



Persistent or Vexatious Complaints and Unacceptable Communications Policy

September 2024

1. **Policy Principles**

- 1.2 This policy should be read in conjunction with the school's Complaints Procedure and Behaviour Policy.
- 1.3 Backworth Park Primary School is committed to dealing with all complaints fairly and impartially, and to providing a high-quality and timely service to those who raise concerns. We are committed to building and promoting mutual respect between our parent/carer community and our school. We will not normally limit the contact that parents/carers have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive, or threatening. This policy sets out the expectations of both the school and parents/carers when making or handling complaints as well as general communication.

2. **Parent's and Carer's Expectations of the School**

- 2.1 Backworth Park Primary School is committed to dealing with queries and requests from parents/carers. When raising informal or formal issues or complaints with school staff, parents/carers can expect them to:
- Communicate the correct channels that are available for parents/carers to raise informal and formal concerns
 - Follow the Complaints Procedure and keep parents/carers informed of the progress made in respect of their concern, query, or complaint
 - Respond to queries and requests within a reasonable timeframe
 - Be available to speak with parents/carers within a reasonable timeframe, keeping in mind that the needs of pupils will always be prioritised
 - Speak to parents and carers with courtesy and respect

3. **The School's Expectations of Parents and Carers**

- 3.1 Backworth Park Primary School expects the following behaviour from parents/carers in all communication with members of school staff:
- Speak to staff with courtesy and respect
 - Ensure that all written communication (emails, letters) are written respectfully, addressing the member of staff appropriately and in a suitable tone
 - Avoid aggressive or threatening language in any communication with the school
 - Avoid the use or threat of violence of any kind
 - Recognise the time constraints on school staff and allow reasonable timeframes for responses to general queries and requests
 - Follow the school's Complaints Procedure
 - Avoid publishing unacceptable information¹ on social media or any other public forum

4. **What is a Persistent or Vexatious Complaint?**

4.1 Backworth Park Primary School defines a persistent or vexatious complaint as a complaint made to the school in any format which displays unreasonable behaviour.

Some of the features that we identify as unreasonable behaviour are:

- 4.1.1 Refusal to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
- 4.1.2 Refusal to co-operate with the complaint investigation process.
- 4.1.3 Refusal to accept that certain issues are not within the scope of the Complaints Procedure.
- 4.1.4 Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice.
- 4.1.5 Introduces trivial or irrelevant information which they expect to be taken into account and commented on.
- 4.1.6 Raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
- 4.1.7 Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced.
- 4.1.8 Changes the basis of the complaint as the investigation proceeds.
- 4.1.9 Repeatedly makes the same complaint (despite previous investigations or responses).
- 4.1.10 Refusal to accept the findings of the investigation into that complaint where the school's Complaint Procedure has been fully and properly implemented and completed including referral to the Department for Education.
- 4.1.11 Makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with or seeks an unrealistic outcome.
- 4.1.12 Uses threats to intimidate staff members.
- 4.1.13 Uses abusive, offensive or discriminatory language or violence.
- 4.1.14 Knowingly provides falsified information.
- 4.1.15 Publishes unacceptable informationⁱⁱ on social media or other public forums, including school-focused group chats (WhatsApp, Facebook Messenger).
- 4.1.16 Contributes to 'mobbing' (bullying of an individual by a group).
- 4.1.17 Any other behaviour which causes ongoing distress to individual members of school staff and/or has a significant impact on the school community. This could include

situations where cumulative criticisms and demands have an impact upon staff wellbeing and health.

5. **Managing Persistent and Vexatious Complainants and Unacceptable Communications**

- 5.1 If the school's ability to respond to the complaint is impacted by any of the behaviours set out in **Section 4**, the school may need to take action to control and manage the situation safely and effectively. Behaviours of parents/carers which fall short of the expectations outlined in **Section 3** may also be subject to these steps.

The school may take any of the following actions as deemed necessary by the Headteacher:

- 5.2 The individual will be informed that their behaviour is unreasonable and is therefore being managed under this policyⁱⁱⁱ. If it is the first instance the complainant will be asked to modify their behaviour to prevent further action being taken in accordance with this policy. Complainants may be asked to resubmit their complaints removing any inappropriate language or threats.
- 5.3 The individual may be informed that any discussions held with members of staff will be conducted with a second person present and that minutes of the meeting will be taken and retained by the school.
- 5.4 Where physical or verbal aggression or any form of intimidation is exhibited, the school will take appropriate legal advice and consider banning the individual from the school site. A temporary ban may be put in place at the discretion of the Headteacher whilst legal advice is obtained. Any decision to ban a person from the school site should be reviewed by either the Chair of Governors or a Committee of Governors. The person should be given the opportunity to make formal representations to the reviewer. If the ban is upheld, the person should be notified in writing explaining how long the ban will last for and when the decision will next be reviewed.
- 5.5 Take legal advice with regards to pursuing legal action for harassment, defamation, or libel (either as a school or individual staff member).
- 5.6 Implement a communication plan for the individual's communication with the school. Such a plan could involve the individual having no direct communication with the Headteacher and instead liaising instead through an identified third party (a Governor or Committee of Governors) who would be responsible for determining the reasonableness of the complaint or communication before passing it on to the appropriate staff member. Any communication plan will be reviewed after six months.
- 5.7 Where there is any threat of violence or actual violence towards the school or staff members, whether this is physical or verbal, this will result in the ending of all direct communication with the individual. The individual will be asked to communicate with the school through a third party, such as Citizen's Advice. The matter will be reported to the police immediately.

6. **Note: Exemptions under this Policy**

- 6.1 Regardless of any communication strategy, the school will provide parents and carers with the information they are entitled to under The Education (Pupil Information) (England) Regulations 2005 within the statutory time frame.
- 6.2 Requests and communication regarding Freedom of Information and Data Protection will be dealt with under the relevant legislation.
- 6.3 Whereby a complainant has been asked to re-submit their complaint removing inappropriate language, the date the complaint was received for the purposes of the Complaints Procedure will remain the first date that the complaint was made. If a complainant does not re-submit their complaint, the school will still consider the complaint but may take further steps as outlined in this policy if the complaint and/or communication escalates.

i i Examples of **unacceptable information** may include but are not limited to:

- Any personal comments about individual staff members, whether their name is used or not
- Any false statements about the school or staff members
- Comments which are derogatory or bring the school or any staff member into disrepute

ii As above.