



*Growing as we learn. Learning as we grow.  
Rooted in Jesus.*

**ST MARGARET'S COLLIER STREET CE SCHOOL**

**UNREASONABLE COMPLAINTS  
POLICY**

Review:	February 2023
Agreed by Governors:	March 2023
Next Review:	March 2025

**St. Margaret's Collier Street CE Primary School**  
**Unreasonably Persistent or Vexatious Complaints**

**POLICY**

**1. Introduction**

St. Margaret's, Collier Street School does not tolerate bullying, harassment or intimidation, in any form, from anyone toward any of its staff or parents.

**2. Harassment**

Under the Protection from Harassment Act 1977 S1(1)

A person must not pursue a course of conduct -

- (a) which amounts to harassment of another, and
- (b) which he knows or ought to know amounts to harassment of the other.

Harassment can be identified as unwanted behaviour directed at an individual with the purpose or intent of humiliating, disrespecting, intimidation, hurting or offending them. Harassment may be, and not exclusive of, physical, written, non-verbal and verbal actions.

**3. Bullying**

The School defines bullying as a pattern of offensive, intimidating, malicious, insulting, humiliating behaviour intended to undermine an individual or group. This might occur gradually, eroding staff confidence and capability. Bullying of any kind is not tolerated at St. Margaret's.

Bullying behaviour may also provoke and/or create unnecessary workload for the School, and might also be repetitive and cause extreme distress. Bullying behaviour from a minority of individuals can take up a disproportionate amount of limited school resources and can affect the School's ability to do its work providing a service to the community. It can result in unacceptable stress for school staff.

**4. Intimidation**

Intimidation in the workplace is defined as words and/or behaviour intended or likely to block, influence or cause alarm or distress which could lead to distress for an individual or group.

Intimidation from the School's parents, school community or staff is not tolerated and will be acted on by the School.

**5. Defining Vexatious or Unreasonably Persistent Complaints**

The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- complaints which are obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason

- insistence upon pursuing meritorious complaints in an unreasonable manner
- complaints which are designed to cause disruption or annoyance
- demands for redress that lack any serious purpose or value.

To mitigate the impact on the School from unreasonable complaints the School may choose not to respond to complaints. The decision to stop responding will be considered only when the School:

- has taken reasonable steps to address the complainant's concerns
- has given the complainant a clear statement of their position and the complainant's options
- has had repeated contact from the complainant making substantially the same points.

The case to stop responding is further justified if:

- A complainant's letters, emails, or telephone calls are abusive or aggressive
- A complainant makes insulting or offensive personal comments about staff
- A complainant makes a threat towards staff
- The School believes the individual is contacting the School with the intention of causing disruption or inconvenience.

## **5. Use of this Policy**

In response to an instance of bullying, harassment or unreasonable complaint, the Headteacher will consult with the Chair of Governors. If the Head and Chair agree the complainant will be contacted in writing to explain why the behaviour is a concern. They will also be provided with a copy of this policy.

If the behaviours persist and the Head identifies behaviour which they believe exhibits these characteristics or may be vexatious or unreasonably persistent, they should refer it to full School Board.

The School should prepare a statement of why it considers the complaint or correspondence to be unreasonable or vexatious. This should include a report showing the workload effects, resource impact and information about the related correspondence. This includes information about to whom the correspondence was addressed, who was involved and a brief description of each piece of correspondence.

Sanctions can include:

- Only being allowed to communicate with one nominated member of the School
- Receiving no responses further enquiries and communications on the same matter if no substantive new issue is raised.
- If the complainant is not a school parent / guardian, they will be advised that all future correspondence will not be responded to. There is no route of appeal against the decision that a complaint or correspondence is vexatious.

The Head/ Chair of Governors will write to the correspondent advising them their complaint and/or correspondence has been determined to be unreasonable or vexatious, providing the reason for that decision. The notification letter should state which sanction the school has imposed. They should be advised that the decision will be reviewed in six months from the date of the letter.

## **6. Review of Sanctions**

At the School Board meeting occurring six months after the correspondent has been advised their complaint and/or correspondence is unreasonable or vexatious, that decision should be reviewed. The School should consider whether there has been any improvement in behaviour over that time. The Head should write to the correspondent advising them of the outcome of the review. If the behaviour has improved, future correspondence can be treated in the normal way. If there has not been a significant improvement, the correspondence will continue to be treated as vexatious and will be reviewed annually.

## **7. Persistent communication on the same matter from multiple complainants**

If the persistent communication on one matter is from 4 or more complainants, rather than from one complainant, the Head or Chair of Governors will draft a standard response to all further communications on that matter. Unless sanctions are being imposed, this action can be triggered without approval at a full Governor's meeting.

## **8. Review**

Please see the front cover.