



Vexatious and Persistent Complaints / Harassment Policy

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POLICY No. 36

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LEAD: Nic Ross

GOVERNOR RESPONSIBLE: Governing Body

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1. Introduction

- 1.1. The Headteacher and staff deal with specific complaints as part of their day-to-day management of the school in accordance with the School'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.
- 1.2. Raising legitimate concerns or criticisms of a complaints procedure as it progresses (for example in relation to timescales) does not make a complainant vexatious, and neither does a person seeking to challenge the outcome of a complaint that they are unhappy with. The vast majority of complaints, even those which are not upheld by the school, will not be defined as being vexatious.
- 1.3. While the school is committed to dealing with all complaints fairly, consistently, and in a timely manner, in line with the [Department for Education \(DfE\) Best Practice Guidance for School Complaints Procedures 2024](#), it must also protect staff and the school community from unacceptable behaviour and persistent disruption.
- 1.4. This policy sets out the school's approach to managing unreasonable or vexatious complaints and/or complainants.

2. Scope

- 2.1. This policy applies to all complainants and potential complainants, including Parent Carers and members of the public who contact the school with concerns or complaints.

3. References

- 3.1. The following documents have been used to support the development of this policy
 - [Department for Education \(2024\) Best Practice Guidance for School Complaints Procedures](#)
 - [Education Act 2002, Section 29](#)

4. Aims of Policy

- 4.1. 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 Parent Carers
 - Deal fairly, honestly, openly and transparently with those who make persistent or vexatious complaints and those who harass members of staff in school while ensuring that other stakeholders suffer no detriment

5. Definition of a Persistent or Vexatious Complainant

- 5.1. 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 and whose behaviour is unreasonable.
- 5.2. Such behaviour may be characterised by:
 - Frequently complaining about a variety of different things, or the same issue, through a number of different channels in an obsessive, persistent, harassing, prolific or repetitious manner

- Seeking unrealistic outcomes relative to the issue being raised, and stating that their intention is to persist until that outcome is achieved
- Insisting upon pursuing valid complaints in an unreasonable manner
- Persistently making the same complaint with minor differences but never accepting the outcome of any investigation into their complaint
- Challenging a historical decision/action which cannot be changed
- Contacting the school frequently in a lengthy and/or complicated way
- Changing aspects of the complaint or the desired outcome part way through the investigation and/or after the investigation is completed and a conclusion has been reached
- Refusing to co-operate with the investigation process
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted procedure or with good practice
- Making what appear to be groundless complaints about the staff dealing with the complaint, and seeking to have them replaced by someone more senior or with a person the complainant names
- Refusing to accept information provided, for no justifiable reason
- Making statements the complainant knows are not true or persuading others to do so
- Supplying manufactured 'evidence' or other information the complainant knows is incorrect
- Raising a large number of detailed but unimportant questions and insisting that they are all fully answered
- Lodging a number of complaints over a period of time, resulting in related complaints being at differing stages of the complaints procedure
- Pressing for further investigation of matters that have already been addressed
- Electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved
- Using obscene, racist, offensive or threatening language in written or verbal communications
- Threatening or aggressive or abusive behaviour in direct personal contact with staff
- Using the vehicle of valid new complaints to resurrect issues which were included in previous complaints
- Persistently sending communications which demand responses, or making telephone calls seeking interviews with staff, after the school has closed the investigation into a complaint and all rights of review and appeal have been exhausted.
- Using Freedom of Information requests excessively and unreasonably
- 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

5.3. For the purpose of this policy, harassment is the unreasonable pursuit of such actions outlined in the points 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 members of school staff and/or
- Have a significant adverse effect on the whole/parts of the school 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.

6. Roles and Responsibilities

The Governing Body

6.1. The Governing Body is responsible for:

- Delegating powers and responsibilities to the Headteacher to ensure all school personnel and stakeholders are aware of and comply with this policy
- Ensuring that the school complies with all equalities legislation
- Ensuring funding is in place to support this policy
- Making effective use of relevant research and information to improve this policy
- Ensuring this policy and all policies are maintained and updated regularly
- Ensuring all policies are made available to parents
- Ensuring the effective implementation, monitoring and evaluation of this policy

The Headteacher

6.2. The Headteacher is responsible for:

- Ensuring all school personnel and parents are aware of and comply with this policy
- Working closely with Governors
- Providing leadership and vision in respect of equality
- Making effective use of relevant research and information to improve this policy
- Organising training for the appropriate school personnel
- Monitoring the effectiveness of this policy
- Reporting to the Governing Body on the success and development of this policy.

School Staff

6.3. School staff are responsible for:

- Complying with all aspects of this policy
- Reporting any concerns they have on any aspect of the school community
- Raising Awareness of this Policy

7. Expectation of Parent Carers and Members of the Public

7.1. Chads Grove School expects Parent Carers or members of the public who wish to raise concerns with the school to:

- Treat all school staff with courtesy and respect
- Respect the needs and well-being of pupils and staff in the school
- 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 in schools 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.

8. Dealing with Persistent or Vexatious Complainants:

8.1. In the first instance, the complainant will be verbally informed that their behaviour is considered to be becoming unreasonable/unacceptable and, if it is not modified, action may be taken in accordance with this policy. This will be confirmed in writing.

- 8.2. Where complainants have been identified as persistent or vexatious under the scope of this policy, the Headteacher and/or Chair of Governors will determine what action to take. The complainant will be notified, in writing, of the reasons why they have been classified as persistent or vexatious and what action will be taken. They will also be notified of the review procedure. This notification may be copied for the information of others already involved in the complaint or matters closely related to it.
- 8.3. A record will be kept, for future reference, of the reasons why a complainant has been classified as persistent or vexatious.
- 8.4. If the school considers the behaviour of the complainant is not modified, it will take some or all of the following actions as necessary:
- Withdraw contact with the complainant either in person, by telephone, by email, by letter or any combination of these, provided that at least one form of contact is maintained. If staff are to withdraw from a telephone conversation with a complainant there will be an agreed statement available for them to use at such times.
 - Restrict contact to liaison through a designated member of staff.
 - Notify the complainant in writing that the Governing Body has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant will be notified that any form of contact, either orally or in writing, in relation to their complaint, or any further complaints relative to the same period of time, or the same or similar issues as an earlier complaint, is at an end, and that further contact received will be acknowledged but not answered.
 - Temporarily suspend, for a period to be specified to the complainant, all contact with the complainant, provided that the Governing Body shall not, without the consent of the LA, withdraw or not provide any services to which the complainant or their family are entitled to receive. The complainant concerned will also be given an opportunity to modify their behaviour before closing correspondence.
 - If the complainant does not comply with the request to change their conduct then a letter should be sent making clear that future correspondence will not be responded to, but that the school will note any new concerns being raised and will appropriately investigate any that are considered to be of merit. Correspondence received from the complainant subsequent to closure will be kept on file, indefinitely, as will notes of telephone calls and any further conversations referring to the matter.

9. Reviewing Decisions

- 9.1. Once a complainant has been determined as persistent or vexatious, such status needs to be regularly reviewed and, where appropriate, withdrawn at a later date. Such action may be appropriate where a complainant subsequently demonstrates a more reasonable approach or submits a further complaint for which the normal complaints procedures would appear appropriate.
- 9.2. A panel of three governors will review their decisions to categorise a complainant as persistent or vexatious every six months. The panel, on review, may either withdraw the categorisation of a person as persistent or vexatious or amend the strategy being applied to that person.

- 9.3. If the panel considers it appropriate to withdraw the status of persistent or vexatious complainant, normal contact with the complainant and application of the school's complaints procedure will be resumed. The complainant will be given notice of this decision.
- 9.4. Copies of all decisions relating to the categorisation of a person as a habitual or vexatious complainant will be sent to the Clerk to the Governors who will hold and maintain a central register of such decisions.

10. Right to Appeal

If a complainant disagrees with the decision to classify their complaint or behaviour as vexatious, they may write to the Chair of Governors to request a review. The Chair will review the case and inform the complainant of the final decision in writing.

11. Involving the Media or Legal Representations

- 11.1. Threats involving the media and/or legal action will be treated respectfully and the school will respond, as appropriate, to any letters or approaches from the media or solicitors.
- 11.2. Additionally, the Headteacher may contact Worcestershire County Council's Press Office when concerned about statements being made to the media, or if they are contacted by the media and legal services if a threat of legal action is made.

12. Raising Awareness of this Policy

- 12.1. Awareness of this policy will be raised through:
- The School's website
 - Induction of staff
 - Meetings with school staff

13. Review

- 13.1. This policy will be reviewed every three years or sooner if required due to changes in legislation or statutory guidance.

14. Linked Policies

- 14.1. This policy should be ready in conjunction with the following Policies
- Complaints (Policy Number 89)