



Vexatious Communications Policy

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Statement of Intent

Dignity and Respect are key principles of the Human Rights Act. When a person's dignity is compromised and no respect is afforded them, it is an abuse of their human rights. To ensure that the rights of individuals are upheld, the key principles of:

- Fairness
- Respect
- Equality
- Dignity
- Accountability

should be incorporated into the full range of careers and occupations, not least into the field of education.

Amongst the invidious outcomes of habitual or vexatious communications and complaints is an assault on a person's or persons' dignity and such action invariably lacks respect. This can never be acceptable.

The Community Inclusive Trust has a duty of care to all employees and to all young people educated therein. It resolves to exercise that duty at all times and on all occasions. To that end it publishes this policy for dealing with the matter of habitual or vexatious communications and complaints towards any employee of the Trust.

1. Scope of this Policy

- 1.1. This policy applies to any person communicating with or on behalf of the Trust or its constituent bodies in any capacity.

2. Purpose of this Policy

- 2.1. A small percentage of people will communicate with or complain to our schools, 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 Trust 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 raison d'être of the Trust is affected to the detriment of all students.
- 2.2. 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.
- 2.3. It is important that the use of this policy does not prevent people from accessing school services to which they have an entitlement. This policy is not in any way intended to discourage open dialogue and constructive comments about our Schools, the Trust, 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 Trust resources are used fairly and effectively and that all staff and governors receive a reasonable degree

of protection from the stress that can be caused by vexatious communication and/or complaints.

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

3. Defining Vexatious Communications and/or Complaints

- 3.1. Vexatious complaints and communications are characterised as behaviour which may be described as, “obsessive, persistent, harassing, repetitious, aggressive or intimidating”, and/or behaviour which:

- Displays an insistence on pursuing unmeritorious issues and/or unrealistic outcomes beyond all reason.
- Displays an insistence upon pursuing meritorious complaints or issues in an unreasonable manner.
- Can be seen as taking a “scatter gun” approach, with copies of letters, texts, or emails, or any other type of communication, being sent to several recipients on a regular or frequent basis.
- Results in repeated and/or frequent requests for information, whether or not those requests are made under the access to information rights set out in the Data Protection Policy.

4. Using the Policy

- 4.1. The use of habitual and/or vexatious communication and/or complaints 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.

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

- 4.1.1.1. The member or members of staff affected should, as soon as vexatious behaviour is identified, report this to the Headteacher (school staff) or a member of ELT (central staff).

- 4.1.1.2. The Headteacher/member of ELT should:

- 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.
- Invite the correspondent/complainant to cease all vexatious communication with the school/Trust.
- 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.

- Inform the correspondent/complainant that if the vexatious communication to the school/Trust does not cease, the matter will be forwarded to the Executive Leadership Team.
- Inform the Chair of the Local School Board and ELT of their action.

4.1.2. Habitual or Vexatious communication and/or complaint against the Headteacher.

4.1.2.1. The Headteacher/Head of School should, as soon as vexatious behaviour is apparent report this to a member of the Executive Leadership Team.

4.1.2.2. The member of ELT should:

- 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.
- Invite the correspondent/complainant to cease all vexatious communication with the school/Trust.
- 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.
- Inform the correspondent/complainant that if the vexatious communication to the school/Trust does not cease, the matter will be forwarded to the Executive Leadership Team.
- Inform the Chair of the Local School Board and ELT of their action.

4.1.3. Habitual or Vexatious communication and/or complaint against a member of the Executive Leadership Team.

4.1.3.1. The member of ELT should, as soon as vexatious behaviour is apparent report this to the CEO and Executive Leadership Team.

4.1.3.2. The CEO should:

- 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.
- Invite the correspondent/complainant to cease all vexatious communication with the Trust.
- 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.

- Inform the correspondent/complainant that if the vexatious communication to the Trust does not cease, the matter will be forwarded to the Trust Board.
- Inform the Chair of the Trust Board and ELT of their action.

4.1.4. Habitual or Vexatious communication and/or complaint against the CEO.

4.1.4.1. The CEO should, as soon as vexatious behaviour is apparent report this to the Chair of the Trust Board Executive Leadership Team.

4.1.4.2. The Chair of the Trust Board should:

- 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.
- Invite the correspondent/complainant to cease all vexatious communication with the Trust.
- 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.
- Inform the Trust Board and ELT of their action.

4.1.5. If, after the above procedure is exhausted, there is no cessation of vexatious communication.

4.1.5.1. The matter will be passed to the Local School Board for all school-based staff and the Trust Board for all central staff.

4.1.5.2. The Chair of the Local School Board or Trust Board should:

- Communicate with the correspondent/complainant expressing the Local School Board's/Trust Board's deep concern on the matter and reiterate that the behaviour will not be tolerated.
- (If the vexatious behaviour is continuing despite completion of the full complaints process), notify the correspondent/complainant that the Local School Board/Trust 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.
- Temporarily suspend, for a period to be specified to the correspondent/complainant, all contact with correspondent/complainant, provided that the Local School

Board/Trust Board shall not withdraw or fail to provide any services which the correspondent/complainant or his or her family are entitled to receive.

- 4.2. 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.

5. Monitoring and Review

- 5.1. This policy will be reviewed every 3 years, or earlier if changes or amendments are required, by the Director of HR.
- 5.2. Any changes to this policy will be communicated to all staff members and relevant stakeholders.