Aintree Davenhill Primary School



Vexatious Complaints Policy

2025-26

The Headteacher and Governing Body are committed to the improvement of our school. We welcome feedback from parents and carers, and will always try to resolve any concerns as quickly as possible. Aintree Davenhill Primary School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our school and there is a procedure for parents/carers to use if they wish to make a formal complaint. This is contained in the Complaints Policy.

Sometimes, however, parents or carers pursuing complaints or other issues treat staff and others in a way that is unacceptable and or behave in an unacceptable manner. Whilst we recognise that some complaints may relate to serious and distressing incidents, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive, threatening, inappropriate or harassing behaviour.

The aim of this policy is to clarify the process for dealing with unreasonable complainants or parents and carers who do not act appropriately.

What do we mean by 'an unreasonable complainant'?

An unreasonable complainant may be anyone who engages in unreasonable behaviour when making a complaint. This will include parents and carers who pursue complaints in an unreasonable manner and those who do not act in an appropriate manner towards staff at the school. Aintree Davenhill defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school.

Unreasonable behaviour may be:

- Out of proportion to the nature of the complaint;
- Persistent even when the complaints procedure has been exhausted;
- Personally harassing;
- Unjustifiably repetitious;
- Obsessive, harassing, or prolific;
- Prolific correspondence or excessive email or telephone contact about a concern or complaint;
- Repetitious complaints where the complainant has no view about what would satisfy him/her and/or no intention to resolve the complaint;
- Acting in a way not in line with the school aim of reaching a resolution and working with the school;
- An insistence on pursuing unjustified or unmeritorious complaints and/or
- Unrealistic outcomes to unjustified complaints;
- Refusing to articulate a complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- Refusing to co-operate with the complaints investigation process;
- Refusing to accept that certain issues are not within the scope of the complaints procedure;
- Insisting on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice;
- Trying to include trivial or irrelevant information which they expect to be taken into account and commented on;
- Raising large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- Making unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- Changing the basis of the complaint as the investigation proceeds;

- Repeatedly making the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- Refusing to accept the findings of the investigation into that complaint where the school's Complaint Policy has been fully and properly implemented and completed including referral to the Department for Education;
- Seeking an unrealistic outcome;
- Making excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with;
- Using threats to intimidate;
- Using abusive, offensive or discriminatory language or violence;
- Knowingly providing falsified information;
- Publishing unacceptable information on social media or other public forums.

An insistence on:

- Pursuing justifiable complaints in an unreasonable manner e.g. using abusive or threatening language;
- Making complaints in public; or
- Refusing to attend appointments to discuss the complaint.

What is 'harassment'?

We regard harassment as the unreasonable pursuit of issues or complaints, particularly if the matter appears to be pursued in a way intended to cause personal distress rather than seek a resolution.

Behaviour will fall within the scope of this policy if:

- It appears to be deliberately targeted over a significant period of time at one or more members of school staff or others:
- The way in which a complaint or other issues is pursued (as opposed to the complaint itself) causes ongoing distress to school staff or others;
- It has a significant and disproportionate adverse effect on the school community;
- Actions are pursued aggressively or in any manner not appropriate to an effective resolution.

What can you expect from the school?

Anyone who raises informal or formal issues and complaints with the school can expect the school to:

- Follow the school's Complaints Policy;
- Respond within a reasonable time;
- Be available for consultation within a reasonable time limit, bearing in mind the needs of pupils at 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 and in line with guidance from the local authority;
- Keep those involved informed of progress towards a resolution.

What the school expects of parents and carers

The school expects anyone who wishes to raise concerns with the school to:

• Limit communication with the school that relates to the complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached;

- Treat all staff with courtesy and respect;
- Respect the needs of pupils and staff within the school;
- Never use violence (including threats of violence) towards people or property;
- Recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to a complaint;
- Recognise that some problems may not be resolved in a short time;
- Follow the school's Complaints Policy;
- Speak politely and respectfully using appropriate language and avoid any aggression or verbal abuse, including name-calling
- Raise concerns/complaints in an appropriate place and at an appropriate time (for example not in front of other parents or pupils and not in an open public space);
- To be prepared to work towards a resolution and in partnership with the school;
- Adhere to the school's Code of Conduct for Parents and Carers.

School's responses to unreasonably persistent complaints, vexatious complainants, unreasonable complaints or harassment

This policy is intended to be used in conjunction with the school's Complaints Policy. Taken together, these documents set out how we will always seek to work with parents, carers and others with a legitimate complaint to resolve a difficulty and reach a resolution.

However, in cases of unreasonably persistent complaints or harassment, the school may take any or all of the following steps, as appropriate:

- Inform the complainant informally that his/her behaviour is now considered by the school to be unreasonable or unacceptable, and request a changed approach;
- Inform the complainant in writing that the school considers his/her behaviour to fall under the terms of the Vexatious Complaints Policy;
- Require all future meetings with a member of staff to be conducted with a third person present. In the interests of all parties, notes of these meetings may be taken;
- Inform the complainant that, except in emergencies, the school will respond only to written communication;
- Inform the complainant in writing that his/her behaviour is now considered to fall under the terms of this policy and that any complaint will not be investigated further until it is pursued in a manner the school considers to be reasonable;
- Place restrictions on the individual's access to school and/or school staff;
- Cease all correspondence and communication with the complainant other than that necessary for the health and safety of any child/adult in school;
- Involve officers of the local authority.

The school has a duty of care to staff and pupils and will take emergency measures should these become necessary in extreme cases.

Physical or verbal aggression

The school, Governing Body and Sefton Council will not tolerate any form of physical or verbal aggression or personal harassment against school staff. In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Aintree Davenhill.

If staff are subject to this type of aggression the school may:

- Prohibit the individual from entering the school site, with immediate effect;
- Inform the individual that communication with them will cease other than in an emergency;
- Prosecute under anti-harassment legislation.

Time frame and review

If a complainant's harassing/persistent 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. Whenever possible, the Headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the Headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Aintree Davenhill causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months. If a complainant's harassing/persistent complaining behaviour is modified and the complaint still lies within the time limit specified within the School's Complaints Policy, the school will use its discretion and may resume the investigation of the complaint. The school will review as appropriate, and at a minimum of once a year, any sanctions applied in the context of this policy. 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 Vexatious Complaints Policy.

The school nevertheless reserves the right not to respond to communications from individuals subject to the policy.