

	<p><b>SLINGSBY SCHOOL</b></p> <p><b>Serial, Persistent, Vexatious or</b></p> <p><b>Unreasonable Complaints and Behaviour</b></p>	<p><b>Date of Last Review</b></p> <p>February 2021</p> <p><b>Date for Review</b></p> <p>February 2022</p>
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## **INTRODUCTION**

Slingsby Community Primary School encourages close links with parents and the community. We believe that pupils benefit when the relationship between home and school is a positive one and we endeavor to always set a good example to our children. This view is one that is shared by our Governing Body and other stakeholders within our community, as identified through our regular parental/carer surveys.

The vast majority of Slingsby CP School visitors are keen to work with us and are hugely supportive of our school, staff and all we seek to achieve. We actively promote respect, communication and swiftly act to address any issues of concern. We expect parents, carers and visitors to behave in a reasonable way towards each other and to all members of the school community and to respect the professionalism and experience of our staff.

The head teacher and staff deal with worries, concerns and specific complaints as part of their day-to-day management of the school and where necessary in accordance with the school's Complaints Procedures. The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant.

However, on the rare occasions when a negative attitude towards the school continues to be expressed, this can result in aggression, threatening behaviour, verbal and/or physical abuse towards a member of the school community, which is unacceptable.

Our school and governing body expects and requires staff to behave professionally in these difficult situations, and to attempt to defuse the situation where possible - seeking the involvement as appropriate of other colleagues. It is policy to always have two members of staff present for formal conversations to avoid any misunderstandings. All members of the school community have the right to work without fear of serial, persistent, vexatious and/or unreasonable abuse - verbal or otherwise.

If complainants continue to behave in an unreasonable manner when pursuing concerns, and that begins to impact negatively on the day-to-day running of the school and directly or indirectly the overall well-being of the children or staff in the school, then the head teacher and governing body may deem it appropriate to take action in accordance with this policy. In appropriate circumstances, legal advice will be taken through the NYCC Legal Department or other services may be contacted. School is within its rights to ban an individual from the premises, if this situation arises.

## **AIMS OF POLICY**

The aims of this policy are to:

- uphold the standards of courtesy and reasonableness that should characterise all communication between the school and persons who wish to express a concern or pursue a complaint;
- support and uphold the well-being of all our children, staff and everyone else who has legitimate interest in the work of the school, including governors and parents/carers;
- deal fairly, honestly, openly and transparently with those who make serial, persistent, vexatious or unreasonable complaints; and those who harass members of staff in school while ensuring that other stakeholders suffer no detriment.

## **PARENTS'/CARERS EXPECTATIONS OF THE SCHOOL**

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

- respond with courtesy and respect;
- regularly communicate to parents/carers in writing;
- explain how and when problems can be raised with the school;
- share the existence of the school's complaints procedure, and
- share the existence of the Policy for Dealing with Serial, Persistent, Vexatious and Unreasonable Complaints and/or Harassment including Aggressive Behaviour from Parents and Visitors in Schools;
- respond within a reasonable time;
- be available for consultation within reasonable time limits - bearing in mind the needs of the pupils within the school and the nature of the complaint;
- attempt to resolve problems using reasonable means in line with the school's complaints procedures, other policies and practice and in line with advice from the Local Authority (LA);
- 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/visitors/members of the public to:

- treat all school staff and those involved on behalf of the school with courtesy and respect;
- respect and appreciate the needs and well-being of all pupils and staff in the school;
- respect the experience, knowledge and ability of the head teacher and all staff;
- avoid any use, or threatened use, of violence to people or property;
- avoid any aggression or verbal abuse;
- refrain from voicing negative opinions in the public domain including on social media;
- recognise the demands and time constraints under which members of staff in schools work and allow the school a reasonable time to respond;
- recognise that resolving a specific problem can sometimes take some time;
- where appropriate, follow the school's Complaints Procedure.

## **TYPES OF UNACCEPTABLE BEHAVIOUR**

Types of behaviour that are considered serious and unacceptable and will not be tolerated are:

- shouting or swearing at members of the school community, either in person or over the telephone;
- aggressive or rude communications in writing including emails;
- physically intimidating or undermining a member of the school community, e.g. standing very closer to her/him;
- verbally intimidating or undermining a member of the school community;
- the use of aggressive hand gestures including finger pointing or shaking a fist towards another person, or physical aggression such as pushing, hitting, spitting etc;
- any threatening or negative actions towards of a member of the school community; this can include verbally, via texts, emails etc.
- the voicing of negative opinions about school or members of the school community in the public domain including on social media;
- breaching the school's security procedures.

This list is not an exhaustive list but seeks to provide illustrations of unacceptable behaviour.

Whilst some behaviours may not be viewed as serious or offensive to one individual, it may cause great stress and upset to another, which can result in undermining confidence, well-being and health.

## **WHO IS A SERIAL OR PERSISTENT COMPLAINANT?**

For the purpose of this policy, a serial or persistent complainant is a parent/carer/visitor or member of the public who regularly complains about issues, either formally or informally, and/or frequently raises issues that have either been addressed or are deemed to be unreasonable. Such behaviour may be characterised by:

- actions such as demands or criticisms which are obsessive, persistent, harassing, prolific or repetitious;
- prolific correspondence or excessive e-mail or telephone contact about concerns or complaints;
- making excessive demands on the time and resources of staff;
- submission of repeat complaints, after the complaints process has been completed, essentially about the same issue but with additions/variations which the complainant insists make these 'new' complaints which he/she wants to be put through the full complaints procedure;
- refusal to accept the decision reached on the complaint, repeatedly arguing the point and complaining about the decision;
- 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;
- using Freedom of Information requests excessively and unreasonably;
- an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;
- an insistence upon pursuing complaints in an unreasonable manner;
- an insistence on only dealing with the head teacher on all occasions irrespective of the issue and the level of delegation in the school to deal with such matters.

For the purpose of this policy, harassment is the unreasonable pursuit of such actions as above and:

- appear to be targeted over a significant period of time on one or more members of school staff and/or
- cause ongoing pressure and distress to individual member(s) of school staff and/or
- have a significant adverse effect on the whole/parts of the school community and/or
- are pursued in a manner which can be perceived as intimidating and oppressive by the recipient e.g. false allegations/professional shopping.

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 or governing body will verbally inform the complainant that his / her behaviour is becoming unreasonable/ unacceptable in line with school policies and, if it is not modified, action may be taken in accordance with this policy.
- This will be confirmed in writing.
- If the behaviour is not modified, 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:
  - Inform the complainant in writing that his/her behaviour is now considered by the school and/or governing body to be unreasonable/unacceptable and, therefore, falls under the terms of this policy;
  - 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;
  - Inform the complainant that, except in emergencies, all routine communication with the complainant to the school should be in writing via letter sent by post or email;
  - In the case of physical, or verbal aggression, and following advice from the LA, instructing and informing the complainant about being banned from the school site;
  - consider taking advice from the LA on pursuing a case under Anti-Harassment legislation or request an Anti-Social Behaviour Order;
  - consider taking advice from the HR / Legal Services of the LA about putting in place a specific procedure for dealing with complaints from the complainant. For example, the complainant will not be able to deal directly with the head teacher or individual(s) member(s) of staff, but only with a third person to be identified by the governing body of the school, who will investigate, determine whether or not the concern / complaint is reasonable or vexatious and then advise the head teacher or individual(s) member(s) of staff accordingly. Thus, legitimate new complaints may still be considered even if the person making them is, or has been, subject to the Policy for Dealing with Serial, Persistent or Vexatious Complaints and/or Harassment including Aggressive Behaviour form for Parents and Visitors in Schools. However, the school will be advised by the HR / Legal Services of the LA.

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. In these circumstances, advice may be sought from the HR/Legal Services of the LA.

In serious cases, Legal Advice will be sought.