

Penllergaer Primary School Persistent Complaints/Harassment Policy

This Policy is intended to be used in conjunction with the School's Complaints Policy. Taken together, these documents set out how the School will always seek to work with parents, carers and others who have a legitimate complaint to resolve any difficulty. Sample letters are included within this document.

In cases of persistent complaints or harassment the School may implement the Persistent Complaints/Harassment Policy outlined below.

Aims of the Policy

The aims of this policy are to:

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

What is 'unreasonable behaviour'?

Unreasonable behaviour may include:

- Actions which are out of proportion to the nature of the complaint, persistent – even when the Complaints Procedure has been exhausted – personally harassing, unjustifiably repetitious; and/or
- An insistence on pursuing unjustified complaints and/or unrealistic outcomes to justified complaints; and/or
- An insistence on pursuing justifiable complaints in an unreasonable manner eg using abusive or threatening language, making complaints in public, refusing to attend appointments to discuss the complaint.

What is 'harassment'?

Harassment is considered to be 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 to seek a resolution.

What and who is a 'persistent complainant'?

For the purpose of this Policy a persistent complainant may be a parent/carer or member of the public who complains in an unreasonable manner and/or who engages in unreasonable behaviour whilst pursuing a complaint.

The complaint may be made 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 and/or repetitious; and/or
- (b) prolific correspondence or excessive e-mail or telephone contact about a concern or complaint: and/or
- (c) an insistence upon pursuing unmeritorious complaints and/or unrealistic or unreasonable outcomes: and/or
- (d) an insistence upon pursuing meritorious complaints in an unreasonable manner.

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.

The School will expect parents/carers/members of the public to:

- respect confidentiality
- refrain from discussing the complaint
- refrain from making the complaint public via telephone, e-mail or any other media network facility
- behave in a reasonable manner
- refrain from engaging unreasonably
- refrain from behaviour that could impact upon the school, pupils or staff in any detrimental way.

Expectations

Throughout any complaints process complainants can expect certain responses from the school and the school can expect complainants to behave appropriately. See further information at Appendix A.

The School's Actions in Cases of Persistent Complaints or Harassment

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

- (a) verbally inform the complainant that his/her behaviour is considered to be becoming unreasonable/unacceptable and may be considered to fall under the terms of this policy;
- (b) inform the complainant in writing that his/her behaviour is now considered by the School to be becoming unreasonable/unacceptable (see Model Letter 1);
- (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);
- (d) 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 (see Model Letter 3);
- (e) 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);
- (f) (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. (In these circumstances advice may be sought from the Local Authority School and Governor Unit, telephone number 01792-636550);
- (g) Consider taking advice from the City and County of Swansea on requesting an Anti-Social Behaviour Order (with reference to Legal Department for instigating Anti harassment procedure/injunction, telephone number 01792-636000).

Legitimate new complaints will still be considered even if the person making them is, or has been, subject to the School's Persistent Complaints/Harassment Policy. In these circumstances advice may be sought from the Local Authority (contact School and Governor Unit, telephone number 01792-636550).

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. In these circumstances advice may be sought from the Local Authority (contact School and Governor Unit, telephone number 01792-636550).

Review

The School will review as appropriate, and at a minimum once every school year, any sanctions applied in the context of this Policy.

Summary

The School has policies in place to protect all members of the public from unsatisfactory service. The School respects the rights of individuals or groups to make requests or to complain and have established procedures to facilitate this. However, this must be done in an appropriate and reasonable manner. This policy seeks to ensure that this is achieved and that the rights of everyone attending the School for any reason are respected.

Appendix A

Parents/Carers and Members of the Public 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:

- (a) communicate regularly to parents/carers in writing;
 - how and when problems can be raised with the School; and
 - the existence of the School's complaints procedure; and
 - the existence of the Persistent Complaints/Harassment Policy;
- (b) respond within a reasonable time;
- (c) be available for consultation within reasonable time limits bearing in mind the needs of the pupils/students 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 Policy, other policies and practices eg Restorative Practice and in line with guidance and advice from the City and County of Swansea, the Welsh Government and/or other appropriate sources of professional advice and guidance;
- (f) keep complainants informed of progress towards a resolution of the issues raised.

The School's Expectations of Parents/Carers/Members of the Public

The School will 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 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.

**Model Letter 1:
Informing a complainant that his/her behaviour is considered to fall below a
reasonable/acceptable standard**

Dear

This letter is to inform you that the School considers your actions in* on
.....* when you* to be below the standard expected of
visitors.

We would ask you to bear in mind the fact that such behaviour on a school site can be
disruptive and distressing to pupils, staff and parents/carers.

We are aware that you have raised some concerns and would advise you that these
can be addressed by/the School is addressing these by*

At the moment we are dealing with these issues at Stage* of the School's
Complaints Policy.

Please note that the School's Persistent Complaints/Harassment Policy sets out
standards of behaviour expected of all people on the School site. These include:

- Behaving reasonably;
- Treating others with courtesy and respect;
- Resolving complaints using the School's Complaints Policy;
- 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.

I would ask that you allow the School time to resolve the issues according to the correct
procedures and would assure you that we shall take every possible step to move this
process forward as quickly as possible.

I am confident that you will respect our need to maintain a calm and welcoming
environment at all times.

Yours sincerely

* **Complete as appropriate**

**Model Letter 2:
Informing a complainant that his/her behaviour is now considered to fall under
the terms of the Persistent Complaints/Harassment Policy**

Dear*

You will recall that I wrote to you on* advising you that we consider your behaviour in* on* when you* was below the standard we expect of visitors.

I am now writing to inform you that your behaviour in* on* when you* leads us now to consider you to be subject to the School's Persistent Complaints/Harassment Policy. The school will now proceed to deal with you for the foreseeable future under that Policy.

Please be aware, that, should you 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 for the way you meet with staff and the way in which you communicate with the School;
- Considering banning you from the School premises;
- Considering applying for an Anti-Social Behaviour Order;
- Considering legal action against you.

If you wish to make a representation about the contents of this letter, please do so in writing to me at the School by*

I do hope that the difficulties can now be quickly resolved.

Yours truly,

*** Complete as appropriate**

**Model Letter 3:
Informing a complainant that special arrangements will be made for him/her to meet members of staff**

Dear*

Following my letter to you dated* informing you that the School consider that your recent behaviour in connection with the School to be unacceptable/unreasonable* and that we now consider you to be subject to the School's Persistent Complaint/harassment Policy, I am now writing to outline for you the arrangements we have made regarding meetings at the School.

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

- The meeting will be arranged with a written appointment as soon as possible and with a third party present;
- In the interest of all parties, formal notes of the meeting may be taken.

These arrangements do not, of course, apply to any emergencies concerning your son/daughter/children* which should be reported to the School in the usual way.

I thank you for your forbearance in this matter and do hope that the differences we are currently experiencing can soon be resolved.

Yours sincerely

* **Complete as appropriate**

**Model Letter 4:
Requesting that future communication should be by letter or e-mail only**

Dear*

You will recall that I wrote to you on* informing you that the School considers that your recent behaviour in connection with the School to be unacceptable/unreasonable* and that we now consider you to be subject to the School's Persistent Complaint/Harassment Policy.

I am now requesting that, for the foreseeable future, all your routine communication with the School should be by letter or e-mail only. Please address all letters to* and any e-mails to* We shall respond as quickly as possible.

This request does not apply to any emergency involving your son/daughter/children* 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.

I do hope that we can resolve the ongoing difficulties as soon as possible.

Yours sincerely

* **Complete as appropriate**