



Le Cateau

Community Primary School

Vexatious Complaints Policy

Adopted by the Full Governing Body:
Next Review date:

November 2024
November 2027

Purpose of this Policy

The purpose of this policy is to outline how Le Cateau Community Primary School will manage complaints that are deemed vexatious. A vexatious complaint is one that is considered to be unreasonable, abusive, persistent, or intended to cause distress or disruption to the school.

Definition of Vexatious Complaints

A vexatious complaint is characterised by one or more of the following:

1. **Unreasonable Persistence:** The complainant continues to pursue a complaint after it has been addressed and resolved and there are unreasonable demands or expectations of staff and/or the complaints process after unreasonableness has been explained to the complainant. This could be a complainant who insists on immediate responses to numerous/frequent and/or complex emails and communications.
2. **Unfounded Complaints:** The complaint is based on false information or is unsubstantiated by evidence or the complaint is about issues not within the power of the school to investigate, change or influence.
3. **Disruption:** The complaint causes significant disruption to the school's operations or the wellbeing of staff and pupils.
4. **Subsidiary / new issues:** There are subsidiary or new issues raised whilst a complaint is being addressed that were not part of the complaint at the start of the complaint process.
5. **Trivial / irrelevant new information:** There is trivial or irrelevant new information introduced whilst the complaint is being investigated that is to be taken into account and commented on.
6. **Change to the complaint:** There is a change to the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed.
7. **The complainant electronically records meetings and conversations without the prior knowledge and consent of the other parties involved.**

8. Scattergun approach: The complainant is the subject of a 'scattergun' approach; for instance, the complaint is not only submitted to the school, but at the same time the local authority, a Member of Parliament, local councillors, the police, other official bodies, e.g. Ofsted.
9. The complainant refuses to accept the outcome of the complaint process after its conclusion, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given.
10. The same complaint is made repeatedly, perhaps with minor differences, after the complaint's procedure has been concluded and where the complainant insists that minor differences make these 'new' complaints which should be put through the full complaints procedure.
11. The complaint remains 'active' through the complainant persisting in seeking an outcome which has been explained is unrealistic for legal, child protection, policy or other valid reasons.
12. The complainant relates to an issue based on a historic and irreversible decision or incident.
13. The documented evidence is not accepted as fact by the complainant.

Scope

This policy applies to all complaints made by parents, guardians, or other stakeholders regarding the School in conjunction with the Complaints Policy and Procedure.

Procedure for Managing Vexatious Complaints

1. Initial Assessment:
 - a. Upon receiving a complaint, the school will conduct an initial assessment to determine if it is vexatious.
 - b. This assessment will consider the nature of the complaint, the behaviour of the complainant, and any previous interactions.
2. Documentation:
 - a. All communications regarding the complaint will be documented, including dates, times, and the nature of the interactions.
3. Notification:
 - a. If a complaint is deemed vexatious, the complainant will be notified in writing, outlining the reasons for this determination.
 - b. The notification will include information on how the complainant can appeal this decision.

4. Limiting Contact:

- a. If necessary, the school may limit contact with the complainant to specific channels (e.g. email or written correspondence) and may designate a specific staff member to handle all communications.
- b. It may be deemed necessary to let the complainant know that the school will not reply to or acknowledge any further contact from them on a specific topic/complaint.
- c. Where a complainant continues to behave in a way which is deemed unacceptable under this policy, the Headteacher (or if the complaint is about the Headteacher) the FGB may decide to refuse all contact with the complainant and stop any further investigation into the complaint.
- d. Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, the school will consider other options, for example reporting the matter to the police or consulting NYC legal services.

5. Review Process:

- a. The complainant has the right to appeal the decision. An appeal should be submitted in writing within 10 working days of receiving the notification.
- b. A senior member of staff who was not involved in the original complaint will review the appeal and provide a final decision within 15 working days.

6. Monitoring and Review:

- a. The school will monitor all vexatious complaints to identify patterns or trends that may require further action.
- b. This policy will be reviewed annually to ensure its effectiveness and relevance.

Conclusion

Le Cateau Community Primary School is committed to ensuring that all complaints are handled fairly and equitably. However, it is equally important to protect the school community from vexatious complaints that disrupt the educational environment and prevents it from fulfilling its aims. This policy aims to balance these needs effectively.

References

- Le Cateau Community Primary School Complaints Policy
- OFSTED Inspection Framework
- Best practises in complaints handling and school governance.