



Theale Church of England Primary School **Persistent or Vexatious Complaints Procedure**

Theale C of E Primary School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. 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 which is abusive, offensive or threatening

Purpose

- To identify situation in which the behaviour of a complainant is unreasonable or unreasonably persistent and/or prolific in pursuit of their complaint and manage their complaints appropriately
- To ensure that all complainants are treated equitably and on an individual basis
- To ensure that access to the complaints process as a mechanism for representation is not unlawfully barred
- To ensure that individuals' needs are considered when deciding on a suitable approach to dealing with their complaints
- To avoid perpetuating correspondence which is time consuming and not helpful to the complainant and/or complainants and staff

Applicability

This procedure shall apply to all employees of Theale CE Primary School, including elected governors, agency and other temporary staff, volunteers and employees of partner organisations working with Theale CE Primary School. It is the responsibility of the headteacher to ensure that these groups are made aware of this procedure.

Roles and responsibilities

The headteacher has overall responsibility for ensuring that unreasonable and unreasonably persistent complainants are managed appropriately in accordance with these agreed standards.

All school staff and groups, as mentioned above, are responsible for familiarizing themselves with, and ensuring that they comply with this procedure.

Defining Unreasonable Complainant Behaviour

Unreasonable and unreasonably persistent complainants may have justified complaints or grievances but are pursuing them in inappropriate ways, or they may be intent on pursuing complaints which appear to have no substance or which have already been investigated and determined. Their contacts with the school may be amicable but still place very heavy demands on staff time, or they may be very emotionally charged and distressing for all involved.

However, raising legitimate queries or criticisms of a complaints procedure as it progresses, for example if agreed timescales are not met, should not in itself lead to someone being regarded as an unreasonably persistent complainant.

Similarly, the fact that a complainant is unhappy with the outcome of a complaint and seeks to challenge it once, or more than once, should not necessarily cause him or her to be labelled unreasonably persistent. Responding to reasonable expressions of dissatisfaction and requests for information should not cause staff particular problems.

Behaviour which may lead to a complainant being considered as unreasonable can include some or all of the issues listed below:

- Refusing to specify the grounds for their complaint, or changing the grounds of their complaint while the complaint is under investigation.
- Introducing irrelevant or trivial issues into their complaint, which they expect to be taken into account and commented on
- Raising a large number of detailed but immaterial to the complaint questions and insisting these are dealt with in detail.
- Refusing to accept that issues are not within the scope of the procedure, or insisting complaints are dealt with in ways not compatible with the complaints procedure or good practice.
- Refusing to cooperate with the complaints investigation process while still wanting their complaint to be resolved.
- Making apparently groundless complaints against staff dealing with the complaint and/or asking that they be replaced, or escalating a complaint to a more senior officer after receipt of a response with which they disagree, rather than following the complaints procedure
- Pursuing a complaint or complaints with the school, and either contacting different staff about the same or similar issues, or contacting or repeatedly threatening to contact other organisations or individuals, such as an solicitors/local authority/police
- Making unnecessarily excessive demands on the time and resources of staff whilst a complaint is being investigated, by for example, excessive telephoning or sending emails to numerous school staff, writing lengthy complex letters every few days and expecting immediate responses.
- Submitting repeated complaints, after the complaints process has been completed, essentially about the same issues, with additions/variations which the complainant insists make these “new” complaints which should be put through the full complaints procedure.
- 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
- 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.

Resolving unreasonable complainant behaviour

The headteacher in conjunction with the Chair of Governors will determine the point at which a complaint is considered as prolific and/or persistent, following the criteria identified above. Where the complaint includes more than one unit of the school, this will be done in consultation so that both services are party to the decision to identify a complaint as persistent or prolific.

The complaint will be thoroughly assessed to ensure no items are overlooked and all issues raised have been previously addressed. Once it has been thoroughly assessed, to ensure no items are overlooked and all issues raised have been previously addressed, the headteacher will decide that the complainant's correspondence fulfils the profile for persistent or prolific complaints, an action plan will be drawn up for future management, and a review date will be set. This will be led by the headteacher, with input from all relevant staff.

A letter will be drafted to the complainant, setting out the key elements of the proposed future management of representations, and this will be signed and sent by the headteacher. A copy of the above letter and action plan will be retained on file and all relevant staff likely to receive contact will be notified of any actions they are required to take in the future – such as logging calls, not discussing the case, etc

This action plan will be reviewed within the determined time scale, and at least every six months.

Action Plan

Options available for selection to include in an action plan include:

Explanation - make clear to a complainant the ways in which their behaviour is unreasonable, and the likely consequences of refusal to amend it, before taking more formal action. In some cases close liaison with all relevant staff will be necessary to reach an appropriate and coordinated decision. This is good practice and should be done in all cases where complaints cut across different units of Theale CE Primary School.

Coordination – designate a key person as the single point of contact for the complainant to provide an arena to raise concerns direct and to receive all issues in the future (or all issues around this particular complaint). Advise the complainant of their role and contact details. All future representations and communications from the complainant regarding their issues subject to complaint will be fed through this one person to ensure all responses are coordinated and providing the same clear answers.

Correspondence – ensure that issues raised are quickly passed on to the appropriate member of staff to ensure speedy resolution and a quick and firm response with advice from external parties if appropriate.

Approved

FGB

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