

Ysgol Aberconwy



Policy for Dealing with Persistent and Vexatious Clients

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THIS POLICY HAS BEEN APPROVED BY THE FULL GOVERNING BODY

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Dealing with Persistent and Vexatious Clients

1. Introduction / Definition

1.1 As a school, we believe that all clients have the right to be heard, understood and respected. We also considered that our staff should be afforded the same rights. Managing just a handful of persistent and vexatious clients can take up considerable staff time and resources.

1.2 A customer in the context of this policy relates to the relatively few individuals – be they parents or prospective parents, members of the public, other professionals or other adults contacting the school for any given reason - whose actions or behaviour is considered unacceptable, persistent or vexatious by the School. The policy is aimed at anyone who contacts the school for whatever reason - not just transactional business.

1.3 This Policy sets out the approach to managing these individuals whilst paying full regard to their human rights and not restricting their opportunity to access school services to which they have a reasonable claim.

1.4 Where it is suspected that the customer may have a mental health problem, learning difficulties, long term disability or condition which may prevent them from communicating with the school in a coherent or rational manner, steps may, if considered appropriate by the school, be taken to access relevant support services as required in order to manage them appropriately. Liaison will take place with Social Services regarding what appropriate action will be taken, by whom and when.

2. Policy Aims

2.1 To make it clear and in an open manner what Ysgol Aberconwy will or will not do in relation to contact by persistent and vexatious clients and managing their expectations.

2.2 To ensure that all clients, including those whose actions are considered unacceptable, are dealt with fairly, honestly, consistently and appropriately.

2.3 To ensure that other clients and our staff do not suffer any disadvantage from clients who act in an unacceptable manner.

3. Defining Persistent and Vexatious Clients

3.1 The actions of clients who are persistent or vexatious can result in unreasonable demands on the school or unacceptable behaviour towards staff. It is these actions that are considered unacceptable and which this policy aims to manage. For this purpose these actions are grouped under three broad headings:

3.1.1 Aggressive or Abusive Behaviour

3.1.1.1 Violence is not restricted to acts of aggression that may result in physical harm, it also includes behaviour or language (whether oral or written) that may cause staff to feel afraid, threatened or abused.

3.1.1.2 Examples of behaviour grouped under this heading include being under the influence of alcohol / drugs, along with threats, physical violence, personal verbal abuse, derogatory remarks and rudeness, or complaints designed to cause disruption or annoyance. It is also considered that inflammatory statements and unsubstantiated allegations can be abusive behaviour.

3.1.1.3 We expect our staff to be treated courteously and with respect. Violence or abuse towards staff is unacceptable. School staff will always try to recognise the difference between aggression and anger. However, it is not acceptable when anger escalates into aggression directed towards staff.

3.1.2 Unreasonable Demands

3.1.2.1 Clients may make what are considered to be unreasonable demands on school staff through the amount of information they seek, the nature and scale of service they expect or the number of approaches they make. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the customer which could trigger further consideration/action.

3.1.2.2 Examples of actions grouped under this heading include demanding responses within an unreasonable time-scale, persistently demanding to see or speak to a particular member of staff, continual phone calls or letters, repeatedly changing the substance of the content or raising unrelated concerns, and complaints which clearly do not have any serious purpose or value.

3.1.2.3 These demands are considered unacceptable and unreasonable if they start to impact substantially on the work of the school, such as taking up an excessive amount of staff time to the disadvantage of other clients or functions, or staff starting to feel the demands are bordering on harassment.

3.1.3 Unreasonable Persistence

3.1.3.1 It is recognised that some clients will not or cannot accept that the school is unable to assist them further, will not accept a response already given or provide a level of service other than that provided already. Clients may persist in disagreeing with the action or decision taken in relation to their concern or contact the school persistently about the same issue.

3.1.3.2 Examples of actions grouped under this heading include persistent refusal to accept a decision made in relation to a contact, persistent refusal to accept explanations relating to what the school has or has not done, can or cannot do, or continuing to pursue a concern without presenting any new information. The way in which these clients approach the school may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.

3.1.3.3 The actions of persistent clients are considered to be unacceptable when they take up what the school regards as being a disproportionate amount of time and resources.

4. Managing Persistent and Vexatious Clients

4.1 There are relatively few clients whose actions are considered to be persistent and/or vexatious. How these actions are managed depends on their nature and extent. If it adversely affects a staff member's ability to do their work and provide a service to others, or if the persistence merely results in staff time having to be spent on the same issue without any foundation to the requests, customer contact with the school may need to be restricted in order to manage the situation. The aim will be to do this in a way, wherever possible, that allows any outstanding issue to be resolved.

4.2 Contact in person, by telephone, fax, and letter or electronically (eg via email) or by any combination of these may be restricted. Efforts will be made to try to maintain at least one form of contact but in some situations, the customer will be told in writing that their name is on a 'Clients with a single point of contact' list. This single point of contact may relate to a particular area of the school (for example the pastoral team), or may relate to a named individual, usually on the leadership team, if the individual is persistent and vexatious across a number of areas in the school. This means that they must restrict contact with the school to this named individual, and normally this will be via letter or email. We may also insist that contact should be through a third party if required.

4.3 The threat or use of physical violence, verbal abuse or harassment towards school staff is likely to result in the ending of all direct contact with the customer. Incidents may be reported to the police. This will always be the case if physical violence is used or threatened.

4.4 Ysgol Aberconwy will not deal with correspondence (letter, fax or electronic, eg email) that is abusive to staff. When this happens the customer will be told that their language is considered offensive and/or inappropriate. They will be asked to stop using such language and the school will state that there will be no response to their correspondence if they do not stop. We may require future contact to be through a third party.

4.5 The school will not deal with correspondence (letter, fax or electronic, eg email) that contains allegations which lack substantive evidence.

4.6 School staff taking calls always have the option of transferring a difficult call to another member of staff – usually their line manager. However, they also have the right to make a decision regarding whether a caller's behaviour is unacceptable. They will inform a caller should this be the case and say that the call will be terminated if the behaviour does not stop. If the behaviour continues, staff can terminate the call (indicating that they will put the phone down before actually doing so).

4.7 Where a customer repeatedly phones, visits the school, sends irrelevant emails/ documents or raises the same issues, the headteacher may decide that it is appropriate for staff to:

- Record calls with the customer using the available technology

- Only take telephone calls from the customer at set times on set days or put an arrangement in place for only one member of staff to deal with calls or correspondence from the customer in the future (single point of contact).
- Require the customer to make an appointment to see a named member of staff before visiting the school or require that the customer contacts the office in writing only.
- Return the documents to the customer or, in extreme cases, advise the customer that further irrelevant documents will be destroyed.
- Take other action that we consider appropriate. **The school will, however, always tell the customer what action is being taken and why.**

4.8 Where a customer continues to correspond on a wide range of issues, and this action is considered excessive, then the customer will be told that only a certain number of issues will be considered in a given period and asked to limit or focus their requests accordingly.

4.9 Customer action may be considered unreasonably persistent if all internal review mechanisms have been exhausted and the customer continues to dispute the decision made. The customer will be told that the school will not enter into any future correspondence. Future correspondence from the customer will be read and filed, but only acknowledged or responded to if the customer provides significant new information relating to the contact.

5. Deciding to Restrict Customer Contact

5.1 School staff who directly experience aggressive or abusive behaviour from a customer have the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this policy.

5.2 With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with the school are only taken after careful consideration of the situation by a member of the leadership team in discussion with the headteacher. Wherever possible, we will give a customer the opportunity to modify their behaviour or action before a decision is taken. Clients are told in writing why a decision has been made to restrict future contact, the restricted contact arrangements and, if relevant, the length of time the restrictions will be in place.

6. Recording and Reviewing a Decision to Restrict Contact

6.1 The school records incidents of unacceptable actions by clients. Where it is decided to restrict customer contact, an entry noting this should be made in the file of the relevant student (where the customer is a parent) and on appropriate computer records eg a 'quick note' on SIMs). A file will be kept which lists all clients with a Single Point of Contact by the headteacher's PA.

6.2 The Headteacher and Chair of Governors will review the file of clients with a Single Point of Contact on an annual basis. A decision may be taken to lift the designation if the customer has demonstrated a more acceptable approach. This review will be done with support from Conwy's legal team if necessary.

6.3 The school's decision to designate a Customer as Unreasonably Persistent or Vexatious will be final and there will be no immediate right of appeal per se. However, under 6.2 above all such clients will be reviewed and re-designated as appropriate.

6.4 Any complaints submitted by a customer that has been declared Persistent and Vexatious will be examined by the relevant Headteacher and only taken forward through the school's complaints procedure if they feel there is any merit in doing so.

7. Freedom of Information Act 2000 / Environmental Information Regulations 2004

7.1 All requests for information have the potential of being subject to the requirements of FOI / EIR legislation

7.2 Section 14 of the FOI Act provides for dealing with vexatious or repeated requests. It is important to bear in mind that in this context it is the "request" that is to be considered as vexatious or repeated, and not the customer.

7.3 There may however come a time whereby the volume and frequency of requests from a customer becomes such that this policy (Managing Persistent and Vexatious Clients) is invoked, provided it does not affect the statutory rights of the individuals concerned.

Appendix 1 Model letters

Dear parent

I have received a report about your conduct on (enter date and time). [Add summary of the incident and of its effect on staff, students, other parents.]

We believe staff, parents and children are entitled to a safe and protective environment in which to work. Behaviour that will cause harassment, alarm or distress to users of the premises is contrary to the aims of the school.

I must inform you that the school will not tolerate conduct of this nature on its premises and will act to defend its staff and students. I am therefore informing you that should the school staff have any further concerns about your behaviour formal procedures in accordance with our policy on dealing with Persistent and Vexatious Clients will be followed.

Yours sincerely

Headteacher

Dear parent

I have received a report about your conduct on (enter date and time). [Add summary of the incident and of its effect on staff, students, other parents.]

We believe staff, parents and children are entitled to a safe and protective environment in which to work. Behaviour that will cause harassment, alarm or distress to users of the premises is contrary to the aims of the school.

I must inform you that the school will not tolerate conduct of this nature on its premises and will act to defend its staff and students.

The Headteacher has already contacted you on _____. On the advice of the Headteacher I am therefore informing you that should the school staff have any further concerns about your behaviour you will be asked not to enter the premises and you could be prosecuted under Section 547 of the Education Act 1996. If convicted under this section, you are liable to a fine.

Yours sincerely

Chair of Governors

Dear parent

Further to our recent conversation, I am writing to confirm my request that, should you need to make contact with the school, you do so through myself, or a member of the leadership team if I am unavailable.

We are making this request in light of the distress that previous contact with school staff has caused them and specifically in response to [details of incident].

We will of course continue to address any issues that you raise and discuss them with all the necessary staff who are working with, or teaching, your child in school.

We review these circumstances on [date] and contact you to let you know if we feel these arrangements need to continue beyond that date.

In the meantime, by all means let me know if I can be of any further assistance,

Kind regards,

Headteacher

Dear parent,

In order to support a peaceful and safe school environment the school cannot tolerate parents, carers and visitors exhibiting behaviour which threatens to interfere with any area of the school or using loud or offensive language when meeting with staff members, or displaying an aggressive temper in the school building.

As such, I am aware of the distress you caused to members of staff at the school during your meeting on [date] and so I am writing to you to request that, should you need to make contact with the school, you do so through myself, or a member of the leadership team if I am unavailable.

We will of course continue to address any issues that you raise and discuss them with all the necessary staff who are working with, or teaching, your children in school.

I would suggest that we review these circumstances at the end of this term but in the meantime, by all means let me know if I can be of any further assistance,

Kind regards,

Headteacher

Ysgol Aberconwy



Parental Code of conduct

THIS CODE HAS BEEN APPROVED BY THE FULL GOVERNING BODY

Ysgol Aberconwy
Parent Code of conduct

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Introduction

We are very fortunate to have a supportive and friendly parent body. Our parents recognise that educating children is a process that involves partnership between parents, class teachers and the school community. As a partnership, our parents/carers will understand the importance of a good working relationship to equip children with the necessary skills for adulthood. For these reasons we continue to welcome and encourage parents/carers to participate fully in the life of our school.

Purpose and Scope

The purpose of this code of conduct is to provide a reminder to all parents, carers and visitors to our school about the expected conduct. This is so we can continue to flourish, progress and achieve in an atmosphere of mutual understanding. It can be read in conjunction with our policy on 'Persistent and Vexatious Clients' which gives more details on how we will respond to adults who do not maintain such conduct.

Guidance

We expect parents, carers and visitors to:

- Respect the caring ethos and values of our school
- Understand that both teachers and parents need to work together for the benefit of their children.
- Demonstrate that all members of the school community should be treated with respect and therefore set a good example in their own speech and behaviour.
- Seek to clarify a child's version of events with the school's view in order to bring about a peaceful solution to any issue.
- Correct own child's behaviour especially in public where it could otherwise lead to conflict, aggressive behaviour or unsafe behaviour.
- Approach the school to help resolve any issues of concern.
- Avoid using staff as threats to admonish children's behaviour.

In order to support a peaceful and safe school environment the school cannot tolerate parents, carers and visitors exhibiting the following:

- Disruptive behaviour which interferes or threatens to interfere with the operation of a classroom, an employee's office, office area or any other area of the school grounds including team matches.
- Using loud/or offensive language, swearing, cursing, using profane language or displaying temper.
- Threatening to inflict actual bodily harm to a member of school staff, Governor, visitor, fellow parent/carer or student regardless of whether or not the behaviour constitutes a criminal offence.
- Damaging or destroying school property.
- Abusive or threatening e-mails or text/voicemail/phone messages or other written communication.
- Defamatory, offensive or derogatory comments regarding the school or any of the students/parent/staff, at the school on Facebook or other social sites. (See Appendix 1). Any concerns you may have about the school must be made through the appropriate channels by speaking to the a member of staff, Headteacher or the Chair of Governors, so they can be dealt with fairly, appropriately and effectively for all concerned.
- The use of physical aggression towards another adult or child.
- Approaching someone else's child in order to discuss or chastise them because of the actions of this child towards their own child. (Such an approach to a child may be seen to be an assault on that child and may have legal consequences). This includes contact a child via social media, or over the phone.
- Smoking and consumption of alcohol or other drugs whilst on school property.
- Dogs being brought on to school premises without permission.
- Insisting on a response to requests in an unreasonable time frame or outside normal school hours.

Should **any** of the above behaviour occur on school premises the school may feel it is necessary to contact the appropriate authorities and if necessary, even ban the offending adult from entering the school grounds.

We trust that parents and carers will assist our school with the implementation of this policy and we thank you for your continuing support of the school.

Appendix 1:

Inappropriate use of Social Network Sites

Social media websites are being used increasingly to fuel campaigns and complaints against schools, Headteachers, school staff, and in some cases other parents/students. The Governors considers the use of social media websites being used in this way as unacceptable and not in the best interests of the children or the whole school community. Any concerns you may have must be made through the appropriate channels by speaking to the class teacher, the Headteacher or the Chair of Governors, so they can be dealt with fairly, appropriately and effectively for all concerned.

In the event that any student or parent/carer of a child/ren being educated in the school is found to be posting libellous or defamatory comments on Facebook or other social network sites, they will be reported to the appropriate 'report abuse' section of the network site. All social network sites have clear rules about the content, which can be posted, on the site and they provide robust mechanisms to report content or activity which breaches this. The school will also expect that any parent/carer or student removes such comments immediately.

In serious cases the school will also consider its legal options to deal with any such misuse of social networking and other sites. Additionally, and perhaps more importantly is the issue of cyber bullying and the use by one child or a parent to publicly humiliate another by inappropriate social network entry. We will take and deal with this as a serious incident of school bullying. Thankfully such incidents are extremely rare. We would expect that parents would make all persons responsible for collecting children aware of this policy.