



Oxley Park Academy

Persistent Complaints and Harassment Policy

Policy Adoption Details

Name of Policy

- Persistent Complaints and Harassment Policy
- This Policy is the responsibility of the Discipline Committee
- The Author of this Policy is Cathy Higgins

Date when first Adopted

- This is a Model Policy based on one supplied by Cambridge County Council and recommended by them for adoption. Presented to the Full Governors Meeting on 7th February 2012. This Policy was fully adopted with no amendments at this Meeting.

Policy when Re-adopted with or without amendments

1. Aims of Policy

The aims of this Policy are to:

- Uphold the standards of courtesy and reasonableness that should characterise all communication between the Academy and persons who wish to express a concern or pursue a complaint
- Support the well-being of students, staff and everyone else who has legitimate interest in the work of the Academy, including governors and parents
- Deal fairly, honestly and properly with persistent complainants and those who harass members of staff in school while ensuring that other stakeholders suffer no detriment

2. Human Rights

In implementing this Policy, the Academy will seek to ensure that its actions are in accordance with its obligations under the Human Rights Act 1998 and the Convention Rights embodied within it in order to protect the Human Rights of both persistent complainants and all other stakeholders.

3. 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 characterise by:

- a. Actions which are obsessive, persistent, harassing, prolific, repetitious and/or
- b. Prolific correspondence or excessive e-mail or telephone contact about a concern or complaint
- c. An insistence upon pursuing unmeritorious complaints and/or unrealistic or unreasonable outcomes
- 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:

- i. Appear to be targeted over a significant period of time on one or more members of Academy staff and/or
- ii. Cause ongoing distress to individual member(s) of Academy staff and/or
- iii. Have a significant adverse effect on the whole/parts of the Academy community and/or
- iv. Are pursued aggressively

4. Parents' Expectations of the Academy

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

- a. Regularly communicate to parents/carers in writing
 - i. How and when problems can be raised with the Academy
 - ii. The existence of the Academy's Complaints procedure and
 - iii. The existence of the Persistent Complaints and 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 within the Academy and the nature of the complaint
- d. Respond with courtesy and respect
- e. Attempt to resolve problems using reasonable means in line with the Academy's complaints procedure, other Policies and practice.
- f. Keep complainants informed of progress towards a resolution of the issues raised

5. 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 problems with the Academy to:

- a. Treat all Academy staff with courtesy and respect
- b. Respect the needs and well-being of students and staff within 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 Academies work and allow the Academy 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 Academy's Complaints Procedure

6. The Academy's Actions in Cases of Persistent Complaint or Harassment

The Academy 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 Academy to be becoming unreasonable/unacceptable (Model Letter 1)
- c. Inform the complainant in writing that his/her behaviour is now considered by the Academy 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 interest of all parties (see Model Letter 3)
- e. Inform the complainant that, except in emergencies, all communication from the complainant to the Academy should be carried out in writing (see Model Letter 4)
- f. Physical or verbal aggression will not be tolerated and is likely to lead to immediate removal from the site and the application of a temporary ban from the Academy site.

Legitimate new complaints will still be considered even if the person making them is, or has been, subject to the Persistent Complaints and Harassment Policy.

If the 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.

7. The Academy's Actions in Cases of Persistent Complaint or Harassment

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

Date created: January 2012
Responsible: Governing Body
Date Ratified: 07.02.2012
Responsible Committee: All Governors

Date reviewed: Spring 2014
Next Review: Spring 2016

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 Academy considers your actions in on when you to be below the standard expected of visitors.*

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

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

At the moment, we are dealing with these issues at stage ...*..... of the Academy's Complaints Procedure.

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

- Behaving reasonably
- Treating others with courtesy and respect
- Resolving complaints using the Academy's Complaints Procedure
- 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 Academy
- Considering a ban from the Academy premises
- Considering applying for an Anti-Social Behaviour Order
- Considering legal action

I would ask that you allow the Academy 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

Academy Principal

* 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 and Harassment Policy

Dear

You will recall that I wrote to you on* telling you that we felt 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* has now led us to apply for the foreseeable future the Academy's Persistent Complaints and Harassment Policy.

Please be aware that, should you be responsible for any further unacceptable behaviour in connection with the Academy, some or all of the following actions may be taken:

- Making special arrangements for you to meet staff and communicate with the Academy
- Considering banning you from the Academy 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 Academy by*

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

Yours sincerely

Academy Principal

* 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 of* informing you that we felt your recent behaviour in connection with the Academy to be unacceptable/unreasonable*, and that we now considered you to be subject to the Academy's Persistent Complaints and Harassment Policy, I am now writing to outline for you the arrangements we have made regarding meetings at the Academy.

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

- This meeting will be arranged with a written appointment as soon as possible, and with a third party present
- In the interests of all parties, formal notes of this meeting may be made

These arrangements do not apply, of course, to any emergencies concerning*, which should be reported to the Academy in the usual way.

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

Yours sincerely

Academy Principal

* Complete as appropriate

Model Letter 4:

Requesting that future communication should be by letter only

Dear

You will recall that I wrote to you on* informing you that we felt your recent behaviour in connection with the Academy to be unacceptable/unreasonable*, and that we now considered you to be subject to the Academy's Persistent Complaints and Harassment Policy.

I am now requesting that, for the foreseeable future, all routine communications with the Academy should be by letter only. Please address all letters to* at the Academy. We shall respond as quickly as possible.

This request does not apply, of course, to any emergency involving *..... in which case you should contact the Academy in the usual way or to parents' evening, 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

Academy Principal

* Complete as appropriate