LAAT Harassment, Persistent and Vexatious Complaints Policy of staff including aggressive behaviour from parents/carers and visitors to the school

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Policy Owner: DCEO

Ephesians 4:2: Be completely humble and gentle; be patient, bearing with one another in love.

Introduction

The Exec/Headteacher and staff deal with specific complaints as part of their day-to-day management of the school in accordance with the Trust's Complaints Procedure. The majority of concerns 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 on the overall wellbeing of the children or staff in the school. In these circumstances the school may take action in accordance with this policy.

AIMS OF POLICY

The aims of this policy are:

• set the tone and expectations for all communication between the school and persons who wish to express a concern or pursue a complaint

• support the well-being and safety of students, staff and everyone else who has legitimate interest in the work of the school, including Academy Committee members and parents

• deal fairly, honestly and properly with those who make persistent or vexatious complaints and those who harass members of staff in, or outside the school, or via social media, while ensuring that other stakeholders suffer no detriment.

EXPECTATIONS OF THE SCHOOL

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

a) regularly communicate to parents/carers in writing:

(i) how and when concerns can be raised with the School,

(ii) the existence of the School's complaints procedure, and

(iii) the existence of the Policy for Dealing with Persistent or Vexatious Complaints and/or Harassment in Schools;

b) respond within a reasonable time

c) be available for consultation within reasonable time limits bearing in mind the needs of the pupils/students within the school and the nature of the complaint

d) respond with courtesy and respect

e) attempt to resolve concerns using reasonable means in line with the school's complaints procedure, other policies and practice and in line with guidance

f) 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 concerns 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) recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond. This is usually within 48 hrs as detailed in the 'How to Raise a Concern with the school' guidance.

f) recognise that resolving a specific concern can sometimes take some time

g) (in the case of a complaint) follow the School's Complaints Procedure.

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 considered unreasonable in line the with the below. Such behaviour may be characterised by:

a) actions which are obsessive, persistent, unfounded, harassing, prolific, repetitious or slanderous/defamatory

b) prolific correspondence or excessive e-mail or telephone contact about a concern or complaint

c) an insistence upon pursuing insubstantial complaints and/or unrealistic or unreasonable outcomes

d) an insistence upon pursuing complaints in an unreasonable manner

e) an insistence on only dealing with the Headteacher 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, for example, if the desired outcome is beyond the remit of the school because it is unlawful.

Central Trust Officers will oversee the application of this policy to ensure fair and equitable application.

For the purpose of this policy, harassment is the unreasonable pursuit of such actions as in (a) to (f) 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 and/or Policy for Dealing with Persistent or Vexatious Complaints/Harassment

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.

THE SCHOOL'S ACTIONS IN CASES OF PERSISTENT OR VEXATIOUS COMPLAINTS OR HARASSMENT

In the first instance the school will inform the complainant 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.

In appropriate instances, the school will take immediate action to support individual members of staff or where the behaviour warrants immediate steps (e.g. threats or physical aggression towards staff, defamatory comments on social media).

Where relevant, the school will report harassment/ threats/ physical aggression/ assault directly to the Police. In the case of use of social media to harass or vilify the school or staff, the school will request the posts to be removed immediately.

If the behaviour is not modified (or in instances where the behaviour is extreme) 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:

a) inform the complainant in writing that their behaviour is now considered by the School to be unreasonable/unacceptable and, therefore, to fall under the terms of this policy;

b) restrict communication to a central contact rather than individual staff members

c) 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

d) inform the complainant that, except in emergencies, all routine communication with the complainant to the School should be by letter only

e) (in the case of physical or verbal aggression) consider warning the complainant about being banned from the School site; or proceed straight to a temporary ban

f) consider taking advice on pursuing a case under Anti-Harassment legislation; Legitimate new complaints will still be considered even if the person making them is, or has been, subject to the Policy for Dealing with Persistent or Vexatious Complaints / Harassment in Schools. 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.