



---

# **Walter Halls Complaints Policy**

---

**Including policy for dealing with Persistent,  
Unreasonable or Vexatious Complaints/Harassment**

**Reviewed: July 2023 Next Review: July 2024**



Under Section 29 of the Education Act 2002, the Governing Body of all maintained schools and nursery schools are required to have in place a procedure to deal with complaints relating to the school and to any community facilities or services the school provides. The law also requires the complaint procedure to be publicised (see appendix B).

The exceptions to this requirement are complaints relating to the Curriculum, Collective Worship and Religious Education, some Special Educational Needs issues and Admission, where Local Authorities have statutory responsibilities. The Head Teacher or Deputy Head Teacher can give information about this, and advice on who to contact in Nottingham City Council.

There are certain other complaints which fall outside the remit of the governing body's complaints procedure, for example, staff grievances or disciplinary procedures.

Allegations of abuse against a member of the school staff must be reported to the Head Teacher immediately. Allegations of abuse against the Head Teacher must be reported to the Chair of Governors immediately. Immediate contact must be made by the Head Teacher or Chair of Governors with the Local Authority safeguarding Officer (LADO).

For complaints that do not fall within the definitions of curriculum complaints, the responsibility for dealing with them falls entirely on the Governing Body. Nottingham City Council may not take over this responsibility, and appeals against governing body decisions and procedures would be heard by the Secretary of State. In the case of Voluntary Aided Schools if the governing body is not able to resolve the complaint to the satisfaction of the complainant, the complainant may also refer the complaint to the Diocesan (Church) Board of education.

Any complaints concerning the conduct of school staff will be handled in accordance with the schools internal disciplinary procedures. The details of such an investigation will remain confidential.

Extended Schools: the governing body will ensure any third party provider offering activities and services through the extended schools programme has their own complaints procedure in place. If a third party provider's complaints process is exhausted and the matter is not resolved and it will be referred to a Governors' Complaints panel. This ensures that the Governors are kept aware of complaints about provision.

Each level of the procedure set offers the opportunity for concerns and complaints to be resolved as quickly as possible.

### **Level 1 – Informal**

Parents, carers or guardians should, in the first instance, make an appointment to speak to the class teacher or head of year about the concern. It is best to resolve issues at this point.

Guidance on informal level 1:

- ☐ Concerns should initially be handled informally in a manner that offers the best way of resolving issues.
- ☐ A class teacher or head of phase should offer an appointment to discuss the issue as soon as possible, as this will give both parties time to talk about it calmly and politely without being interrupted. This can allow parties to remain calm. It will also show a commitment to resolving issues.

- ☒ It is important for parents/carers to recognise that schools are busy organisations and that it may not be possible to offer an appointment straightaway.
- ☒ The parties involved should be encouraged to offer their view of what would be a realistic resolution to the problem.

### **Level 2 – Informal**

Parents, carers of guardians dissatisfied with the result of the discussions with the class teacher or head of phase should ask for an appointment to meet with the Headteacher or, in a larger school, a member of the leadership team, a Deputy Headteacher or Assistant Headteacher.

If a resolution to the issue is proving difficult to find, the Headteacher, a member of the leadership team a Deputy Headteacher or Assistant Headteacher can speak to one member of the governing body about the issue who may be willing to offer informal intervention. However, there is no obligation on any governor to become involved at this level.

If everyone involved is unable to resolve the issue then it may be necessary to ask for information or support from Nottingham City Council. The issue that is the focus of the complaint will determine the person contacted. The Headteacher, member of the leadership team, Deputy Headteacher or Assistant Headteacher should advise on who the complainant should contact.

#### *Guidance on informal level2:*

- ☒ It is always best to resolve issues informally at the earliest possible time but if the person is not satisfied with the result of the talk with the teacher or head of year then he/she can ask for an appointment to meet with the Headteacher or, in a larger school, a member of the leadership team, a Deputy Head or Assistant Headteacher.
- ☒ It is in everyone's interest, particularly the child or children, for concerns and complaints to be sorted out quickly and smoothly.
- ☒ The aim should be that discussions end on a positive note with no bad feeling.
- ☒ It is good practice for Headteachers or member of the leadership team, a Deputy Headteacher or Assistant Headteacher to write a letter to parents summarising what has been agreed regarding the issue.
- ☒ The Headteacher, a member of the leadership team, a Deputy Headteacher or Assistant Headteacher may feel that a particular governor's input would be helpful in bringing about a resolution but there is not obligation on any governor to become involved at this level.
- ☒ The advice from a Children's Services Representative will be designed to help facilitate a resolution to the problem as quickly as possible.

It is hoped that most problems will have been resolved by now.

### **Level3 – formal complaint letter to Headteacher**

An issue that has not been resolved through the informal levels 1 and 2 can become an official complaint. Parents, carers of guardians wishing to move to level 3 must write a formal letter of complaint to the Headteacher. The letter will need to set out clearly the issues which have previously been discussed and why the parent, carer of guardian considers the issue to be unresolved. Headteachers should consider the complaint and discuss a resolution with the complainant. The Headteacher should respond to the complainant in writing within 10 school days of receipt of the letter.

*Guidance on level 3 – formal:*

☒ An unresolved issue can now move to a formal complaint. This is a serious step to be taken. In consideration of future home/school relationships everyone concerned will need to negotiate an agreement and concentrate on finding a resolution to the issue.

Concerns of complaints specifically about the Headteacher

The decision that the Headteacher has made as a result of the level 3 complaint does not become a complaint about the Headteacher. **It the complainant feels the complaint has not been resolved he/she should proceed to Level 4, a Governors' Complaints Panel.**

If the concern or complaint is specifically about the Headteacher and is unable to be resolved at the informal stage, then it will be necessary for the complainant to formally complain to the Chair of Governors. The school will provide the Chair of Governor's name and the complainant should write to him or her at the school address marking the envelope 'urgent, private and confidential'. The Chair of Governors should acknowledge the complainant's letter in writing within 5 school days of receipt and contact a Governor Support Service Officer for advice.

#### **Complaints against Chairs of Governors**

In the event of a formal complaint being made against the Chair of Governors, which is unable to be resolved at the informal stage, then it will be necessary for the complainant to formally complain to the Vice-Chair of Governors. The school will provide the vice-Chair of Governor's name and the complainant should write to him or her at the school address marking the envelope 'urgent, private and confidential'. The Vice-Chair of Governors should acknowledge the complainant's letter in writing within 5 school days of receipt.

A governor who is the subject of the complaint would normally be advised of the situation immediately. However, if the complaint involves a child protection issue, child protection arrangements will come into force. The complaint will be considered to be a Level 4 – formal complaint and therefore will be considered by governors' Complaints Panel. Complainants will be informed of the limited powers of such a committee in these circumstances. If the complaint is upheld in part, the committee panel may be composed of governors from another school within Nottingham City.

#### **Complaints against Governors**

A formal complaint against a governor other than the Chair should be referred to the Chair, who will investigate and seek to resolve it. The school will provide Chair of Governor's name and the complainant should write to him or her at the school address marking the envelope 'urgent, private and confidential'. The Chair of Governors should acknowledge the complainant's letter in writing within 5 school days of receipt. A governor who is the subject of the complaint would normally be advised of the situation immediately. However, if the complaint involves a child protection issue, child protection arrangements will come into force. If it cannot be resolved by the Chair, the complaint will be considered to be a Level 4 – formal complaint and therefore will be considered by Governors; complaints Panel. Complainants will be informed of the limited powers of such a committee in these circumstances. If the complaint is upheld or upheld in part, the committee may be composed of governors from another school within Nottingham City.

Governors co-opted or elected on to the governing body can be suspended for a period of up to six months. Governors appointed by the Local Authority can be suspended or removed from the governing body.

#### **Level 4 – formal complaint requesting a Governors’ Complaints Panel.**

Time scales:

Receipt of complainant’s letter

Acknowledgement within 5 school days

Receipt of complainant’s letter

Governors’ Panel meeting within 15 school days (unless this goes into school holidays)

Written documentation sent to Governors’ Panel Members and complainant and Head Teacher.

5 school days before meeting

Governors’ Panel members decision communicated to all concerned.

As soon as possible but within 10 school days of meeting.

Complainants wishing to move to level 4 of the formal complaints procedure will need to write a letter to the Chair of Governors to request that a Governors’ Complaints Panel meets to hear the complaint. This formal complaint letter must be received within 20 school days of the last meeting with the Head Teacher concerning the issue. The complainant should write to the Chair of Governors at the school address marking the envelope “urgent and confidential”. The letter will need to set out the complaint that has been previously formally discussed with the Head Teacher and show why the matter is not resolved.

Additionally it should detail what actions would resolve the complaint. A template letter is included as appendix A to this complaints procedure.

Before the meeting:

The Chair of Governors should:

- ☑ appoint a clerk to the Governors’ Complaints Panel
- ☑ acknowledge the complainant’s letter in writing within 5 school days of receipt
- ☑ arrange for a panel of governors to meet within 15 days of receipt
- ☑ provide the Head Teacher with a copy of the complainant’s letter, and request written documentation relevant to the complaint from the school.

The clerk should send both the complainant’s letter and the school documentation to the Governors’ Complaints Panel members, complainant and the Head Teacher ( anyone else involved in the meeting) at least 5 school days before the date of the meeting.

The complainant and the Head Teacher will be invited to attend the Governors’ Complaints panel meeting to give a verbal statement in support of their documentation. Each of them can bring someone to support them if they wish.

At the meeting:

The complainant and the Head Teacher (or his/her representative) should provide all the relevant information they wish and the Governors’ Complaints Panel members should clarify any points. After the complainant and Head Teacher (or his/her representative) have provided all the information they wish, the Chair will ask all parties to leave except the panel members and the clerk.

After the meeting:

The Governors’ Complaints Panel will write to all concerned within 10 school days to explain their decision and suggest a resolution to the problem, if appropriate. The decision of the Governors’ Complaints panel is final.

The decision of the Governors’ Complaints panel will not be investigated. If, however, the complainant feels that the School and Governors have not followed the school’s complaints procedure correctly he/she can contact Nottingham City Council for assistance. In this case he/she should ring Governor Services on 0115 8764589, who will then arrange for an officer to contact him/her.

A complaint can be made to the Secretary of State for Education if a person believes that a governing body or LA is acting “unreasonably” or is failing to carry out statutory duties properly (see sections 496 and 497 of the Education Act 1996). However, intervention can only occur if the governing body or the LA have failed to carry out a legal duty or has acted unreasonably in the performance of a duty. Intervention would have to be expedient in the sense that there would have to be something that the Secretary of State could instruct either party to do to put matters right. The Secretary of State must be satisfied that a decision is unreasonable in the sense that no reasonable authority or governing body, acting with due regard to its statutory responsibilities, would have reached that decision.

Guidance of level 4- formal

Before the meeting:

The Complaints Panel must be made up of at least three members and a clerk. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make- up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.

At the meeting:

The aim of the meeting, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.

☒ Although this is a formal meeting, every effort should be made to make it as informal as possible for all concerned.

☒ Everyone attending should be in the room at the same time.

☒ Consideration may need to be given to the seating arrangements to make everyone feel equal and comfortable.

☒ The clerk should take notes of the meeting, including listing who is present:

☒ Governors, stating who is the Chair of the Governors’ Complaints Panel

☒ Head Teacher (or his/her representative) and any other members of school staff

☒ Parents and anyone accompanying them e.g. friend

☒ Clerk

These minutes will remain confidential.

☒ The Chair of Governors’ Complaints Panel should open the meeting stating the purpose and the format of the meeting to clarify this to all in attendance.

☒ People present should introduce themselves stating their reason for being at the meeting.

☒ The Chair of the Governors’ Complaints Panel should request a verbal statement from the complainant in support of his or her written letter of complaint and why she/he feels the issue has not been resolved. The Governors’ Complaints Panel members can ask questions to make sure they understand the issue from the complainant’s point of view.

☒ The Chair of Governors’ Complaints Panel should request a verbal statement from the Head Teacher (or his/her representative) in support of his/her written account of the complaint and the steps being taken to resolve the issue. The Governors’ Complaints Panel members can ask questions to make sure they understand the issue from the Head Teacher’s point of view.

☒ The members of the Governors’ Complaints Panel should make sure they fully understand the issues and ask any further questions to clarify any [points that are still not clear to them.

☒ The Chair of Governors’ Complaints Panel must ask the complainant and the Head Teacher (or his/her representative) if they are satisfied that they have provided all the information they wanted or if there is something they wish to add and if they feel they have had a fair hearing.

☒ When the Governors' Complaints Panel members understand all the issues, the Chair will ask all parties to leave except the Panel members and the clerk.

After the meeting:

☒ The Governors' complaints Panel members then discuss the issues in private and the clerk remains to record the decision.

☒ The panel members will need to consider the information, come to a decision and suggest a way to resolve the issue taking into account the best interests of the child or children.

☒ The panel can:

☒ Dismiss the complaint in whole or part;

☒ Uphold the complaint in whole or part;

☒ Decide on the appropriate action to be taken to resolve the complaint;

☒ Recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur.

☒ When the panel have reached a decision the clerk will inform everyone concerned in writing as soon as possible, but in any event, within 10 school days of the panel meeting. The letter needs to explain if there are any further rights of appeal and, if so, whom they need to be addressed.

The decision of the Governor's complaints Panel is final.

Once a governor's Complaints Panel has heard a complaint, and it is clear that correct procedures have been followed, that specific complaint cannot be reopened. If a request is received in this respect, the Chair of Governors should inform the complainant that the matter is closed.

Vexatious Complainants: it is important to distinguish between people who make a number of complaints because they really think things have gone wrong, and people who are being difficult.

Complainants can be frustrated and aggrieved and it is therefore important to consider the merits of the case rather than their attitude. Even though someone has made vexatious complaints in the past, it cannot be assumed that the next complaint is also vexatious. Each complaint must be considered as to whether it is vexatious or genuine. There is no way of avoiding evaluating each complaint.

### **APPENDIX A Complaint letter template**

Please complete and return to the Chair of the Governing Body who will acknowledge receipt and explain what action will be taken.

Your name:

Pupil's name:

Your relationship to the pupil:

Address:

Telephone number(s):

Details of the complaint

What action, if any, have you already taken to try and resolve your complaint

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

## **APPENDIX B: Publicising of complaints procedure**

There is a legal requirement for the Complaints Procedures to be publicised. It is up to the GB to decide how to fulfil this requirement but details of the Complaints Procedures could be included in:

- ☒ the school prospectus;
- ☒ any report/communication from the governors to the parents;
- ☒ the information given to new parents when their children join the school;
- ☒ the information given to the children themselves;
- ☒ the home-school agreement;
- ☒ home school bulletins or newsletters;
- ☒ documents supplied to community users including course information or letting agreements;
- ☒ a specific complaints leaflet which includes a form on which a complaint can be made;
- ☒ posters displayed in areas of the school that will be used by the public, such as reception or the main entrance;
- ☒ the school website.

## **APPENDIX C: Information for Parents**

We want pupils to be healthy, happy, safe, and do well. Co-operation between parents, staff and governors leads to a shared sense of purpose and good atmosphere in school.

*I have something I would like to discuss with the school...*

Remember that there is usually more than one view about a situation. Make sure that what you want to discuss is clear in your mind. A good tip is to write down the main points so that you don't forget anything. First consider asking to see the teacher or head of year to discuss the issue. They will be willing to offer an appointment as quickly as possible, which will give you both time to talk about it politely and calmly without being interrupted. Think about what you hope will happen as a result of your discussion and let the teacher or head of year know this.

*What should I do if I still feel unhappy about the issue?*

If you are unhappy with the outcome of the discussions you can ask for an appointment to see the Head Teacher or, in larger schools, this could be a member of the leadership team, Deputy Head Teacher or Assistant Head Teacher. It is in everyone's interests, particularly those of your child or children, for issues to be sorted out smoothly. It will be best to end on a positive note with no bad feeling even if it is not possible for all of your requests to be met. If a solution is proving difficult the Head Teacher can speak to a governor who may be willing to offer some input to help resolve the issue, but there is no obligation for any governor to become involved at this time.

If you are both finding it difficult to resolve the issue then the relevant Local Authority representative may be able to offer information or support. The person to contact will depend on the issue that is the focus of the discussions. This help and advice is designed to help resolve the issue. The Head Teacher or Deputy Head Teacher should know who to ring, if not, you can ring the Governors' Team on 0115 8764589 or e-mail: [rachael.harvey@nottinghamcity.gov.uk](mailto:rachael.harvey@nottinghamcity.gov.uk)

Most problems will have been sorted by now however, if the issue has not been resolved it can become a formal complaint. This is a serious step to take and it is important that you have thought things through carefully. If you wish to follow the process for making a complaint, you must ask the school for a copy of their complaints procedure and write a formal letter of complaint to the Head Teacher.

*What happens if I have a concern specifically about the Head Teacher?*

If you have a concern specifically about the Head Teacher (not the Head Teacher's decision) you should write to 'The Chair of Governors' at the school address, marking the envelope 'urgent, private and confidential', setting out your concern.

*What happens if my concern relates to admissions, curriculum or special needs?*

Some issues regarding these areas are covered by statutory regulations. The Head Teacher or Deputy Head Teacher can give you information about these issues.

Weblinks and other useful contact details:

- ☒ Nottingham City Council [www.nottinghamcity.gov.uk](http://www.nottinghamcity.gov.uk)
- ☒ Kidscape Hotline advice on bullying issues Tel: 0845 205 204 [www.kidscape.org.uk](http://www.kidscape.org.uk)
- ☒ Parentline Plus Free helpline offering support for parents Tel: 0808 800 2222  
[www.parentlineplus.org.uk](http://www.parentlineplus.org.uk)
- ☒ Advisory Centre for Education (ACE) Ltd ) 0808 800 0327 or at [www.ace-ed.org.uk](http://www.ace-ed.org.uk).
- ☒ Parent Partnership Tel: 0115 948 2888 or 01623 422223
- ☒ Race Equality Council on 0115 958 6515
- ☒ Nottingham Black Families in Education on Tel: 0115 841 3896
- ☒ Childline free national helpline for children and young people Tel: 0800 1111 [www.childline.org.uk](http://www.childline.org.uk)
- ☒ The Children's Legal Centre National Education Law and Advisory Unit
- ☒ Free education law advice Tel: 08088 020 008 [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com).

# Policy for Dealing with Persistent, Unreasonable or Vexatious Complaints/Harassment

## Dealing with Persistent, Unreasonable or Vexatious Complaints/Harassment Policy

### **Introduction**

At Walter Halls Primary School staff deal with specific complaints as part of their day-to-day management of the school in accordance with the **schools complaints policy as mapped out above**.

The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant.

We are 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 the school. However, we do not expect our staff to tolerate unacceptable behaviour and will act to protect staff from that behaviour, including that which is abusive, offensive or threatening.

However, there are occasions when complainants behave in an unreasonable manner when raising and/or pursuing concerns. The consequences are the actions of the complainants begin to impact negatively on the day-to-day running of the school and directly or indirectly on the overall well-being of the children or staff in the school. In these exceptional circumstances the school may act in accordance with this policy.

### **1. Aims of Policy**

1.1 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 the well-being of children, staff and everyone else who has legitimate interest in the work of the school, including governors and parents;
- ✓ Deal fairly and honestly, openly and transparently with those who make persistent or vexatious complaints and those who harass members of staff in school while ensuring that other stakeholders suffer no detriment.

### **2. Parents' Expectations of the School**

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

- a) Regularly communicate to parents/carers in writing:
  - (i) How and when problems can be raised with the school;
  - (ii) The existence of the school's complaints procedure, and
  - (iii) The existence of the Policy for Dealing with Persistent or Vexatious Complaints and/or Harassment in Schools;
- b) Respond within a reasonable time;

- c) 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;
- d) Respond with courtesy and respect;
- e) Attempt to resolve problems using reasonable means in line with the school's complaints procedure, other policies and practice and to keep the complainants informed of progress towards a resolution of the issues raised.

### **3. The School's Expectations of Parents/Carers/Members of the Public**

3.1 The School can expect Parents/Carers/Members of the public who wish to raise problems with the school to:

- a) Treat all school staff with courtesy and respect;
- b) Respect the needs and well-being of pupils and staff in the school;
- c) Avoid and 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 in schools work and allow the school a reasonable time to respond;
- f) Recognise that resolving a specific problem can sometimes take some time;
- g) In the case of a complaint – Follow the School's Complaint Procedure

### **4. Who is A Persistent Complainant?**

4.1 For the purpose of this policy, a persistent/unreasonable 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 school, and whose behaviour is unreasonable.

This school also defines unreasonable complainants as *'those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people's complaints'*.

Such behaviour is unreasonable and may be characterised by:

- a) Actions which are obsessive, persistent, harassing, prolific, repetitious.
- b) Prolific correspondence or excessive e-mail or telephone contact about a certain complaint.
- c) Uses Freedom of Information requests-excessively and unreasonably.
- d) An insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;
- e) An Insistence upon pursuing complaints in an unreasonable manner.
- f) An instance on only dealing with the Co-Head Teachers on all occasions irrespective of the issue and the level of delegation in the school to deal with such matters.
- g) 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.

4.2 For the purpose of this policy, harassment is the unreasonable pursuit of such actions in (a) to (g) above in such a way that they:

- a) Appear to be targeted over a significant period of time on one or more members of school staff and/or
- b) Cause ongoing distress to individual members(s) of school staff and/or
- c) Have a significant adverse effect on the whole/parts of the school community and/or
- d) 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.

4.3 A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

- maliciously;
- aggressively;
- using threats, intimidation or violence;
- using abusive, offensive or discriminatory language;
- knowing it to be false;
- using falsified information;
- publishing unacceptable information in a variety of media such as in social media websites and newspapers.

## **5. The School's Actions In Cases of Persistent, Unreasonable or Vexatious Complaints or Harassment**

5.1 In the first instance the school will verbally 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.

5.2 This will be confirmed in writing (***Model Letter 1***)

5.3 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:

- a) Inform the complainant in writing that his/her behaviour is now considered by the school to be unreasonable/unacceptable and, therefore, to fall under the terms of this policy (***see Model Letter 2***);
- b) Inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meeting may be taken in the interests of all parties (***see Model letter 2***)
- c) Inform the complainant that, except in emergencies, all routine communication with the complainant to the school should be by letter only (***see Model Letter 2***)
- d) In the case of any serious incident of physical or verbal aggression or violence, the concerns and actions will be put in writing immediately and the police will be informed. In addition, the school may take legal advice and consider warning the complainant about being banned from the school site; or proceed straight to revoking the license to enter the premises for a fixed term

- e) Consider taking legal advice on pursuing a case under Anti-Harassment legislation;
- f) Consider taking legal advice about putting in place a specific procedure for dealing with complaints from the complainant, i.e. the complainant will not be able to deal directly with the Co-Head Teachers 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 Co-Head Teachers accordingly.
- g) If the behaviour continues the Co-Head Teachers will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.

5.4 Thus, based on 5.3f) legitimate new complaints may still be considered even if the person making them is, or has been, subject to the Policy for Dealing with Persistent or Vexatious Complaints and or/Harassment in Schools. However, the school will seek legal advice.

5.5 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 legal advice may be sought.

## **6. Review**

6.1 The School will review as appropriate, and at minimum once in a school year, any sanctions applied in the context of this policy.

## Model Letter 1:

### Individual letter informing a complainant that his/her behaviour is considered to fall below a reasonable/acceptable standard.

#### Recorded Delivery.

Dear

This letter is to inform you that the school considers your actions in *[describe actions, dates, behaviour]* on ..... when you .....to be unreasonable/unacceptable *[delete as appropriate]*.

We would ask you to bear in mind the fact that such behaviour on a school site can be disruptive and distressing to pupils, staff and parents/carers *[delete if behaviour complained of did not occur on school site e.g. persistent use of e-mail, verbally abusive telephone calls]*.

We are aware that you have raised some concerns, and would advise you that these are usually dealt with most effectively through the School's Complaints Procedure.

At the moment we are dealing with these issues by *[describe actions being taken to resolve concern]*.

Please note that the School's Policy for Dealing with Persistent or Vexatious Complaints/Harassment sets out standards of behaviour expected of all people in their dealings with the School. These include:

- ✓ Behaving reasonably;
- ✓ Treating others with courtesy and respect;
- ✓ Resolving complaints using the School's Complaints Procedure;
- ✓ Avoiding physical and verbal aggression at all times.

The policy also indicates the steps that we may take if these standards are breached. These include:

- ✓ Making special arrangements for meetings and communication with the school;
- ✓ Considering a ban from the school premises;
- ✓ Considering legal action.

I would ask that you allow school time to resolve the issues according to the correct procedures, and would assure you that we shall take every step to move this process forward as quickly as possible.

Yours Sincerely

## Model Letter 2

**Informing a complainant that his/her behaviour is now considered to fall under the terms of this policy for dealing with persistent, unreasonable or vexatious complaints/harassment.**

### Recorded Delivery

Dear,

You will recall that I wrote to you on *[insert date]* telling you that I felt your behaviour was unreasonable.

I am now writing to inform you that in view of your behaviour on *[date]*, when you *[describe actions/behaviour]* it has been decided that the School's Policy for Dealing with persistent or Vexatious Complaints/Harassment Policy will apply from the date of this letter.

In the circumstances I have made the following arrangement for your future contact with the school:

*[\*Delete A or B as applicable]*

\*A For the foreseeable future, should you wish to meet with any member of staff, I would ask you to note:

- (a) All routine communication, including any request for a meeting between you and the school, will be by letter only. Letters from you need to be addressed to ..... at the school address; email correspondence will not be responded to;
- (b) an appointment will be arranged and confirmed in writing as soon as possible;
- (c) A third party from the school will be present.
- (d) In the interests of all parties, formal notes of this meeting may be made.

\*B For the foreseeable future, all meetings arising from any written communication with the school will not be conducted by a member of staff, but will be conducted by ..... representing the school. I would ask you to note:

- (a) All routine communication, including any request for a meeting between you and the school, will be by letter only. Letters from you need to be addressed to .....at the school address; email correspondence will not be responded to;
- (b) An appointment will be arranged and confirmed in writing as soon as possible;
- (c) A third party will be present;
- (d) In the Interests of all parties, formal notes of this meeting may be made.

Exceptionally, these arrangement do not apply to any emergency involving *[insert name of pupil]* – in which case you should contact the school in the usual way.

While these arrangements are in place, with respect to normal access to information available on parents' evenings, this will be provided in a summary written report.

These arrangements take effect straight away. If you wish to make a representation about the contents of this letter, which may include any expressions of regret on your part and any assurances that you are prepared to give about your future good conduct, you can do so by writing to me at the school by *[state ten working days from the date of the letter]*. If on receipt of your comments I consider that the arrangements outlined above should continue, you will be supplied with the details of how to review a circumstance of your case.

I do hope that the difficulties we are currently experiencing can soon be resolved.

Yours Sincerely

