make a formal complaint.

On occasions, parents or carers pursuing complaints or other issues may treat staff 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 threatening, inappropriate or harassing behaviour.

The aim of this policy is to clarify the process for dealing with unreasonable complainants or parents who do not act appropriately.

What do we mean by ‘an unreasonable complainant’?

An unreasonable complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include parents and carers who pursue complaints in an unreasonable manner and those who do not act in an appropriate manner towards staff at the Academy.

Unreasonable behaviour may include:

- Out of proportion to the nature of the complaint
- Persistent – even when the complaints procedure has been exhausted
- Personally harassing
- Unjustifiably repetitious
- 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 Academy aim of reaching a resolution and co-operating with the Academy
- An insistence on pursuing unjustified or unmeritorious complaints
- Unrealistic outcomes to unjustified complaints

- An insistence on pursuing justifiable complaints in an unreasonable manner e.g. using abusive or threatening language
- Making complaints in public
- Refusing to attend appointments to discuss the complaint

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

Anyone who raises informal or formal issues and complaints with the Academy can expect the Academy to follow the Academy’s Complaints Procedure.

The Academy expects anyone who wishes to raise concerns with the Academy to:

- Treat all staff with courtesy and respect
- Respect the needs of pupils and staff within the Academy
- Never use violence (including threats of violence) towards people or property
- Recognise the time constraints under which members of staff in Academies work
- Allow the Academy a reasonable time to respond to a complaint
- Recognise that some problems may not be resolved immediately
- Follow the Academy’s Complaints Procedure
- Use appropriate language and avoid any aggression or verbal abuse, including name-calling
- Raise concerns/complaints in an appropriate place and at an appropriate time and be prepared to work towards a resolution and in partnership with the Academy

Academy’s responses to unreasonably persistent complaints, vexatious complainants, unreasonable complaints or harassment

This policy is intended to be used in conjunction with the Academy’s Complaints Procedure. Combined, the aim of these documents illustrate how we will endeavour to work with parents, carers and others in addressing a legitimate complaint and reach a resolution.

However, in cases of unreasonably persistent complaints or harassment, the Academy may take any or all of the following steps, as appropriate:

- Inform the complainant informally that his/her behaviour is now considered by the Academy to be unreasonable or unacceptable, and request an alternative approach
- Inform the complainant in writing that the Academy considers his/her behaviour to fall under the terms of the Unreasonably Persistent Complaints/Harassment Policy
- Require all future meetings with a member of staff to be conducted with a third party present. In the interests of all parties, notes of these meetings may be taken

- Inform the complainant that, except in emergencies, the Academy 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 Academy considers to be reasonable
- Place restrictions on the individual's access to the Academy 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 the Academy
- Involve other parties

The Academy 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

The Academy, and governing body will not tolerate any form of physical or verbal aggression or personal harassment against Academy staff. If staff are subject to this type of aggression the Academy may:

- Prohibit the individual from entering the Academy site, with immediate effect
- Inform the individual that communication with them will cease other than in an emergency
- 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 period of time, the Academy, may resume the process identified above. If a complainant's harassing/persistent complaining behaviour is modified and the complaint still falls within the time limit specified, within the Academy's Complaints Policy, the Academy will use its discretion and may resume the investigation of the complaint. The Academy will review as appropriate, and at a minimum of once a year, any sanctions applied in the context of this 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 previously been) subject to the Vexatious or Persistent Complaints Policy. The Academy nevertheless, reserves the right not to respond to communications from individuals subject to the Policy.

Date for Review: September 2023