



Morley Memorial Primary School

Persistent Complaints and Harassment Policy

Policy Name	Persistent Complaints and Harassment Policy
Status	Statutory
Person Responsible	Headteacher
Reviewed By	Resources Committee
Date of Review	March 2020
Frequency of Review	2 yearly
Next Review Date	March 2022

At Morley Memorial Primary School, we take the matter of persistent complaints and harassment very seriously, as such, we have a clear policy to respond to this issue. This policy is informed by the Cambridgeshire Council model policy, June 2011.

1. Aims of the policy

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

2. Human Rights

2.1 In implementing this policy the 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.

3. Who is a persistent complainant?

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

- a) actions which are obsessive, persistent, harassing, prolific, repetitious and/or
- b) prolific correspondence or excessive e-mail or telephone contact about a concern or complaint
- c) an insistence upon pursuing unmeritorious complaints and/or unrealistic or unreasonable outcomes
- d) an insistence upon pursuing meritorious complaints in an unreasonable manner

3.2 For the purpose of this policy, harassment is the unreasonable pursuit of such actions as in (a) to (d) above in such a way that they:

- a) appear to be targeted over a significant period of time on one or more members of school staff and/or
- b) cause ongoing distress to individual member(s) of school staff and/or
- c) have a significant adverse effect on the whole/parts of the school community and/or
- d) are pursued aggressively

3.3 Actions or behaviour that fall into any of the categories described in 3.1 and 3.2 above, or any other harassing or persistently unreasonable behaviour, may render an individual liable to become subject to this Policy.

4. Parents' expectations of the School

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

- a) communicate to parents/carers (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
- b) respond within a reasonable time to issues that are raised, and which warrant a response.
- c) 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
- d) respond with courtesy and respect
- e) attempt to resolve problems using reasonable means in line with the School's complaints procedure, other policies and practice and in line with guidance and advice from Cambridgeshire County Council
- f) keep complainants informed of progress towards a resolution of the issues raised

5. The School's expectations of parents/ carers/members of the public

5.1 The School can expect parents/carers/members of the public who wish to raise problems with the School to:

- a) treat all school staff with courtesy and respect
- b) respect the needs and well-being of pupils and staff within the School
- c) avoid any use, or threatened use, of violence to people or property
- d) avoid any aggression (including an aggressive tone e.g. shouting or a raised voice) or verbal abuse
- e) recognise the time constraints under which members of staff in schools work and allow the School a reasonable time to respond
- f) recognise that resolving a specific problem can sometimes take some time
- g) (in the case of a complaint) follow the School's complaints procedure

6. The School's actions in cases of persistent complaint or harassment

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

- a) inform the complainant orally or in writing that his/her behaviour is considered to have become unreasonable/unacceptable and may be considered to fall under the terms of this policy. As a school, we are aware that a persistent complainant may be unlikely to take any notice of spoken communication. In turn, as a school, the option of writing rather than speaking may automatically be taken when the level of aggression is such as to warrant distancing.
- b) inform the complainant in writing that his/her behaviour is now considered by the School to have become unreasonable/unacceptable and warn of further sanctions under the Policy (Model Letter 1 - appendix)

- c) inform the complainant in writing that his/her behaviour is now considered by the School to fall under the terms of this policy (see Model Letter 2 - appendix) and that the complaint will not be investigated further until it is pursued in a manner the school considers to be reasonable.

As appropriate this may additionally result in the school:

- a) informing 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 (see Model Letter 3 - appendix)
 - b) informing the complainant that, except in emergencies, all communication from the complainant to the school should be carried out in writing (see Model Letter 4 - appendix)
 - c) (in the case of physical or verbal aggression) referring to Schools Briefing Paper 15 and considering warning the complainant about being banned from the School site; or proceeding straight to a temporary ban. (As a school advice will be sought from the LA).
 - d) consider taking advice from Cambridgeshire County Council on pursuing a case under Anti-Harassment legislation.
- 6.2 Legitimate new complaints, if not pursued in a harassing or unreasonable way, will still be considered even if the person making them is, or has been, subject to the Harassment/Persistent Complaints Policy. In these circumstances advice may well be sought from the LA.
- 6.3 If a complainant may normally have recourse to the Local Government Ombudsman after the School's Complaints Procedure has been exhausted, in the event that the school considers that there are exceptional circumstances it may recommend that the complainant refer the matter to the Ombudsman at an earlier time.
- 6.4 If a complainant's harassing/persistent complaining behaviour is modified and is then resumed at a later date within a reasonable period of time, as a school, we may resume the process identified above as appropriate. In these circumstances advice may well be sought from the LA.
- 6.5 If a complainant's harassing/persistent complaining behaviour is modified and the complaint still lies within the time limit specified in the School's Complaints Procedure, as a school we will use its discretion and may resume investigation of the complaint.

7. Review

- 7.1 The School will review as appropriate, and at a minimum (once in a school year,) every two years any sanctions applied in the context of this policy.