

INTRODUCTION

The Centre Manager and staff deal with specific complaints as part of their day-to-day management of the Centre in accordance with the Centre's Complaints Procedure.

The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant. However, there are occasions when complainants behave in an unreasonable manner when raising and/or pursuing concerns. The consequences are that the actions of the complainants begin to impact negatively on the day-to-day running of the Centre and directly or indirectly the overall well-being of the children or staff in the Centre. In these exceptional circumstances the Centre may take action in accordance with this policy.

AIMS OF POLICY

The aims of this policy are to: uphold the standards of courtesy and reasonableness that should characterise all communication between the Centre and persons who wish to express a concern or pursue a complaint; support the well-being of children, staff and everyone else who has legitimate interest in the work of the Centre, including governors and parents; deal fairly, honestly, openly and transparently with those who make persistent or vexatious complaints and those who harass members of staff in Centre while ensuring that other stakeholders suffer no detriment.

PARENTS' EXPECTATIONS OF THE CENTRE

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

- a) Regularly communicate to parents/carers in writing:
 - (i) how and when problems can be raised with the Centre;
 - (ii) the existence of the Centre's complaints procedure, and
 - (iii) the existence of the Policy for Dealing with Persistent or Vexatious Complaints and/or Harassment in Centres;
- 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 Centre and the nature of the complaint;
- d) respond with courtesy and respect;
- e) attempt to resolve problems using reasonable means in line with the Centre's complaints procedure, other policies

THE CENTRE'S EXPECTATIONS OF PARENTS/CARERS/MEMBERS OF THE PUBLIC

The Centre can expect parents/carers/members of the public who wish to raise problems with the Centre to:

- a) treat all Centre staff with courtesy and respect;
- b) respect the needs and well-being of pupils and staff in the Centre;
- 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 Centres work and allow the Centre 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 Centre's Complaints Procedure



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WHAT 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 the Centre, verbally or in writing, for a prolonged period of time, such that the complainant's actions are within the remit of the Centre, and whose behaviour is unreasonable. Such behaviour may be characterised by:

- a) actions which are obsessive, persistent, harassing, prolific, repetitious;
- b) prolific correspondence or excessive e-mail or telephone contact about a concern or complaint;
- c) uses Freedom of Information requests excessively and unreasonably
- d) an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;
- e) an insistence upon pursuing complaints in an unreasonable manner;
- f) an insistence on only dealing with the Centre Manager on all occasions irrespective of the issue and the level of delegation in the Centre to deal with such matters;
- g) an insistence upon repeatedly pursuing a complaint when the outcome is not satisfactory to the complainant but cannot be changed, for example, if the desired outcome is beyond the remit of the Centre because it is unlawful.

For the purpose of this policy, harassment is the unreasonable pursuit of such actions as in (a) to (g) above in such a way that they:

- a) appear to be targeted over a significant period of time on one or more members of Centre staff and/or
- b) cause ongoing distress to individual member(s) of Centre staff and/or
- c) have a significant adverse effect on the whole/parts of the Centre community and/or
- d) are pursued in a manner which can be perceived as intimidating and oppressive by the recipient. This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, well-being and health.

THE CENTRE'S ACTIONS IN CASES OF PERSISTENT OR VEXATIOUS COMPLAINTS OR HARASSMENT

In the first instance the Centre will verbally inform the complainant that his / her behaviour is considered to be becoming unreasonable /unacceptable and, if it is not modified, action may be taken in accordance with this policy.

This will be confirmed in writing (Model Letter 1).

If the behaviour is not modified the Centre will take some or all of the following actions as necessary, having regard to the nature of the complainant's behaviour and the effect of this on the Centre community:

- a) inform the complainant in writing that his/her behaviour is now considered by the Centre to be unreasonable/unacceptable and, therefore, to fall under the terms of this policy (see Model Letter 2);
- b) 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 interests of all parties (see Model Letter 2);
- c) inform the complainant that, except in emergencies, all routine communication with the complainant to the Centre should be by letter only (see Model Letter 2);
- d) (in the case of physical, or verbal aggression) take advice Legal Services (services purchased by the Governing Body) and consider warning the complainant about being banned from the Centre site; or proceed straight to a temporary ban;
- e) consider taking advice from the LA on pursuing a case under Anti Harassment legislation;
- f) consider taking advice from the HR / Legal Services about putting in place a specific procedure for dealing with complaints from the complainant, i.e. the complainant will not be able to deal directly with the Centre Manager but only with a third person to be identified by the governing body of the Centre, who will investigate, determine whether or not the concern / complaint is reasonable or vexatious and then advise the Centre Manager accordingly.

Thus, based on legitimate new complaints may still be considered even if the person making them is, or has been, subject to the Policy for Dealing with Persistent or Vexatious Complaints and/or Harassment in Centres. However, the Centre will be advised by the HR / Legal Services If a complainant's persistent complaining/harassing behaviour is modified and is then resumed at a later date within a reasonable period of time, the Centre may resume the process identified above at an appropriate level. In these circumstances advice may be sought from the HR/Legal Services.



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**INITIAL LETTER INFORMING A COMPLAINANT THAT HIS/HER BEHAVIOUR IS CONSIDERED TO
FALL BELOW A REASONABLE/ ACCEPTABLE STANDARD**

RECORDED DELIVERY

Dear

This letter is to inform you that the Centre considers your actions in [describe actions, dates, behaviour] on when you to be unreasonable/unacceptable [delete as appropriate].

We would ask you to bear in mind the fact that such behaviour on a Centre site can be disruptive and distressing to pupils, staff and parents/carers [delete if behaviour complained of did not occur on Centre site e.g. persistent use of email, verbally abusive telephone calls].

We are aware that you have raised some concerns, and would advise you that these are usually dealt with most effectively through the Centre's Complaints

Procedure.

At the moment we are dealing with these issues by [describe actions being taken to resolve concern]. Please note that the Centre's Policy for Dealing with Persistent or Vexatious Complaints/Harassment sets out standards of behaviour expected of all people in their dealings with the Centre. These include:

- behaving reasonably;
- treating others with courtesy and respect;
- resolving complaints using the Centre'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 Centre;
- considering a ban from the Centre premises;
- Considering legal action.

I would ask that you allow Centre time to resolve the issues according to the correct procedures, and would assure you that we shall take every step to move this process forward as quickly as possible.

Yours sincerely

Centre Manager