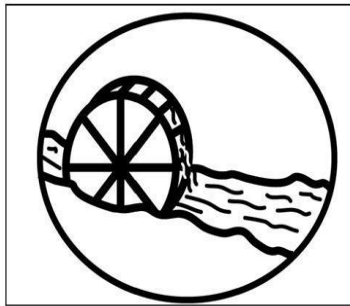


Cwmfelin Primary School

Eager to Learn. Proud to Achieve.



Awyddus i Ddysgu. Balch i Gyflawni.

Vexatious Complaints & Harassment Policy

Cwmfelin Primary School

Vexatious Complaints and Harassment Policy

School Vision

Eager to Learn, Proud to Achieve

We at Cwmfelin Primary School strive to provide a safe, happy, inspiring, learning environment built on high expectations, tolerance and mutual respect.

Together we will instil confidence in our children to enable them to become resilient, hard-working, ambitious learners who will grow and develop into valued citizens of Wales and the wider world.

INTRODUCTION

The headteacher and Senior Leadership Team (SLT), deal with specific complaints as part of their day-to-day management of the school, in accordance with the **Complaints 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) the overall well-being of the children or staff. In these circumstances, the school will take action in accordance with this policy.

AIMS OF THE 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 school staff, while ensuring that other stakeholders suffer no detriment.

PARENTS' 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:-

- Ensure that the Complaints Policy and the Vexatious Complaints Policy are available.
- 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.

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 concerns with the school to:-

- Respect the needs and well-being of pupils and staff in the school.
- Treat all school staff with courtesy and respect.
- Avoid any use, or threatened use, of violence to people or property.
- Avoid any aggression, verbal abuse or other intimidating behaviour.
- Ensure that written communications state the facts surrounding the concern without using threatening or unpleasant language.
- 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 take time.
- Follow the School's Complaints Policy.

WHO IS A PERSISTENT COMPLAINANT?

For the purpose of this policy, a persistent complainant is a parent / carer / member of the public who complains about issues, either formally or informally or frequently raises issues that they consider to be within the remit of the school, and / or their behaviour is 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.
- Uses 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. An examples is if the desired outcome is beyond the remit of the school.

For the purpose of this policy, harassment is the unreasonable pursuit of such actions as outlined above in such a way that they:-

- Continue to complain about the same things even though school staff have already addressed their initial concerns.
- Appear to be targeted over a significant period of time at one or more members of school staff.
- Cause on-going distress to individual member(s) of school staff.
- Have a significant adverse effect on the school community.
- 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 communicate either in writing or verbally (confirmed with a letter) to inform the complainant that his / her behaviour is considered to be unreasonable / unacceptable and that if it is not modified, action will be taken in accordance with this policy.

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 third person present and that notes of meetings will 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.
- In the case of physical and verbal abuse or aggression, and any other form of intimidating behaviour, the school will warn the complainant about being banned from the school site; or proceed straight to a temporary ban if necessary.
- Take appropriate advice on pursuing a case under Anti-Harassment legislation.
- Take advice from HR / Legal Services about the implementation of procedures for dealing with complaints from the complainant. This means that the complainant will not be able to deal directly with school staff or the headteacher, but only with a third person (to be identified by the governing body of the school), who will

investigate and determine whether or not the concern / complaint is reasonable or vexatious and advise the headteacher accordingly.

- In the event of extreme situations or events, the school will implement one of the above steps immediately. In this situation the complainant will be informed.
- The headteacher and SLT will keep the Chair of Governors informed at all times.
- Legitimate new complaints will 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 Harassment. However, the school will be advised by HR / Legal Services.
- If a complainant's persistent complaining / harassing behaviour is modified 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.

Chair of Governors:

T. Beedle

Date: 15th January 2018

Headteacher:

J. A. Morgan

Date: 15th January 2018

*Governors take into account any local or national decisions that affect the complaints process and will make any modifications necessary to this policy.

Any correspondence should be addressed to:

Clerk to the Governors
Cwmfelin Primary School
Maesteg Rd
Cwmfelin
Maesteg
CF34 9LD