

# Woodhouse Academy

## Vexatious and Harassment Policy

Reviewed: Summer 2021  
To be reviewed: Summer 2023

### Introduction

The Principal and staff at Woodhouse Academy deal with specific concerns or complaints as part of their day-to-day management of the Academy in accordance with the Academy's Complaints Procedure.

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 Academy and directly or indirectly the overall well-being of the children or staff in the Academy. In these exceptional circumstances the Academy may take action in accordance with this policy.

### Aims

- To uphold the Academy's ethos and values of respect, in particular, standards of courtesy and politeness that should characterise all communication between the Academy and persons who wish to express a concern or pursue a complaint
- To support the well-being of children, staff and everyone else who has legitimate interest in the work of the Academy, including trustees and parents
- To ensure that the Academy acts fairly, honestly, openly and transparently with those who make persistent or vexatious complaints and those who harass members of staff in the Academy while ensuring that other stakeholders suffer no detriment

### Parents/Carers/members of the public expectations of the Academy

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

- 1) Communicate to parents/carers in writing:
  - a) how and when problems can be raised with the Academy
  - b) the existence of the Academy's complaints procedure, and
  - c) the existence of the Policy for Dealing with Persistent or Vexatious Complaints and/or Harassment in the Academy
- 2) Respond within 5 days to acknowledge the complainant (during term time)
- 3) Be available for consultation within 10 working days (during term time), bearing in mind the needs of the pupils within the Academy and the nature of the complaint
- 4) Respond with courtesy and respect
- 5) Attempt to resolve problems using appropriate means in line with the Academy's complaints procedure, other policies and practice and keep complainants informed of progress towards a resolution of the issues raised

### The Academy's expectations of parents/carers/members of the public

The Academy can expect parents/carers/members of the public who wish to raise concerns with the Academy to:

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- a) treat all Academy staff with courtesy and respect
- b) respect the needs and well-being of pupils and staff in the Academy
- c) avoid any use, or threatened use, of violence to people or property
- d) avoid any aggression or verbal abuse
- e) recognise the time constraints under which members of staff in the Academy work and allow the Academy sufficient time to respond
- f) recognise that resolving a specific problem can sometimes take some time
- g) (in the case of a complaint) follow the Academy's Complaints Procedure

### Who is a persistent complainant?

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 Academy, and whose behaviour is unreasonable. Such behaviour may be characterised by:

- a) Actions which are obsessive, persistent, harassing, prolific, repetitious
- b) Prolific correspondence or excessive e-mail or telephone contact about a concern or complaint
- c) Uses Freedom of Information requests excessively
- d) An insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes
- e) An insistence upon pursuing complaints in an unreasonable manner
- f) An insistence on only dealing with the Principal and/or a member of the Senior Leadership Team on all occasions irrespective of the issue and the level of delegation in the Academy to deal with such matters
- g) An insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the Academy because it is unlawful

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

- Appear to be targeted over a significant period of time on one or more members of Academy staff and/or
- Cause ongoing distress to individual member(s) of Academy staff and/or
- Have a significant adverse effect on the whole/parts of the Academy community and/or
- 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 Academy's actions in cases of persistent or vexatious complaints or harassment

In the first instance the Academy will verbally inform the complainant that his/ her behaviour is considered to be becoming unreasonable/unacceptable and, if it is not

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modified, action may be taken in accordance with this policy. This will be confirmed in writing.

If the behaviour is not modified the Academy 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 Academy community:

- Inform the complainant in writing that his/her behaviour is now considered by the Academy 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 second person present and that notes of meetings may be taken in the interests of all parties
- Inform the complainant that, except in emergencies, all routine communication with the complainant to the Academy should be by email or letter only
- In the case of physical aggression, verbal aggression or abuse, necessary precautions will be taken to remove the complainant from the site, or communication temporarily terminated, to ensure the safety of the staff and those in school
- Consider taking advice from the LA on pursuing a case under Anti-Harassment legislation
- Consider taking advice from HR/Legal Services about putting in place a specific procedure for dealing with complaints from the complainant, i.e. the complainant will not be able to deal directly with the Principal but only with a third person to be identified by the governing body of the Academy, who will investigate, determine whether or not the concern/ complaint is reasonable or vexatious and then advise the Principal accordingly\*

\* Please note that legitimate new complaints may 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/or Harassment in the Academy. However, the Academy will be advised by its HR/Legal Services.

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 Academy may resume the process identified above at an appropriate level. In these circumstances advice may be sought from HR/Legal Services.

### Links with other policies

- Complaints Policy