

Persistent or Vexatious Complaints Policy

Freemantle C.E. Community Academy Trust



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1. Introduction and rationale

Freemantle CE Community Academy is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. The Head teacher and SAT (Senior Accountability Team) deal with specific complaints as part of their day-to-day management of the academy, in accordance with the Academy's Complaints Policy.

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 academy and directly or indirectly the overall wellbeing of the children or staff in the academy.

We will not normally limit the contact complainants 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. In these exceptional circumstances, the academy may act in accordance with this policy.

2. What makes a complaint unreasonable?

Freemantle CE Community Academy defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the academy, such as, if the complainant:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- Refuses to co-operate with the complaints investigation process
- 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 with good practice
- Introduces trivial or irrelevant information which they expect to be considered and commented on
- Raises large numbers of detailed but questions, and insists they are fully answered, often immediately and 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 that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education (DFE)
- Seeks an unrealistic outcome
- 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

- Uses threats to intimidate
- Uses abusive, offensive or discriminatory language or violence
- Knowingly provides falsified information
- Publishes unacceptable information on social media or other public forums.

3. Aims of the policy

The aims of this policy are to:

- Uphold the standards of courtesy and reasonableness that should characterise all communication between the academy and persons who wish to express a concern or pursue a complaint;
- Support the well-being of children, staff and everyone else who has legitimate interest in the work of the academy, including directors and parents;
- Deal fairly, honestly, openly and transparently with those who make persistent or vexatious complaints and those who harass members of staff in academy while ensuring that other stakeholders suffer no detriment.

4. The Academy's expectations of carers/parents/ members of the public

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

5. The Academy's actions in case of persistent and vexatious complaints or harassment

If despite following the complaints procedure, the complainant remains dissatisfied and fails to accept that the matter has been brought to a close, the academy will write to the complainant explaining that their behaviour is unreasonable and ask them to change it.

For complainants who excessively contact Freemantle CE Community Academy causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months and after consultation with our HR department and legal services.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Freemantle CE Community Academy.

6. DFE advice

Schools and local authorities can contact the DFE for general assistance on complaint handling by:

- calling the National Helpline on 0370 000 2288
- using DfE's [contact form](#)
- writing to them at this address:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

7. Review of policy

The Academy will review this policy biennially or sooner if there are changes in DfE policy or legislation.