

Red Hill C of E Primary School

Policy for the protection of staff against
harassment & bullying



Amendment history

Date	Issue	Status	Reason for Amendment	Person responsible

RATIONALE

The Headteacher and staff deal with specific concerns or complaints as part of their day-to-day work at the school, in accordance with the appendix section of the school's published Complaints Procedure. The overwhelming majority of concerns are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the concerned party, largely because they have arisen through misunderstanding, frustration, or one party not being aware of all the relevant facts.

However, there are rare occasions when a person who wishes to raise a concern or complaint behaves in an unreasonable manner. The consequences are that the actions of the complainant begin to impact detrimentally on the day-to-day running of the school and directly or indirectly on the well-being of staff, children, governors or other parents in the school community.

This policy has been drawn up to clarify the procedures agreed by the staff and the Governing Body in response to behaviour which is perceived as violent, threatening or abusive, or any form of harassment from a visitor directed at a member of staff or governor. The Headteacher is authorised by the Governing Body to take action in accordance with this policy. Alongside this policy, the Headteacher and Governing Body hold a number of model letters, which may be issued to third parties warning them of:

- unacceptable conduct and/or harassment
- curtailment of their access to interactions with staff
- withdrawal of their implied right to enter school premises

The Headteacher or Governing Body, when issuing a letter, may amend or add to the model letters to reflect individual circumstances.

1. AIMS OF THE POLICY

1.1 The aims are to:

- a) uphold the standards of courtesy and reasonableness that should characterise all communication between the school and persons who wish to share a viewpoint, raise a concern or pursue a complaint
- b) support the well-being of staff and governors, and to ensure a suitably supportive working environment free from unwarranted toxicity
- c) provide clarity on the school's intolerance of aggressive or intimidating behaviour and the abuse or harassment of staff or governors
- d) provide a framework to deal transparently and consistently with persons who make persistent or vexatious complaints and with persons who harass or abuse staff or governors or who use aggression or intimidation towards them

2. EXPECTATIONS OF THE SCHOOL

2.1 Persons who raise either informal concerns or formal complaints with the school can expect the school to:

- a) share policies and procedures for dealing with concerns/complaints so that they are fully aware of: how and when problems will be dealt with by the school; the school's Complaints Procedure; the implications of this policy
- 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 school and the nature of the complaint
- d) respond with courtesy and respect
- e) attempt to resolve problems using reasonable means in line with the school's Complaints Procedure, and other policies which may be relevant in the context of the concern/complaint
- f) keep complainants informed of progress towards a resolution of the issue

3. THE SCHOOL'S EXPECTATIONS OF A PERSON RAISING A CONCERN/COMPLAINT

3.1 The school can expect any person who wishes to raise a concern or make a complaint to:

- a) treat all school staff and governors with courtesy and respect
- b) respect the needs and well-being of pupils, staff and governors of the school
- c) avoid the use, or threatened use, of violence to people or property
- d) avoid any aggression or verbal abuse
- e) not use Social Media as a means of airing complaints, problems or issues, or to insult, defame or attempt to bring into disrepute the school or any of its staff or governors in any way, or to attempt to fuel bad feeling against the school or any of its employees or governors
- e) recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond
- f) recognise that resolving a specific problem can sometimes take some time
- g) follow the School's Complaints Procedure

4. RISK ASSESSMENT

4.1 The personal safety of our staff and governors is important to us. All staff are trained to know how they are expected to deal with situations where their personal safety or the safety of others may be at risk, and the actions that are available to them if the behaviour of another puts them under duress.

4.2 The following control measures are in place to protect our staff in school:

- a) signs are displayed around the site indicating abuse and harassment will not be tolerated
- b) means of summoning assistance is available in all areas of the building and will be employed when deemed necessary
- c) individual consultations with visitors (including parents) will take place in an area where help may be summoned if necessary
- d) two members of staff/governors will see a parent/guardian/visitor together where there is history of inappropriate conduct on a previous occasion, or if the staff member/governor does not wish to proceed with a meeting alone
- e) all staff and governors are aware of how they are expected to deal with situations where safety or dignity is compromised
- f) emergency procedures are in place and are known and understood by staff and governors

5. DEFINITION OF PERSISTENT COMPLAINANT

5.1 For the purpose of this policy, a persistent complainant is defined as a person whose behaviour is unreasonable because they persist in pursuing a contact, concern or complaint or request for information when the school's relevant policy or procedure has been fully and properly implemented.

Such behaviour may be characterised by:

- a) actions which are obsessive, persistent, harassing, prolific, repetitious
- b) Targeted negativity against a particular member of staff/governor including 'bad mouthing' that staff member to other members of staff, governors or parents
- c) continually making unreasonable or excessive demands in terms of their contacts with the school and failing to accept that these may be unreasonable or excessive
- d) demanding a disproportionate amount of the school's time and resources
- e) refusing to co-operate with the school's investigation process whilst still wishing their concern/complaint to be resolved or request for information to be responded to
- f) refusing to accept the remit of the process to be undertaken as described to them
- g) requesting actions that are not compatible with the school's policies or ethos, or that place unreasonable demands on staff
- h) an insistence upon pursuing unsubstantiated complaints and/or unrealistic or unreasonable outcomes
- i) an insistence on only dealing with a specific member of staff on all occasions irrespective of the issue and the level of delegation in the school to deal with such matters
- j) an insistence upon repeatedly pursuing a concern/complaint when the outcome is not satisfactory to the complainant despite due process having been adhered to
- k) using an investigation outcome as a platform for new, but similar or related complaint, seeking to prolong contact by continually raising further queries, concerns or questions upon a matter which has been investigated and concluded in line with the school's relevant policies and procedures
- l) changing the substance, scope or nature of a concern/complaint whilst the concern/complaint is being addressed
- m) focusing on rumour, hearsay or conspiracy theories or making false allegations against staff, whilst not accepting documented evidence or investigation findings as being factual

6. WHAT IS HARRASSMENT?

6.1 For the purpose of this policy, harassment is defined as the unreasonable pursuit of actions such as those outlined in section 5.1 in such a way that they:

- a) appear to be targeted over a significant period of time on one or more members of school staff or governors and/or
- b) cause ongoing distress to individual member(s) of school staff or governors and/or
- c) have a significant adverse effect on the whole/parts of the school community including individuals
- d) are pursued in a manner which are perceived as intimidating and oppressive by the recipient. This includes 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
- e) fail to uphold the school's expectations of persons sharing a view/raising a concern/making a complaint, as outlined in section 3.1

7. WHAT IS A VEXATIOUS COMPLAINT?

7.1 To decide whether a complaint is vexatious the school will take into account the full history and context of interactions with the individual making the complaint and will look at both the nature of the complaint and the manner in which it is made.

The particular issues that will inform our decision will include whether:

- a) The primary purpose and/or effect of the complaint is to disturb, disrupt and or/pressurise the school's capacity to carry out its work.

Typical, but not exclusive indicators include:

- i) the complaint is part of a pattern of conduct likely to cause harassment or distress
- ii) the complaint is part of a pattern of conduct that suggests a campaign against the school or an individual member of staff or governor prompted by the complainant's personal views on a particular issue and/or by personal animosity
- iii) the complaint has been made in retaliation against the school or an individual member of staff or governor for prior action taken in delivering the school's functions

- b) The primary purpose and/or effect of the manner in which the complaint is made is to disturb, disrupt and or/pressurise the school, its staff/governors or an individual member of staff/governor.

Typical, but not exclusive indicators include:

- i) the complaint seeks information previously provided or revisits matters already explained appropriately
- ii) an inappropriate tone of correspondence or conversations – e.g. abusive or making unreasonable demands
- iii) the extent of the work likely to be needed to respond and whether the costs and administrative burdens are disproportionate to the issues raised
- iv) the same complaint being sent to more than one member of staff or governor in a 'scattergun' approach
- v) there has been refusal to follow the normal escalation process by repeatedly attempting to contact senior members of staff

- c) The complaint is otherwise clearly unreasonable.

Typical, but not exclusive indicators include:

- i) making a high number of unjustified complaints
- ii) pressing complaints after the complaints procedure has been properly implemented and exhausted
- iii) making further associated complaints repeatedly or including further information amounting to minor variations on an earlier complaint that has already been dealt with

8. THE SCHOOL'S SANCTION PROCEDURES

8.1 In the first instance the Headteacher will inform the complainant in writing that their behaviour is considered unreasonable / unacceptable in line with this policy and, if it is not modified, action may be taken

8.2 If the complainant's behaviour is not modified the Headteacher may take some or all of the following actions, as necessary, having due regard to the nature of the complainant's behaviour and the detrimental effect of this on the school community:

- a) inform the complainant in writing that his/her behaviour is now considered to be unreasonable/unacceptable and, therefore, falls under the terms of this policy

- b) inform the complainant that all meetings with a member of staff/governor will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties
- c) inform the complainant that, except in emergencies, all routine communication from the complainant to the school should be by letter only
- d) if there has been physical or verbal aggression the school will take advice from Worcestershire County Council's Legal Services and/or the Police about taking action under Anti-Harassment legislation
- e) consider warning the complainant about being banned from the school site or proceeding straight to a temporary ban
- f) consider 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 Headteacher but only with a third person to be identified by the Governing Body of the school, who will investigate, determine whether or not the concern / complaint is reasonable or vexatious and then advise accordingly

8.3 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 school may resume the process identified above at an appropriate level.

9. THE LEGAL POSITION

9.1 The Headteacher is aware that parents or guardians who have been banned from the school premises have a general right to seek an appointment to speak to school staff in relation to their child's welfare or educational progress, but will ensure adequate safeguards are put in place to protect staff when this happens. If it not possible to safeguard staff safety, then feedback will be provided in written form, or a recorded telephone conversation will be arranged.

9.2 Banning a parent from the school premises should not put their child / children at risk. The Headteacher will need to be satisfied that alternative safe and effective arrangements are in place for delivery and collection of children to and from school.

9.3 The school will liaise with Worcestershire County Council Legal Services as necessary to ensure all legal obligations of the school are discharged.

10. REVIEW

10.1 The school will review any imposed sanction as appropriate, and at a minimum once in a school year.

Red Hill CE Primary School

Appendix: model letters

Dear

I have received a report regarding your conduct when on our school site on (enter date and time).

[Add summary of the incident and of its effect on staff, students, other parents.]

We believe staff 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 we will not tolerate conduct of this nature on our premises and I am therefore informing you that should the school staff have any further concerns about your behaviour, formal procedures will be followed.

Yours sincerely

Headteacher

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I have received a report regarding your conduct when on our school site on (enter date and time).

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We believe staff 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 we will not tolerate conduct of this nature on our premises.

I have already contacted you on _____. 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 of up to £500.

Yours sincerely

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The withdrawal of permission for you to enter the school premises takes effect from (enter dates).

Yours sincerely

Chair of Governors

Appendix: model letters

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