



Minerva
Learning Trust

Vexatious Communications Policy

Date First Published	September 2022
Version	1
Last Approved	September 2022
Cycle	Three yearly
Review date	September 2025

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Changes to this edition

First edition

1. Purpose

As a Trust we are committed to professional, timely and courteous communication between the Trust, school, parents and other stakeholders. Equally, we expect that parents, carers, members of the local community and other stakeholders should always communicate with Trust/school staff in a respectful and appropriate way. This includes conversations when visiting Trust/school premises, telephone calls, letters and emails.

We believe it is important to:

- Work in partnership with our families to support their child's learning
- Create a safe, orderly, respectful and inclusive environment for students, staff and visitors to the site
- Model appropriate behaviours for our students at all times.

Like most professional establishments, we expect stakeholders, including parents and carers, to:

- a. Treat all members of the community with respect
- b. Respect the ethos, vision and values of our Trust/school
- c. Work together with our staff in the best interests of our students
- d. Seek a peaceful and reasonable solution to all issues, including when seeking to clarify a child's version of events with the school's view so that we can bring a peaceful resolution to any issue
- e. Correct their own/own child's behaviour (or those in their care), particularly in public, where it could lead to conflict, aggression or unsafe conduct
- f. Approach members of staff with respect and without physical or verbal abuse
- g. Follow the complaints procedure to resolve any issues of concern where they feel an appropriate response has not been received.

This policy is designed to address vexatious communications and complaints. It should assist staff and governors in the process of managing demanding or unreasonable behaviour from vexatious correspondents and in meeting the duty of care requirements of the Law.

It is important that the use of this policy does not prevent people from accessing services to which they have an entitlement.

2. Aims

This policy is not in any way intended to discourage open dialogue and constructive comments about the Trust/school, or the use of the published Trust Complaints Policy, where genuine concerns exist.

This policy is designed to ensure that the rights of individuals are protected, whilst ensuring that scarce school resources are used fairly and effectively and that all Trust staff and governors receive a reasonable degree of protection from the stress that can be caused by vexatious communication and/or complaints.

This procedure is designed for dealing with vexatious communication that takes place as part of the complaint process as outlined in the Trust Complaints Procedure.

This procedure is not designed to address violent or threatening behaviour which requires an urgent and often immediate response.

3. Links to other Documents

This policy should be read in conjunction with:

- Trust Complaints Procedure
- Safeguarding and Child Protection Policy

4. Defining Vexatious Communications

Ensuring effective communication between home and school and between the Trust and its community/stakeholders is extremely important to us. We work in partnership to ensure young people achieve all that they can. If parents, carers, members of the community or other stakeholders are dissatisfied with the Trust/school then there is a clear Complaints procedure to follow.

A small percentage of people will communicate with or complain to the school, Local Governing Body or the Trust in a way that could reasonably be described as "obsessive, harassing, repetitious, aggressive or intimidating". Such behaviour is seen as habitual and/or vexatious. This communication from whatever means and from a very small minority of individuals takes up a disproportionate amount of school resources and can result in unacceptable stress for staff and/or governors. The result can have an adverse impact on resources and personnel to the extent that the school is affected to the detriment of all students and their own health and wellbeing.

Vexatious communication includes conversations (face to face or on the phone), letters or emails that are:

- a. Overly persistent – i.e. continuing to communicate with a colleague even when it has been made clear that they have responded to a complaint and dealt with it. If a complainant is still dissatisfied they have recourse to the next step in the complaints procedure.
- b. Inappropriate in manner – i.e. when pejorative, mean spirited, personal or inappropriate comments are made.
- c. Threatening – i.e. direct or indirect threats about what might be done or they would like to do. This may be threats of a physical nature or to do with what they will say to or about a colleague or the school (this may involve threats of contact with external agencies). It may also include speaking to colleagues in an unpleasant or bullying manner or using abusive or threatening language.
- d. Prolific – prolific correspondence or excessive email or telephone contact about a concern or complaint or not those requests are made under the access to information legislation.
- e. Person has made the same complaint before, and it's already been resolved by following the school's complaints policy
- f. Complaint is obsessive, persistent, harassing, prolific, or repetitive
- g. Person insists on pursuing an unfounded complaint, beyond all reason
- h. Person pursues unrealistic outcomes, beyond all reason
- i. Person pursues a valid complaint, but in an unreasonable manner
- j. Complaint is designed to cause disruption or annoyance
- k. Person demands a solution that lacks any serious purpose or value

5. Dealing with Communications Deemed to be Vexatious

The use of habitual and/or vexatious communication and/or complaint against any person employed by or under education at schools within the Trust is unacceptable. The Trust intends to act firmly but fairly in dealing with any reported behaviour. The following action should be undertaken under the following circumstances.

Firstly colleagues in school will politely but clearly indicate that the communication is becoming vexatious. If it is a phone call or face to face meeting then they will politely end their side of the conversation. The parent, carer or member of the public will be sent a copy of this policy and asked to refer to it in future communications with school. A record will be made of this. At this stage it may be appropriate to insist that all future communications should be with a school leader (i.e. Subject or Team Leader or a member of the School Leadership Team).

5.1 Habitual or Vexatious Communication and/or complaint against a member of staff

The member or members of staff affected should, as soon as vexatious behaviour is identified, report this to the Headteacher/Executive Team Member. The Headteacher/Executive Team Member should:

- a. Communicate with the correspondent/complainant expressing his or her concern on the matter and drawing reference to the Trust's Complaints Policy and the Vexatious Communications Policy.
- b. Invite the correspondent/complainant to cease all vexatious communication with the school.
- c. Propose that the correspondent/complainant should, if appropriate, lodge a complaint in accordance with the Trust's Complaints Policy and for that complaint to be dealt with under the laid down procedure.
- d. Inform the correspondent/complainant that if the vexatious communication to the individual does not cease, the matter will be forwarded to the Local Governing Body, or Trust Board member (in the case of Central Team staff).
- e. Inform the Chair of the Governing Body or Trust Board member of action taken to date within this case.

If vexatious communications continue, then a letter of warning will be sent outlining our expectations for positive communications. A meeting with the Headteacher will be arranged to clarify the importance of positive communication.

5.2 Habitual or Vexatious communication and/or complaint against the Headteacher

The Headteacher/Chief Executive Officer should, as soon as vexatious behaviour is apparent:

- a) Report this to the Chair of the Governing Body or Trust Board
- b) Communicate with the correspondent/complainant expressing his or her concern on the matter and drawing reference to the Trust's Complaints Procedure and the Vexatious Communications Policy
- c) Invite the correspondent/complainant to cease all vexatious communication with the Trust/school
- d) Propose that the correspondent/complainant should, if appropriate, lodge a complaint in accordance with the school's Complaints Policy and for that complaint to be dealt with under the laid down procedure.

If vexatious communications continue, then a letter of warning will be sent outlining our expectations for positive communications. A meeting with the relevant Board member will be arranged to clarify the importance of positive communication.

5.3 If, after the above procedures are exhausted and there is no cessation of vexatious communication

The Headteacher/CEO should report the matter to the Governing Body/Trust Board.

The Chair of Governors/Trust should:

- a. Communicate with the correspondent/complainant expressing the Board's deep concern on the matter and reiterate that the behaviour will not be tolerated.
- b. If the vexatious behaviour is continuing despite completion of the full complaints process, notify the correspondent/complainant that the Board has responded fully to the point or points raised, has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. Explain that any form of contact, in whatever medium, in relation to their complaint, or any further complaints or vexatious communication, is at an end, and that further contact will be acknowledged but not answered.
- c. Temporarily suspend, for a period to be specified to the correspondent/complainant, all contact with correspondent/complainant, provided that the school/Trust shall not withdraw or fail to provide any services which the correspondent/complainant or his or her family are entitled to receive.

5.4 Seeking legal advice

If, even after the completion of the process above, vexatious complaints and communications continue, all communication from the correspondent/complainant may be directed to the appropriate Trust solicitor to review all communication to decide how the school should respond in line with this policy. Any future reoccurrences will most probably indicate a break down in relationship between the school and the parent, carer or member of the local community. At this point the school/Trust may seek legal advice to discuss the additional options available to the school.

6. Monitoring and Evaluation

This policy will be reviewed every three years or, when an update is made to the statutory guidance for dealing with complaints.

7. Equality Impact Assessment

The Trust carries out Equality Impact Assessments to ensure that policies, procedures, and practices cater for individuals who share protected characteristics in relation to the Equality Act 2010. The purpose of these assessments is to ensure that policies, procedures, and practices within the organisation are fair to all. If unfairness is highlighted, the assessment will also seek to show how this can be changed and, where it can't be changed, how it can be improved.