LINCOLN ANGLICAN ACADEMY TRUST
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Thessalonians 5:11: *"Therefore encourage one another and build one another up, just as you are doing."*

Document Title	**Harassment, Persistent and Vexatious Complaints Policy**
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Policy Category (Please Indicate)	**1**	**Trust/Academies to use without amendment**
	2	Academy specific appendices
	3	Academy personalisation required (in highlighted fields)

Summary of Changes from Previous Version

Version	Date	Author	Note/Summary of Revisions
V1.2	February 2025	Nicky Bailey	Small number of amendments to reflect DfE guidance.

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2. Introduction

All Trust staff deal with specific complaints as part of their day-to-day management of the organisation 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 Trust and directly or indirectly on the overall wellbeing of the children or staff. In these circumstances the Trust may take action in accordance with this policy.

3. Aims of policy

The aims of this policy are to:

- set the tone and expectations for all communication for any person who wish to express a concern or pursue a complaint
- Ensure that all concerns and complaints are handled in line with the Trust Complaints Policy, providing a fair, transparent, and accessible process for all stakeholders where complaints are made in good faith.
- support the well-being and safety of students, staff and everyone else who has legitimate interest in the work of the Trust, 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 Trust, or via social media, while ensuring that other stakeholders suffer no detriment.

4. Expectations of the Trust

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

a) regularly communicate to parents/carers in writing:

   i. how and when concerns can be raised
   ii. the existence of the Trust's complaints procedure, and
   iii. the existence of the Policy for Dealing with Persistent or Vexatious Complaints and/or Harassment;

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 Trust and the nature of the complaint
d) respond with courtesy and respect
e) attempt to resolve concerns using reasonable means in line with the Trust'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.

5. The Trust's expectations of parents/carers/members of the public

The Trust can expect parents/carers/members of the public who wish to raise concerns to:

a) treat all staff with courtesy and respect
b) respect the needs and well-being of pupils and staff
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 work and allow the Trust a reasonable time to respond. This is usually within 48 hrs as detailed in the 'How to Raise a Concern with the Trust guidance.
f) recognise that resolving a specific concern can sometimes take some time
g) (in the case of a complaint) follow the Trust's Complaints Procedure.

6. 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 Trust and whose behaviour is considered unreasonable in line the with the below.

A complaint may be regarded as unreasonable or disregarded if the complainant:

- Is anonymous.
- Refuses to articulate their complaint or to specify the grounds of the complaint.
- Refuses to co-operate with the complaints investigation process while still wishing for their complaint to be resolved.
- Refuses to accept that certain issues are not within the scope of the complaints procedure.
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or good practice.
- Introduces trivial or irrelevant information, raises large numbers of detailed but unimportant questions to be dealt with to their own timescales.
- Makes unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced.
- Changes the basis of the complaint as the investigation proceeds.
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
- Refuses to accept the findings of the investigation into the complaint, where the Trust complaints procedure has been fully and properly implemented and completed at the appropriate stage, including referral to the Education Skills and Funding Agency.
- Seeks an unrealistic outcome.
- Makes excessive demands on Academy / Trust time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint, in person, in writing, by email and/or by telephone while the complaint is being dealt with.

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:

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

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

7. The Trust's actions in cases of persistent or vexatious complaints or harassment

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

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

a) inform the complainant in writing that their behaviour is now considered by the Trust 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 Trust should be by letter only
e) (in the case of physical or verbal aggression) consider warning the complainant about being banned from the 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 Trusts.

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 Trust may resume the process identified above at an appropriate level.