



# **POLICY AND PROCEDURE FOR DEALING WITH VEXATIOUS CORRESPONDENCE AND COMPLAINTS**

Adopted by Governing Body – 24 <sup>th</sup> November 2015
For review 3 years

### **Purpose of this procedure**

A small percentage of people will correspond with or complain to the school or governing body in way that could reasonably be described as obsessive, harassing or repetitious. This correspondence from a minority of individuals takes up a disproportionate amount of resource and can result in unacceptable stress for governors and staff. This procedure is designed to address vexatious correspondence and complaints. It should assist schools and governors to manage demanding or unreasonable behaviour from vexatious correspondents.

It is important that the use of this procedure does not prevent people from accessing school services to which they have an entitlement, and it is designed to ensure that their rights are protected, while ensuring that scarce resources are used fairly and effectively, and that governors and staff receive a reasonable degree of protection from the stress that can be caused by vexatious correspondence and complaints.

This procedure is not designed to address violent or threatening behaviour which needs urgent response.

### **Defining vexatious correspondence or complaints**

Vexatious or persistent complaints and correspondence can be characterised in the following ways:

- Behaviour which is obsessive, persistent, harassing, prolific, repetitious and/or;
- Displays an insistence on pursuing unmeritorious issues and/or unrealistic outcomes beyond all reason;
- Displays an insistence upon pursuing meritorious complaints or issues in an unreasonable manner;
- A “scatter gun” approach, with copies of letters being sent to several recipients on a regular basis, often including the media, the MP, the Chief Executive and Leader of the Council, the department and/or service directors, and external regulators;
- Repeated and/or frequent requests for information, whether or not those requests are made under the access to information legislation.

### **Using the procedure**

If governors or staff identify behaviour that they think exhibits these characteristics, and which they believe may be vexatious, they should first discuss their concerns with the chair of governors. If the chair agrees with the assessment, the chair should prepare a brief statement of why the governors consider the complaint or correspondence to be vexatious, including its effect upon staff, governors and the school. This should be accompanied by a list of correspondence over the last six months, via email, telephone and letter,

including information about whom the correspondence was addressed to, how many people/organisations it was copied in to on each occasion and a one line description of each piece of correspondence.

#### **Handling correspondence and complaints that have been assessed as vexatious**

- The first step for the chair of governors is to write to the correspondent advising them that their complaint and/or correspondence has been determined to be vexatious and giving the reason for that decision. The letter should state that any future correspondence will be passed direct to the chair of governors who will consider whether it raises any substantive new issue(s).
- The correspondent will be advised that if no substantive new issue is raised, any future correspondence will not receive a response. They will also be advised of their right to complain about the decision to the Secretary of State for Education.
- They will be advised that the decision will be reviewed in six months from the date of the letter advising them that their complaint/correspondence had been determined to be vexatious.
- There is no internal route of appeal against the decision that a complaint or correspondence is vexatious.
- The chair will notify any colleagues whom they know are likely to receive correspondence of their contact details and ask them to pass any future correspondence from the vexatious correspondent to the chair.
- Any future correspondence will be passed to the chair. If he/she decides that it raises no genuinely new and substantive issues, no response is required. If he/she considers it to be appropriate, he/she may acknowledge the first two or three pieces of correspondence, referring the correspondent to the letter advising them of the decision that their correspondence has been determined to be vexatious. After that, no response or acknowledgement will be sent.
- If future correspondence does raise significant new issues, it will be responded to. It may be appropriate for the response to be routed via the chair in order to prevent the renewal of “scatter gun” correspondence.

#### **Reviewing the decision**

- Six months after the correspondent has been advised that their complaint and/or correspondence is vexatious, that decision will be reviewed.
- The chair will meet the governing body and the Headteacher to consider whether there has been any improvement in the vexatious behaviour over that time.

The chair will write to the correspondent advising them of the outcome of the review. If the behaviour has improved, future correspondence can be treated in the normal way. If there has not been a significant improvement, the correspondent will continue to be treated as vexatious and will be reviewed every six months