



**West Heslerton CE Primary School**  
**DRAFT Vexatious Behaviour Policy**

**“Children are at the centre of all we do”**

We encourage everyone in our school community to live life well reflecting Christian attitudes and values and working in partnership with families as part of a wider, caring community.

The hallmarks of a Christian life lived well are shown in the fruits of the Spirit – But the fruit of the Spirit is Love, Joy, Peace, Patience, Kindness, Goodness, Faithfulness, Gentleness, Self-control. Against such things there is no law. Galatians 5:22 – 23

**Note:** This policy can also be adapted to manage unreasonable or persistent contact not directly associated with, or resulting from, formal complaints.

West Heslerton CE Primary School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We believe that all our stakeholders have the right to be heard, understood and respected. We also believe that our staff have the same rights. We will not normally limit the contact complainants have with our school. However, we do not expect any of our staff to tolerate unacceptable behaviour and will take action to protect all staff in all roles at school from that behaviour, including that which is abusive, offensive or threatening.

We aim in all our dealings to:

- (a) make it clear to everyone we deal with, what staff can and cannot do to meet their concerns and expectations;
- (b) be open and not raise expectations that we cannot meet;
- (c) deal fairly and professionally with all stakeholders, their representatives and other individuals linked to our school;
- (d) provide an efficient and effective service that is easy to use, transparent and accessible to all; and
- (e) ensure that our staff and all those linked to West Heslerton School are not disadvantaged as a result of the unacceptable behaviour of others.

This Policy covers all areas of work undertaken by our school. It applies to the people our staff come into contact with during the course of our work, including parents, their representatives, other individuals and third parties. Contact covers various forms, including social media, telephone, face to face and written correspondence.

Any incidents of unacceptable behaviour between employees will not be covered by this Policy. Such incidents will be handled under school's Disciplinary Policy and other relevant policies.

### **Unacceptable Behaviours**

Heslerton School understands that people may act out of character during difficult times or when they are distressed. We do not view behaviour as unacceptable simply because an individual is forceful or determined. However, we consider behaviours that result in unreasonable demands on school activities or unreasonable behaviour towards our staff as unacceptable.

### **Aggressive or abusive behaviour**

Violence, aggression and verbal abuse towards our staff is not tolerated. Violence includes physical acts of aggression, behaviour or language, whether spoken or written, that makes staff feel offended, afraid, threatened or abused. This includes, but is not limited to, language, tone and volume that is abusive, rude or derogatory, statements that are inflammatory, threats, offensive remarks, swearing and allegations about staff that are defamatory. Language which is offensive or derogatory towards others in relation to race, ethnicity, nationality, religion, gender, sex, sexual

orientation, age and/or disability is unacceptable. Making serious unsubstantiated and/or false allegations that staff have engaged in criminal or corrupt conduct will also be considered unacceptable.

### **Managing Unacceptable Behaviours and/or Aggressive or abusive behaviour**

West Heslerton School will take action when unreasonable behaviour impairs the functioning of our activities or has a detrimental impact on our staff. We will take into account the personal circumstances of the individual when taking action and ensure that our response is reasonable and proportionate to address the unacceptable behaviour identified.

If the individual who is behaving in an unacceptable way is a representative of a supplier or other organisation that West Heslerton School has an existing relationship with, the matter should normally be escalated by the headteacher to our contact within that organisation for resolution. Where West Heslerton School has an agreed complaints process or escalation route in place with the relevant organisation, this should be adhered to.

When an individual is identified as behaving in an unacceptable way, West Heslerton Primary School may at our sole discretion take any one or more of the following actions, where applicable:

- (a) advise the individual of this Policy;
- (b) request that the individual modifies their behaviour;
- (c) terminate a telephone call, advising the individual at the time of the incident;
- (d) ask an individual to leave our premises, advising the individual at the time of the incident;
- (e) restrict contact to written correspondence only;
- (f) restrict telephone contact to set days and/or times;
- (g) restrict contact to a nominated member of staff;
- (h) restrict the individual's contact with school to certain issues or requests;
- (i) if appropriate, refuse to register or progress a complaint or appeal;
- (j) take a decision to escalate a complaint or appeal to the next stage of the process, including to an Independent Assessor;
- (k) inform the individual that complaints or appeals will be responded to outside school's standard service level times for response;
- (l) where appropriate, contact third party organisations including police, other law enforcement agencies, social services and/or the individual's education provider;
- (m) delete comments, report users, block or otherwise restrict access to our school platforms
- (n) file, return or, where appropriate following previous warnings, destroy excessive or irrelevant documents;
- (o) in exceptional cases, terminate all direct contact; and/or
- (p) take any other action which West Heslerton School or North Yorkshire Council deems appropriate.

We will not respond to correspondence in any format that is abusive towards staff, or which contains offensive statements.

If a credible security threat towards staff or our school site is made, a report must be made to the Headteacher, Chair of Governors and police as appropriate.

### **Unreasonable demands and excessive contact**

Individuals may make unreasonable demands on school staff, such as the amount of information they request, the nature or scale of the service they expect, imposing unreasonable timescales or deadlines for responses outside our normal practice or published timeframes, or the number of approaches they make. If behaviours start impacting on our ability to deliver our service, we consider them unacceptable.

What constitutes an unreasonable demand or excessive contact will depend on the facts and circumstances of each case. A demand becomes unreasonable when it starts to (or when complying with the demand would) impact substantially on the school by taking up excessive amounts of staff time. This includes but is not limited to repeatedly demanding more urgent

responses from staff than is reasonable or normal recognised practice; insisting on seeing or speaking to a particular member of staff when this is not possible; insisting that particular members of staff may not deal with the individual's account, appeal or complaint; and/or making what we consider to be an excessive number of contacts. We would also consider individuals repeatedly sending written correspondence or online messages in the same or similar terms; repeatedly contacting different parts of the organisation about the same or similar issues; attempting to contact staff via alternative channels outside of work (including social media); repeatedly demanding information or documents which the school staff have explained we do not hold; and/or repeatedly sending excessive or irrelevant documentation to amount to unreasonable behaviour.

West Heslerton School considers the level of contact with an individual to have become excessive when the amount of time spent talking to the individual on the telephone, or responding to, reviewing and filing emails or written correspondence impacts upon our ability to deal with the individual's requests, complaint or appeal effectively or impacts on our ability to deliver services to others.

### **Unreasonable use of School's complaint or appeal procedures**

West Heslerton School recognises that individuals may have cause to make complaints or appeal decisions in accordance with school procedures. The school's complaint and appeal procedures are open and accessible. We will therefore only limit access to these services in exceptional circumstances and when it is proportionate to do so.

West Heslerton CE School will follow its complaints handling and appeals procedures for each and every complaint or appeal that is received. However, if the school reasonably considers that the effect of the frequency or nature of individual complaints or appeals is intended to harass staff, prevents school staff and governors from pursuing resolution of an issue or implementing a legitimate decision or aim, we may consider this behaviour to be unacceptable.

It may be deemed unreasonable if the complainant makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced

If the complainant refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance or refuses to co-operate with the complaints investigation process, we may consider this behaviour to be unacceptable.

If the complainant refuses to accept that certain issues are not within the scope of the complaints procedure, insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice or seeks an unrealistic outcome we may consider this behaviour to be unacceptable.

Where an individual changes the substance of a complaint or appeal on a number of occasions or continuously raises new concerns, questions or falsified information which, in the reasonable opinion of West Heslerton School, is intended to hinder the resolution of the complaint or appeal, this may be regarded as unacceptable behaviour. We may also consider an individual's behaviour to be unacceptable where they persist in pursuing a complaint or appeal which West Heslerton School reasonably regards as having been fully and properly exhausted in accordance with our complaints handling and/or appeal procedure.

Complainants should therefore try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact West Heslerton CE Primary School causing a significant level of disruption, we may specify

methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from West Heselton CE Primary School premises and events.

The School's complaints panel may examine whether the individual's behaviours have wrongly been identified as unacceptable, whether the restrictions imposed are reasonable and proportionate, whether the restrictions imposed may have an adverse effect on the individual based on their personal circumstances and whether any other reasonable adjustments can be made. However, a review request under this Policy cannot be used as a mechanism to reconsider the content of any complaint or appeal.

Introduced: Autumn 2024

Next review: Spring 2027 or sooner if required.