



PolyMAT

GUIDANCE ON DEALING WITH SCHOOL VEXATIOUS AND PERSISTENT COMPLAINTS

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Introduction

This policy is designed to support all Schools within PolyMAT, where the Complaints Policy does not meet the needs of the Trust because the complaint that they have been dealing with is unreasonable/abusive and/or persistent. This policy applies to all complainants, either individually or as part of a group, who might be considered to be 'habitual, unreasonably persistent or vexatious'.

The term 'complainant' in this policy includes those who make requests under the Freedom of Information Act 2000, and the Data Protection Act 2018. Reference to the complaints procedure relates, where relevant, to requests made under those Acts.

Scope of Aims of this Policy

Our aim is for our Trust to be a safe and happy environment for our staff to work in and for our students to learn in. The Head of School and Local Academy Committee are absolutely committed to this statement.

We welcome constructive comments regarding our working practices, environment or policies and procedures, which we will always try to resolve quickly and positively through our policy: "Handling Complaints Positively".

PolyMAT 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 Trust. 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.

Unreasonably persistent and vexatious complainants can unnecessarily burden Trust staff, Trustees and Local Academy Committee Members. Managing these complaints can place unwarranted strain on time and resources. The Trust will deal with concerns raised regarding a school or individual working on behalf of the Trust, but there will be times where, despite following all procedures available, the complainant remains dissatisfied.

Examples of unreasonable behaviour which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school/Trust, 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 complaint's investigation process;
- refuses to accept that certain issues are not within the scope of the complaint's procedure;
- insists on the complaint being dealt with in ways which are incompatible with the complaint's procedure or with good practice;

- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- makes excessive demands on time and resources e.g. excessive telephone calls;
- sending excessive emails;
- makes excessive demands on school/Trust time by frequent, lengthy and complicated contact with staff regarding the complaint, in person, writing or by telephone whilst the to which a quick response is expected;
- displays threatening behaviour/conduct and physical violence;
- does not allow the school/Trust adequate time to manage an initial complaint;
- refuses to accept the findings of the investigation into that complaint where the Trust's Complaint Procedure has been fully and properly implemented and completed including referral the Department of Education;
- changes the basis of the complaint as the investigation proceeds
- 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;
- seeks an unrealistic outcome; and
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).

Conduct by a Complainant

1. Aggressive/abusive behaviour

The expectation is that staff/students/visitors/volunteers feel safe whilst on our Trust sites. The Trust recognises that under certain circumstances complainants can become angered or upset by a decision or action taken by the school/Trust. However, it is never acceptable for this to be escalated to verbal or physical abuse (this would include written threats of violence) if threats of violence/abuse/inflammatory statements/ unsubstantiated allegations are made in person, the Trustees may decide that any further communication between the complainant and the school will be in writing only. In addition, the school/Trust have the discretion to bar a complainant from school/Trust premises for a period of time. Any incidence of abuse will be reported to the Police and the Royal Borough of Greenwich (as appropriate).

2. Unreasonable demands

Complaints can cause stress and strain on the school/Trust by:

- the amount of information sought;
- unreasonable detail; unachievable timescales; or

- the number of requests made.

These demands could include continually:

- telephoning;
- sending letters;
- sending emails; or
- making subtle changes to the nature of the requests previously made in the anticipation that the outcome may be more in line with the complainant's expectations.

These demands will be deemed to be unreasonable if:

- they appear to be trivial or made without a serious purpose;
- they impact on the work of the school by taking up excessive amounts of staff time;
- they impact on the effective running of the school/Trust; or
- cause stress and anxiety to the staff concerned in the issue.

3. Repetitive/persistent requests

The Trustees of PolyMAT recognise that complainants can, in some circumstances, remain dissatisfied with the outcome of their initial complaint. The complainant might continue to pursue their complaint where they do not agree with the outcome or the action that has been taken by the school/Trust, either in person, in writing, telephone or sending emails without providing any new information. If the complainant continues to contact the school/Trust, repeating the same complaint that has already been responded to or which is still under investigation, the school may decide to only take telephone calls on a restricted basis e.g. only one nominated member of staff will respond. If the same written material/documents are sent to the school/Trust, the Head Teachers may decide to return these without response.

Complainants should try to limit their communication with the school/Trust 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 Head of School or Chair of Local Academy Committee Members will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. However, where a complainant continues to exhibit unacceptable behaviour as defined within this policy, the Head of School or Chair of Trustees will write to the complainant, outlining their concerns and the expected behaviour of the individual and ask them to change it. If the complainant unacceptable behaviour continues, the Chair of Trustees or the Head of School may authorise staff to terminate contact with the complainant (except in matters directly related to the education and welfare of their child) and they may terminate any further investigation being carried out.

In cases where a complainant excessively contacts the school/Trust, causing a significant level of disruption, the Trust Board may restrict the complainants methods of communication and limit the number of contacts . The decision to restrict communication will need to be agreed by the Head of School (if school based) or CEO(if Trust based) and Chair of Trustees and will be reviewed after 6 months of issue.

The complainant will be notified in writing of this decision, outlining:

- the reason why the decision to apply this policy has been taken;
- what impact this will have on their contact with the school/Trust;
- the duration of the restriction; and
- how and to whom the complainant can appeal the decision.

The restrictions may include all or some of the following:

- placing time limits on telephone calls/personal contact;
- limiting the number of telephone calls/personal contacts;
- restricting the complainant to only one form of communication and with one named member of staff; and
- refusing all communication regarding an identified subject.

The restriction would not include emergency contact regarding the complainant's child/children or information which would be essential to their child/children's learning and achievement.