



*St. Paul's
C of E
Primary School*

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Persistent Complainants Policy

Date Issued: November 2022

Signed:

Chair of Governors

Signed:

Headteacher

Next Review by: November 2024

1. Introduction

St Paul's Church of England Primary School welcomes feedback from parents and the community and will always try to resolve any complaints as quickly as possible. The majority of complaints are dealt with through the complaints procedures without difficulty and this will therefore apply to most complaints received by the school. Sometimes, however, complainants may pursue complaints in unreasonable ways. The Persistent Complainants and Harassment Policy should only be applied where absolutely necessary and describes how the school may deal with complaints effectively where the complainant is unreasonably persistent in pursuing complaints or otherwise acts unreasonably.

2. 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 pupils, staff and everyone else who has legitimate interest in the work of the school, including governors and parents
- deal fairly, honestly and properly with persistent complainants and those who harass members of staff, while ensuring that other stakeholders suffer no detriment

3. Human Rights in implementing this policy

St Paul's School will seek to ensure that its actions are in accordance with its obligations under the Human Rights Act 1998 and the Convention Rights embodied within it in order to protect the Human Rights of both persistent complainants and all other stakeholders.

4. Who is a Persistent Complainant?

For the purpose of this policy, a persistent complainant is a parent/carer or member of the public who frequently raises issues, either formally or informally, that the complainant considers to be within the remit of the school or whose behaviour is unreasonable. Such behaviour may be characterised by one or more of the following:

- actions which are obsessive, persistent, harassing, prolific, or repetitious
- prolific correspondence or excessive e-mail or telephone contact about a concern or complaint
- an insistence upon pursuing unmeritorious complaints and/or unrealistic or unreasonable outcomes
- an insistence upon pursuing unmeritorious complaints in an unreasonable manner. For the purpose of this policy, harassment is the unreasonable pursuit of such actions (as listed immediately 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 aggressively. The school community is defined in terms of all stakeholders including children, parents/carers, staff, governors and visitors.

5. **Expectations of the school**

Parents/carers/members of the public who raise either informal or formal issues or complaints with the school can expect the school to:

- regularly communicate to parents/carers in writing (i) how and when problems can be raised with the school, (ii) the existence of the school's complaints procedure and (iii) the existence of the Persistent Complaints/Harassment Policy
- respond within a reasonable time. We will acknowledge a complaint in writing as soon as possible after receiving it. This will be within three working days. Normally we would expect to respond in full within ten working days but if this is not possible we will write to explain the reason for the delay and let the complainant know when we hope to be able to provide a full response.
- 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 procedure and any other relevant policies
- keep complainants informed of progress towards a resolution of the issues raised.

6. Expectations of parents / carers / public

St Paul's School can expect parents/carers/members of the public who wish to raise problems with the school to:

- treat all staff with courtesy and respect
- respect the needs and well-being of pupils and staff
- 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 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 procedure.

7. Actions in cases of persistent complaints

St Paul's School will take the following consecutive steps as necessary if the complainant's behaviour is not modified:

- verbally inform the complainant that his/her behaviour is considered to be becoming unreasonable/unacceptable, in breach of the Home School agreement and may be considered to fall under the terms of this policy
- inform the complainant in writing that his/her behaviour is now considered by the school to be becoming unreasonable/unacceptable (Model Letter 1)
- inform the complainant in writing that his/her behaviour is now considered by the school to fall under the terms of this policy (Model Letter 2)
- 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 (Model Letter 3)
- inform the complainant that, except in emergencies, all communication from the complainant to the school should be carried out in writing (see Model Letter 4)
- (in the case of physical or verbal aggression) consider warning the complainant about being banned from the school site; or proceed straight to a temporary ban.
- consider taking advice from Gloucestershire County Council on requesting an Anti-Social Behaviour Order.
- consider taking advice from Gloucestershire County Council on pursuing a case under Anti-Harassment legislation. Legitimate new complaints will still be considered even if the person making them is, or has been, subject to the Persistent Complainants Policy. 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.

8. **Monitoring and Review**

St Paul's School will review as appropriate, and at a minimum once in an academic year, any sanctions applied in the context of this policy.

LETTER 1: INFORMING A COMPLAINANT THAT HIS/HER BEHAVIOUR IS CONSIDERED TO FALL BELOW A REASONABLE/ ACCEPTABLE STANDARD

This letter will inform the complainant that the school considers his / her actions to be below the standard expected of visitors.

Times / Dates of unacceptable behaviour will be supplied.

The school will demonstrate how an attempt will be or has been made to address any concerns.

The school's Complaints Procedure will be explained.

The school's Persistent Complaints/Harassment Policy which sets out standards of behaviour expected of all people on the school site will be provided. These include:

- behaving reasonably
- treating others with courtesy and respect
- resolving complaints using the school's Complaints Procedure
- avoiding physical and verbal aggression at all times

The Policy also indicates the steps that we may take if these standards are breached.

These include:

- making special arrangements for meetings and communication with the school
- considering a ban from the school premises
- considering applying for an Anti-Social Behaviour Order
- considering legal action

The complainant will be asked to allow the school time to resolve the issues according to the correct procedures, and would assure the complainant that the school will take every possible step to move this process forward as quickly as possible.

LETTER 2: INFORMING A COMPLAINANT THAT HIS/HER BEHAVIOUR IS NOW CONSIDERED TO FALL UNDER THE TERMS OF THE PERSISTENT COMPLAINTS/HARASSMENT POLICY

The complainant will be reminded of the school's Persistent Complaints/Harassment Policy that was sent with letter 1.

They will be made aware that, should they be responsible for any further unacceptable behaviour in connection with the school, some or all of the following, actions may be taken:

- making special arrangements to meet staff and communicate with the school
- considering banning from the school premises
- considering applying for an Anti-Social Behaviour Order
- considering legal action

LETTER 3: INFORMING A COMPLAINANT THAT SPECIAL ARRANGEMENTS WILL BE MADE FOR HIM/HER TO MEET MEMBERS OF STAFF

If the behaviour is continued, the following will be the advice:

For the foreseeable future, should you wish to meet with a member of staff, we would ask you to note:

- a) this meeting will be arranged with a written appointment as soon as possible, and with a third party present
- b) in the interests of all parties, formal notes of this meeting may be made

These arrangements do not, apply, of course, to any emergencies, which should be reported to the school in the usual way.

LETTER 4: REQUESTING THAT FUTURE COMMUNICATION SHOULD BE BY LETTER ONLY

The school will now request that, for the foreseeable future, all routine communication with the school should be by letter only.

Information will be given in terms of who should receive the communication.

This request does not apply, of course, to any emergency, in which case you should contact the school in the usual way--or to parents' evenings, which will continue as in the past, but with a third party present.

When to stop responding

The school will never take the decision to stop responding to a complainant lightly. In order to stop responding to a complainant the school will need to be able to say yes to all of the following:

- we have taken every reasonable step to address the complainant's concerns

- the complainant has been given a clear statement of the school's position and their options
- the complainant contacts the school repeatedly, making substantially the same points each time

The case to stop responding will be stronger if the school agree with one or more of these statements:

- the complainant's letters, emails, or telephone calls are often or always abusive or aggressive
- the complainant makes insulting personal comments about or threats towards staff
- the school has reason to believe the individual is contacting it with the intention of causing disruption or inconvenience

Barring from school premises

Although fulfilling a public function, schools are private places. The public has no automatic right of entry. Headteachers and governing bodies will therefore need to act to ensure they remain a safe place for pupils, staff and other members of their community.

If an individual's behaviour is a cause for concern, they can be asked to leave school premises. In some cases, individuals can be barred from entering school premises. You should always give the individual the opportunity to formally express their views on a decision to bar.

The headteacher's decision to bar should then be reviewed by either:

- the chair of governors
- a committee of governors

They should take into account any representations made by the individual and decide whether to either confirm or lift the bar. If the decision is confirmed, the individual should be notified in writing, explaining:

- how long the bar will be in place
- when the decision will be reviewed

Once the school's appeal process has been completed, individuals who remain barred may be able to apply to the Courts for a review of the schools decision. Individuals wishing to exercise this option should seek independent legal advice.

This policy should be read in conjunction with:

Complaints Policy