

WEST ASHTON CHURCH OF
ENGLAND VOLUNTARY AIDED
PRIMARY SCHOOL

Vexatious Complaints Policy



June 2010

West Ashton Church of England Voluntary Aided Primary School Vexatious Complaints Policy

This policy defines a vexatious complaint and the procedures to carry out should such a complaint be raised. This policy should be read in conjunction with the West Ashton Church of England Voluntary Aided Primary School's Complaints Against Staff Policy.

Any and all policies are written with the West Ashton Church of England Voluntary Aided Primary School's Values in mind. Our values are:

(Agreed in consultation with the Governors, Staff, Parents and Children June - September 2008)

By working at, or attending West Ashton Church of England Voluntary Aided Primary School, Staff, Governors, Children and Parents aim to, 'Never Tire of Doing What is Right'. We will do this by combining our historic Christian foundation, which is rooted in the Anglican tradition, with excellent educational standards for everyone, and by being committed to, and living out our values, which are:

1. Valuing Christian Faith - We hold daily collective worship, and Religious education is a central part of our curriculum, providing children with the ability to develop spiritually. We have strong links with our church and celebrate major Christian festivals alongside the local community. We make every opportunity to raise awareness and promote Christian values whilst having respect for, and developing an understanding of, other faiths and their own religious ceremonies and practices.

2. Valuing communication - We actively encourage ongoing two way communication, using as many media as possible to ensure that everyone can access and feedback information in a way that is acceptable. This includes face to face meetings, email, newsletters, telephone, maintaining a school website, notice boards, and attending school worship.

3. Valuing Mutual Respect and Tolerance - Not everyone will necessarily be best of friends or agree with all opinions or decisions, but every person at, or involved with, the school has the right to be treated and heard respectfully. Where differences occur we encourage respectful open and honest exchange of views in order that compromise or acceptance may be achieved.

4. Valuing Risk Taking and Mistakes. - It is very important to encourage risk-taking as this is one way in which new learning occurs. Similarly, making a mistake without fear of retribution (in all but any situation to do with the most serious breaches in discipline) aids new learning. By accepting that making a mistake and therefore failing at a task is an integral part of the learning process we are encouraged to take responsibility for what we do, without the need to blame others and are presented with opportunities to reinforce learning, without having to resort to punitive or derogatory language in correcting any mistake made.

5. Having Empathy - It is vital that we are aware of our own and others emotions as they relate to learning; the best learning will only take place when those participating in it feel happy and safe, are inspired by the learning environment, and can see the purpose of what they are doing.

6. Having the Strength to Uphold our Values - We must be courageous and confident when it comes to resisting the external pressures of society and the policy of external agencies when they are in conflict with the values of our school.

7. Having Pride in our School - We take great pride in having a happy school where all are prepared to work closely as a team with due regard to total commitment to the school's values.

For children this requires:

- Following the School Golden Rules and Discipline Policy;
- Working conscientiously and diligently to achieve their full potential; and
- Caring for the school environment

For school staff this requires:

- Dedication to the professional demands of teaching;
- Being prepared to volunteer to attend functions and events beyond normal working hours (e.g. Social Events prepared by Parents' Groups, Teacher Development days etc.); and
- Having due regard for the care of financial and physical resources.

For Governors this means:

- Dedication to the professional demands of Governorship including sharing workload in line with the scheme of delegation;
- Being prepared to volunteer to attend functions and events in school and at other times (e.g. Social Events, Governor Training); and
- Having due regard for the care of financial and physical resources

For Parents this means:

- Supporting the school's Christian Mission and other aspects of its work;
- Partnering the school in helping their child (or children) to achieve their full potential; and
- Recognising a responsibility for a duty of care for the moral and social development of their child (or children).

8. Being Caring and Inclusive - Our school is proud to be family orientated and provides a caring and inclusive environment without judgement upon religion, ethnicity, gender, disability or age.

9. Inspiring a love of Learning, Achieving Educational Excellence and having a Commitment to Continually Improve - Our goal is to become an 'outstanding' school that is continually pushing the boundaries of academic success for all. This will be done by fully adhering to the five aims of The Every Child Matters agenda which are to:

- Be healthy;
- Stay safe;
- Enjoy and achieve;
- Make a positive contribution; and
- Achieve economic well-being.

10. Preparing our Children to Become Good Citizens - We strive to maintain the balance of our family orientated caring environment where children are encouraged to be children whilst preparing them to cope and adapt to the bigger world that they will have to make their way in, in the future.

POLICY

1. VEXATIOUS COMPLAINT

1.1 A Vexatious Complaint is defined under *any or all* of the following conditions when the complainant:

1.1.1 Persists with a complaint when the full complaints procedure has been exhausted in seeking to address that complaint.

1.1.2 Persistently changes the substance of the complaint, or raises new issues, or seeks to prolong contact by raising further concerns or questions upon receipt of a response from the panel appointed to inquire into the complaint.

1.1.3 Refuses to accept that documentary evidence is factual.

1.1.4 Repeatedly fails to clearly and precisely identify and define the issue which is the subject of the complaint.

1.1.5 Repeatedly focuses on trivial issues which do not justify the disproportionate effort necessary to conduct an inquiry.

1.1.6 *Threatens to use or uses* physical violence to anyone associated with the School.

1.1.7 Makes an aggressive number of subsequent contacts about a complaint once that complaint had been registered.

1.1.8 Is deemed to be point scoring, pursuing tit-for-tat argument or seeking revenge.

1.1.9 Insists on responses to the complaint being made more urgently than the complaints procedure mechanism can deal with it. (Whilst giving due diligence to the complaint, due Regard must also be given to the other commitments and occupations of the Panel).

2. **NATURE OF COMPLAINTS**

2.1 The Governing Body will not accept, even for preliminary inquiry, complaints which:

2.1.1 Are anonymous.

2.1.2 Are unsupported by evidence.

2.1.3 Appear to raise minor issues disproportionate to the case for using the complaints procedure.

2.1.4 Fall outside the terms of reference for investigating a complaint (e.g. not pertinent to the education, health, well-being, security, employment or development of any person associated with the School).

2.2 To decide whether a complaint is valid or is/has become vexatious, account should be taken of the following factors:

2.2.1 The weight, substance, gravity of the complaint.

2.2.2 The supporting evidence.

2.2.3 The pattern of behaviour surrounding the complaint being made. If, in the Complaints Panel's view, a sufficiently flagrant or unacceptable pattern of behaviour occurs or continues, the Panel will make its concerns known in its report or in a later addendum to the report.

2.2.4 Things said in connection with the submission or receipt of the complaint.

3. **STATUS OF A VEXATIOUS COMPLAINANT**

Once a complainant has been judged vexatious in accordance with Paragraph 1 above, that complainant's status is to be kept under review. If subsequently a wholly new complaint is lodged, but in a more reasonable manner, and where the normal complaints procedure would be the appropriate mechanism to deal with it, the complainant's status and the form of response mechanism to be used can be reviewed.

4. **NOTIFYING THE COMPLAINANT**

Once the Complaints Panel has concluded its work, the complainant should be told in writing that the complaint has been investigated fully, but there is nothing to add and continuing contact serves no useful purpose. The complainant is to be asked to desist from such action. The Chair of the Panel should make known that they have done so in a report to the Governing Body. The complainant can be named openly in the report or its addendum.

5. **REVIEW**

This policy will be review every 2 years.

Review Date June 2012

Date

Signed (Chair of Governors)