

Policy for dealing with persistent or vexatious complaints / harassment in school

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'following Jesus in all we do'
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School aims:

- To provide a high standard of education in a stimulating, varied environment in which children can learn effectively;
- To nurture a spiritual and caring atmosphere in which children are taught to live out their faith, are happy and encouraged to act independently, fostering self-discipline to grow as good citizens made in the image and likeness of God;
- To nurture and develop children's moral awareness and sensitivity to the needs of others thus showing respect and consideration for other people and property.
- To encourage the children to co-operate with, understand and care for others from all cultural and social backgrounds and abilities, thus children are guided into responsibility not only for their own development but also that of the whole school family;
- To ensure that every child, whatever their ability, has the right and opportunity to attend our school with appropriate resources and support wherever possible, and to have access to a broad and balanced curriculum;
- To create, maintain and develop a physical and emotional atmosphere where children are stimulated to develop powers of observation and lively enquiring minds;
- To develop an understanding of decision-making and the need for rules, maintaining a continuous effort to improve standards for the general good and success of all.

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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 Diocesan 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 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 staff, children and parents in the school community. This policy has been produced to assist the headteacher when dealing with any violent and threatening behaviour or abuse from an adult who could be a pupil's parent, relative, carer or neighbour i.e. someone not directly involved in school who would have certain LA/School policies to deal with their issues. In these exceptional circumstances the school may take action in accordance with this policy.

This policy contains model letters warning / banning parents from school premises. The Headteacher, or Governing body, when considering issuing a letter, can amend these model letters to reflect individual circumstances. (See appendix 2-5)

St Joseph's Catholic Primary School
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Policy for dealing with persistent or vexatious complaints / harassment in school

1. AIMS OF THE POLICY

1.1 The aims 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;
- uphold the statements within the home school agreement devised by the parent partnership group (See appendix 1)
- support the well-being of children, staff and everyone else who has legitimate interest in the work of the school, including governors and parents;
- deal fairly with those who make persistent or vexatious complaints and those who harass members of staff in school.

2. PARENT EXPECTATIONS OF THE SCHOOL

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

a) regularly communicate to parents/carers in writing:

- (i) explain to them how and when problems will be dealt with by the school;**
- (ii) inform them of the existence of the school's complaints procedure, and provide them with a copy;**
- (iii) inform them of the existence of this guidance;**

b) respond within a reasonable time;

c) 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;

d) respond with courtesy and respect;

e) attempt to resolve problems using reasonable means in line with the school's Complaints Procedure, other policies;

f) keep complainants informed of progress towards a resolution of the issues.

St Joseph's Catholic Primary School
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Policy for dealing with persistent or vexatious complaints / harassment in school

3. THE SCHOOL'S EXPECTATIONS OF PARENTS/CARERS/MEMBERS OF THE PUBLIC

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

- a) treat all school staff with courtesy and respect;**
- b) respect the needs and well-being of pupils and staff in the school;**
- c) avoid any use, or threatened use, of violence to people or property;**
- d) avoid any aggression or verbal abuse;**
- e) not use Social Media as a means of airing complaints, problems or issues, insulting the school or any of its staff in any way;**
- e) recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond;**
- f) recognise that resolving a specific problem can sometimes take some time; g) (in the case of a complaint) follow the School's Complaints Procedure.**

4. RISK ASSESSMENT

4.1 At St Joseph's we are fully aware of the need for personal safety and ensure that all staff know how they are expected to deal with situations where their personal safety or the safety of students may be at risk.

4.2 The following control measures are in place to protect staff:

- i) means of summoning assistance is available in key areas**
- ii) individual consultations to take place in an area where staff may summon help if necessary**
- iii) two members of staff should see a parent together when it is considered that the meeting could be difficult and notes are to be taken.**
- iv) emergency procedures are in place and are known and understood by all school-based employees; all staff are aware of how they are expected to deal with situations where their personal safety is put at risk.**

4. WHO IS A PERSISTENT COMPLAINANT?

4.1 For the purpose of this document, a persistent complainant is a parent/carers 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:

- a) actions which are obsessive, persistent, harassing, prolific, repetitious;**
- b) prolific correspondence or excessive e-mail or telephone contact about a concern or complaint;**
- c) an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;**
- d) an insistence upon pursuing complaints in an unreasonable manner;**

St Joseph's Catholic Primary School
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Policy for dealing with persistent or vexatious complaints / harassment in school

- e) an insistence on only dealing with a specific member of staff on all occasions irrespective of the issue and the level of delegation in the school to deal with such matters;
- f) an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed.

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

- a) appear to be targeted over a significant period of time on one or more members of school staff and/or
- b) cause ongoing distress to individual member(s) of school staff and/or
- c) have a significant adverse effect on the whole/parts of the school community including individuals.
- d) 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.

5. THE SCHOOL'S PROCEDURES IN CASES OF PERSISTENT OR VEXATIOUS COMPLAINTS OR HARASSMENT

5.1 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.

5.2 If the behaviour is not modified the school may 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:

- a) 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;
- b) 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;
- c) inform the complainant that, except in emergencies, all routine communication with the complainant to the school should be by letter only;
- d) (in the case of physical, or verbal aggression) take advice from Diocesan / LA HR / Legal Services (services purchased by the Governing Body) and consider warning the complainant about being banned from the school site*; or proceed straight to a temporary ban;
- e) consider taking advice from the Diocese / LA on pursuing a case under AntiHarassment legislation;
- f) consider taking advice from the HR / Legal Services of the Diocese / 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 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.

St Joseph's Catholic Primary School
'following Jesus in all we do'
Policy for dealing with persistent or vexatious complaints / harassment in school

5.3 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 Diocese / LA.

6. LEGAL POSITION

6.1 The headteacher should be aware that parents who have been banned from the school premises have a general right to seek an appointment to speak to school staff in relation to their child's welfare or educational progress.

6.2 Banning a parent from the school premises should not put their child / children at risk. The headteacher will ensure that safe and effective arrangements are in place for delivery and collection of children to and from school.

6.3 The school will if necessary contact the Diocesan / LA legal departments to receive further guidance. See 5.2 f)

7. REVIEW

7.1 The School will review as appropriate, and at a minimum once in a school year, any sanctions applied in the context of this guidance.