



Khalsa
VA Primary School

Dealing with Persistent or Vexatious Complaints Policy and Dealing with Violent and/or Abusive Parents/Carers and Visitors

Committee with oversight for this policy – FGB	
Policy to be approved by the FGB	
Policy last reviewed by the FGB	
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Introduction

The Governing Body of Khalsa Primary School encourages close links with parents and the community. It believes that pupils benefit when the relationship between home and school is a positive one.

The vast majority of parents, carers and others visiting our school are keen to work with us and are supportive of the school. However, on the rare occasions when a negative attitude towards the school is expressed, this can be accompanied by aggression, and verbal and/or physical abuse towards members of the school community.

The Governing Body has a policy of zero tolerance of such behaviours. It expects and requires its members of staff to behave professionally in these difficult situations and attempt to defuse the situation where possible, seeking the involvement as appropriate of other colleagues. However, all members of staff have the right to work without fear of violence and abuse, and the right, in an extreme case, of appropriate self defence.

We expect parents/carers and other visitors to behave in a reasonable way towards members of the school community. This policy outlines the steps that will be taken where behaviour is unacceptable.

The headteacher and staff deal with specific complaints as part of their day-to-day management of the school in accordance with the school's Complaints Policy. (see separate 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 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 take action in accordance with this policy (see below)

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 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, 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.

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 school to:
- Regularly communicate to parents/carers in writing:
 - How and when problems can be raised with the school;
 - The existence of the school's complaints procedure, and

- The existence of the Policy for Dealing with Persistent or Vexatious 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;
- Respond with courtesy and respect;
- Attempt to resolve problems using reasonable means in line with the school's complaints policy, other policies and practice and in line with advice from the Local Authority (LA) and keep complainants informed of progress towards a resolution of the issue(s) raised.

The school's expectations of parents/carers/members of the public

- The school can expect parents/carers/members of the public who wish to raise problems with the school to:
 - Treat all school staff with courtesy and respect;
 - Respect the needs and well-being of pupils and staff in the school;
 - Avoid any use, or threatened use, of violence to people or property;
 - Avoid any aggression or verbal abuse;
 - Recognise the 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;
 - (In the case of a complaint) Follow the school's Complaints Policy.
- Types of behaviour that are considered serious and unacceptable and will not be tolerated are:
 - Shouting at members of the school community, either in person or over the telephone;
 - Physically intimidating a member of the school community, e.g. standing very close to her/him;
 - The use of aggressive hand gestures including finger pointing;
 - Any threatening of a member of the school community; this can include verbally, via texts, emails, Facebook, etc.;
 - Shaking or holding a fist towards another person;
 - Swearing, pushing, hitting (e.g. slapping, punching and kicking) and spitting;
 - Breaching the school's security procedures.

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

Who is a persistent complainant?

- For the purpose of this policy, a persistent 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 deemed unreasonable. Such behaviour may be characterised by:
 - Actions which are obsessive, persistent, harassing, prolific, repetitious;

- Prolific correspondence or excessive e-mail or telephone contact about a concern or complaint;
 - Use 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 headteacher on all occasions irrespective of the issue and the level of delegation in the school to deal with such matters;
 - 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.
- For the purpose of this policy, harassment is the unreasonable pursuit of such actions as above in such a way that they:
 - Appear to be targeted over a significant period of time on one or more members of school staff and/or
 - Cause ongoing 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. 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 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.
- 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 to be unreasonable/unacceptable and, therefore, to fall 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 by letter only;
 - In the case of physical, or verbal aggression 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, i.e. the complainant will not be able to deal directly with the headteacher 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 headteacher accordingly.
- Thus, based on the above 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 including Aggressive Behaviour from 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 exceptional circumstances:

If a parent/carer behaves in an unacceptable way towards a member of the school community, the headteacher will seek to resolve the situation through discussion and mediation. If it's appropriate, the school's complaints policy should also be followed.

Where all relevant procedures have been exhausted and aggression or intimidation continue, or where there is an extreme act of violence, a parent/carer/member of the public may be banned by the headteacher from the school's premises for a defined period of time.

In imposing a ban, the following steps will be taken:

1. The parent/carer/member of the public will be informed, in writing, that they are banned from the school's premises, subject to review, and what will happen if the ban is breached e.g. police involvement or an injunction application.
2. Where an assault has led to a ban, a statement indicating the matter has been reported to the employing body and the police will be included
3. The chair of governors will be informed of the ban
4. Where appropriate, arrangements for pupils being delivered to and collected from the school gates will be clarified.

Conclusion

The employing body may take action where behaviour is unacceptable, or there are serious breaches of a home-school code of conduct or health and safety legislation. In implementing this policy, the school will, as appropriate, seek advice from the employing body's education, health and safety, and legal departments to ensure fairness and consistency. The policy will be reviewed annually.

Signed

Chair of the Governing Body

Date