



Managing Persistent and Vexatious Behaviour and Complaints

February 2022

*Modelled on the Hertfordshire County Council
Complaints Policy and Procedure (August 2020)*

1. AIMS

- 1.1 To be a Catholic school where all members of the community live according to Gospel values and the principles and teachings of Mary Ward, promoting the virtues of freedom, sincerity, justice, truth and joy, to allow all members of the community to feel secure and able to work and live in an atmosphere of courtesy and respect.
- 1.2 The Governors seek to ensure that the values of Mary Ward are reflected in the planning and delivery of all policies. The principle values covered by this policy are:
 - Sincerity – At Loreto complaints are treated with respect and compassion so that those who complain can recognise the integrity of the process.
- 1.3 To create a caring and stable environment, in which each person is respected as an individual with unique gifts, talents and ambitions, and is given the freedom and confidence to develop these.
- 1.4 Loreto College is committed to dealing with all complaints fairly and impartially and in accordance with the complaints policy and procedure that the Governing Body has adopted.

2. PROCEDURE

- 2.1 The School will not normally limit the amount of contact that parents, carers or complainants have with us; however, the school does not expect its staff to tolerate unreasonable behaviour and we will take decisive action to protect staff from such behaviour, including any that the school deems to be abusive, offensive or threatening.
- 2.2 Loreto College defines unreasonable behaviour as that which affects the smooth and efficient running of the school on a daily basis, or that which hinders the school's consideration of complaints because of the frequency or nature of the complainant's contact with the school, 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 complaints process at any stage.
 - Refuses to accept that certain issues are not within the scope of the complaints process.
 - Insists on the complaint being dealt with in ways which are incompatible with the complaints process or with good practice, or only in a way that suits themselves.
 - Introduces trivial or irrelevant information that they expect to be taken into account and commented upon.
 - Raises detailed but unimportant questions and insists they are answered fully, often immediately and to their own timescales.
 - Makes unfounded complaints about staff who are trying to deal with the issues and seeks

to have them replaced.

- Seeks to change the basis of some or all of the complaint as the complaints process proceeds.
- Repeatedly makes the same complaint(s) (despite previous investigations or responses concluding that the complaint is unfounded or has been fully addressed).
- Refuses to accept the outcome of the complaints process despite the fact that the process has been exhausted and correctly implemented, including signposting the complainant to the Department for Education (DFE).
- Seeks an unrealistic outcome.
- Makes excessive demands on school time by way of frequent, lengthy, complicated and stressful contact(s) with staff regarding the complaint, in person, in writing, by email and by telephone whilst the complaint is being dealt with.
- Uses threats to intimidate.
- Uses abusive, offensive or discriminatory language or violence.
- Makes and breaks contact with the school on an ongoing basis with varying time delays in between.
- Knowingly provides false information.
- Persistently approaches various individuals at the school, as well as the Local Authority, Ofsted and the Department for Education, etc, through different routes about the same issue(s) in the hope of eliciting different responses.
- Publishes what the school deems to be inappropriate or unacceptable information on social media or other platforms.

2.3 Complainants should try to limit their communication with the school where it relates to their complaint, whilst the complaint is being progressed through the complaints process. It is unhelpful and unnecessary if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome(s) being finalised.

2.4 Wherever possible, the Headteacher or Chair of Governors will discuss any concerns with the Complainant/Parent/Carer about their behaviour informally before deciding to invoke this policy and procedure for managing persistent and vexatious behaviour and complaints.

2.5 If any unreasonable behaviour continues after the Headteacher or Chair of Governors has spoken informally with the Complainant/Parent/Carer, the Headteacher will write to them. The Headteacher will confirm that the school deems their behaviour to be persistent and/or vexatious and will ask them to stop behaving in this way.

2.6 Wherever Complainants/Parents/Carers continue to contact Loreto College excessively, causing a significant level of disruption, the school will consider whether to impose some or all of the following communication restrictions and confirm this in writing accordingly:

- Requesting that contact only takes place in a particular form (e.g. letters only).
- Requiring contact to take place with a designated member of Staff (e.g. the Headteacher).
- Restricting telephone calls to specified days and times.
- Asking the complainant to enter into an agreement about their future contact with the school.
- Informing the complainant that if they do not follow this advice (as stated above), any further communication/correspondence that does not present significant new matters or new information will only be kept on file and will not be acknowledged or responded to.
- If the complainant tries to re-open an issue that has already been considered through the complaints process, the Chair of Governors will inform them in writing that the process has been exhausted, that the matter is now closed, and that the school will not enter into any further correspondence about it.

2.7 The decision of the Headteacher or Chair of Governors to invoke this policy and procedure (and any communication restrictions imposed as a result) is final and cannot be challenged or

overturned through the school's complaints process. This is because the decision will be reviewed by the Headteacher or Chair of Governors after six months. If the Complainant/Parent/Carer's behaviour has remained the same or worsened, the Headteacher or Chair of Governors reserves the right to extend the communication restrictions for a further six months each time they review the situation. If the Complainant/Parent/Carer's behaviour has improved to a level that the school deems acceptable, then communication restrictions will be lifted on the proviso that should matters regress, the school reserves the right to reinstate the communication restrictions that previously applied.

- 2.8 In response to any serious incident of aggression or violence, Loreto College will immediately inform the Police and communicate our actions in writing. This may include barring the individual(s) from the School premises. Should the School deem this necessary, it will ensure that it adheres to the guidance issued by the Department for Education (DFE) entitled Controlling access to School premises.
- 2.9 The school also reserves the right to use and adapt this policy and procedure whenever it deems it appropriate to manage unreasonable or persistent contact not directly associated with, or resulting from, formal complaints.