



Woodchester Endowed Church of England (Aided) Primary School

‘Love, Learn and Flourish Together’

Our church school community seeks to inspire children and adults to love, learn and flourish together so we may become everything God has created us to be.

Serial, Habitual and Vexatious Complaints Policy May 2025

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1.0	26/05/25	2025 Policy created following advice from GCC

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Indeed, the body does not consist of one member but of many’ (1 Corinthians 12; 14-16)

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Our Vision and Rationale

Woodchester Endowed Church of England Primary School community seeks to inspire children and adults to **'Love, Learn and Flourish Together'** so that we may become everything God has created us to be.

'Indeed, the body does not consist of one member but of many' (1 Corinthians 12; 14-16)

As a Church of England school, our Christian vision is central to all we do. Our school community seeks to inspire children and adults to love, learn and flourish together so we may become everything God has created us to be. Our Christian vision is rooted in Paul's letter to the people of Corinth and in our desire to nurture the whole community, flourishing both now and in the future.

Paul reminds them that they should live good lives and that their community will be stronger and make a bigger difference if everyone works together to make the most of their individual talents and skills. Our school vision recognises that we are unique individuals, loved by God, and we aim to develop all children and adults to their full potential through a wide variety of opportunities and experiences.

As an inclusive school where we wish for everyone to flourish, we seek to create an environment where positive behaviour is at the heart of all that we do, whether in the classroom or outside. We firmly believe that everyone can maintain high standards of personal conduct, accept responsibility for behaviour choices and encourage others to do the same. Where things are not quite as they should be, we prefer to foster a culture of forgiveness and seek reconciliation using restorative justice. Throughout our community we link behaviour to our ethos of 'love, learn and flourish together'.

Aims of this policy

Please note that this policy is used to manage unreasonable or persistent contact not directly associated with, or resulting from, formal complaints. This policy should only be invoked following careful consideration of all the issues by the Headteacher and Chair of Governors after an attempt has been made to reason with the complainant and it has been explained to them what it will mean if this serial and vexatious complaints policy is invoked.

In this policy the term serial or habitual means "done constantly or as a habit". The term vexatious is recognised in law and means "donating an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant". These terms are used in this policy to clarify that we are attempting to deal with persons who seek to be disruptive or whose requests impose a disproportionate and repeated burden on the school staff and governors by pursuing an unreasonable course of conduct.

The term complainant in this policy includes requests made under the Freedom of Information Act 2000, the Data Protection Act 2003 and the Environmental Information Regulations 2004 and reference to the complaints procedure is, where relevant, to be interpreted as meaning requests under those Acts.

Marking a complaint as unreasonable

Whilst the school endeavours to respond with patience and sympathy to the needs of all complainants there are times when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem.

Judgement and discretion must be used in applying the criteria to identify potential habitual or vexatious complainants and in deciding on the appropriate action to be taken in specific cases.

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Authorisation to invoke the policy must be made in consultation with and on the advice of a panel of three governors. In an emergency the Chair of Governors or, if unavailable, the Vice Chair of Governors may give authorisation pending ratification by the panel of three Governors. The decision to invoke the policy must be reported to the full Governing Body.

Whenever possible or appropriate, the Headteacher or Chair of Governors will discuss any concerns with the complainant before applying an 'unreasonable' marking. If the behaviour continues, the Headteacher/Chair of Governors will write to the complainant explaining that their behaviour is unreasonable and ask them to change it.

For complainants who excessively contact Woodchester Endowed CofE Primary school, causing a significant level of disruption, school may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after 6 months.

In response to any serious incident of threatening behaviour, verbal abuse, aggression or violence, school will immediately inform the Police and may bar an individual from school site for a specified time.

What is unreasonable behaviour related to complaints?

Woodchester Endowed CofE Primary School is committed to dealing with all complaints fairly and impartially, and to providing high quality service to all who complain, via our complaints procedure. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour which is abusive, offensive or threatening.

We define unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school. In addition, serial or vexatious complaints may also be deemed as such where complainants:

- Persist in pursuing a complaint where the school's complaints procedure has been fully and properly implemented and exhausted (E.g. where several responses have been provided)
- Change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response. Care must be taken not to discard new issues which are significantly different from the original complaints. These might need to be addressed as separate complaints.
- Are unwilling to accept documented evidence of action.
- Are unwilling to accept that the Governing Body has reached a final decision on a chosen course of action.
- Deny receiving an adequate response in spite of correspondence specifically answering their questions.
- Persist in pursuing a matter when they have already exhausted other statutory routes.
- Do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts to help them specify their concerns.
- Continue to seek to pursue a complaint where the concerns identified are not within the remit of the Governing Body to investigate.
- Focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point. It is recognised that determining what is a 'trivial' matter can be subjective and careful judgements must be used in applying this criteria
- Have in the course of addressing a complaint, had an excessive number of contacts with the school placing unreasonable demands on staff time. A contact may be in person or by telephone, letter or e-mail. Discretion must be used in determining the precise number of

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'excessive contacts' applicable under this section, using judgement based on the specific circumstances of each individual case.

- Have threatened or used physical violence towards staff at any time. This will cause personal contact with the complainant and/or their representatives to be discontinued and the complainant will thereafter, only be contacted through written communication. The school reserves the right to refer to the police if threatening behaviour/physical assault has taken place.
- Have harassed or been personally abusive or verbally aggressive on more than one occasion towards staff dealing with the complaint. Staff recognise however, that complainants may sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. They will document all instances of harassment, abusive or verbally aggressive behaviour.
- Are known to have recorded meetings or telephone conversations and circulated such recordings to third parties without the prior knowledge and consent of other parties involved.
- Make unreasonable demands and fail to accept that these may be unreasonable, for example, insist on responses to complaints or enquiries being provided more urgently than is reasonable or within the complaints procedure or normal recognised practice.

Complainants should try to limit any communication with the school that relates to their complaint, while their complaint is being progressed. Repeated correspondence is not helpful and could delay the outcome being reached.

Dealing with serial or vexatious complaints

Where complainants have been identified as habitual or vexatious under the scope of this policy, taking account of the above criteria, the Authorising Officers (Headteacher and Chair of Governors or if unavailable the Vice Chair of Governors) will determine what action to take. The Clerk will implement such action and will notify complainants, in writing, of the reasons why they have been classified as habitual or vexatious and what action will be taken. They will also be notified of the review procedure.

It may be decided to deal with complainants in one or more of the following ways:

- Withdraw contact with the complainant either in person, by telephone, by email, by fax, by letter or any combination of these, provided that at least one form of contact is maintained. If staff are to withdraw from a telephone conversation with a complainant there will be an agreed statement available for them to use at such times.
- To restrict contact to liaison through a designated member of staff.
- Notify the complainant in writing that the Governing Body has responded fully to the points raised and has tried to resolve the complaint but there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant should be notified that any form of contact, either orally or in writing, in relation to their complaint, or any further complaints relative to the same period of time, or the same or similar issues as an earlier complaint, is at an end, and that further contact received will be acknowledged but not answered.
- Temporarily suspend, for a period to be specified to the complainant, all contact with the complainant, provided that the Governing Body shall not withdraw or not provide any services to which the complainant or his/her family are entitled to receive.
- Ban the complainant from attending the school without prior written consent, seeking legal advice to ensure the appropriate procedures are used.

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Review Decisions/Withdrawing “Habitual or Vexatious” Status

Once a complainant has been determined as habitual or vexatious, such status needs to be regularly reviewed, and, where appropriate, withdrawn at a later date. Such action may be appropriate where a complainant subsequently demonstrates a more reasonable approach or submits a further complaint for which the normal complaints procedures would appear appropriate.

A panel of three Governors should review their decisions to categorise a complainant as habitual or vexatious every six months. The panel may either withdraw the categorisation of a person as habitual or vexatious or amend the strategy being applied to that person.

If the panel considers it appropriate to withdraw the status of habitual or vexatious complainant, normal contact with the complainant and application of the school's complaints procedure will be resumed. The complainant will be given notice of this decision forthwith.

Copies of all decisions relating to the categorisation of a person as a habitual or vexatious complainant will be sent to the clerk who will hold and maintain a central register of such decisions.

Complaint campaigns

Occasionally school may be the focus of a campaign and receive a large number of complaints: based on the same subject or from complainants unconnected with the school. In dealing with this, school will send out a template response to all complainants and/or publish a single response on our website.

Monitoring arrangements

Incidents will be presented at the next scheduled meeting of the Governing Body with details of complainants who are categorised as habitual and/or vexatious in the Headteacher's Report to Governors.

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