



Persistent or Vexatious Complaints and Harassment Policy

Definitions

London Vocational Ballet School maintains this policy in respect of vexatious and/or persistent complaints, and may choose to exercise it if appropriate. For the purposes of this Policy, a Vexatious or Persistent complainant is any Interested Party who raises complaints (either informally or formally) or who frequently raises issues that the complainant considers to be within the remit of the school, and/or whose behaviour is unreasonable.

Such behaviour may be characterised by:

- a. Actions which are obsessive, persistent, harassing, prolific or repetitious;
- b. Prolific correspondence or excessive email or telephone contact about a complaint; c. Use of 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 upon only dealing with the Directors on all occasions, irrespective of the issue and/or the level of delegation in the School 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 School because it is unlawful.

For the purposes of this policy, harassment is the unreasonable pursuit of such actions as above in such a way that they:

- Appear to be targeted over a significant period of time, at one or more members of staff; and / or
- Cause ongoing stress to individual member(s) of staff; and/or
- Have a significantly adverse effect on the whole/parts of the school; and/or

- Are pursued in a manner which could be perceived as intimidating and/or oppressive by the recipient(s).

This could include situations where persistent demands or criticism, whilst not especially taxing or serious when viewed in isolation, have the cumulative effect over time of undermining confidence, well-being and health.

The school's actions:

In the first instance, the School will verbally inform the complainant that his/her behaviour is considered to be approaching unreasonable/unacceptable and, if it is not modified, action may be taken in accordance with this policy. This will be confirmed in writing by the Directors.

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

- Inform the complainant in writing that his/her behaviour is now considered by the school to have be unreasonable/unacceptable and, therefore to fall within the terms of this policy;
- Inform the complainant in writing that all meetings with any member(s) of staff will be conducted with a third person present, and that notes of meetings may be taken in the interests of all parties;
- Inform the complainant in writing that, except in emergencies, all routine communication between the complainant and the School should be by letter only;
- Consider that once a complainant is classed as vexatious by the school, further complaints may not be considered.
 - (in the case of physical or verbal aggression) take advice from the Trustees and LADO and Safeguarding Team H&F, and consider warning the complainant about being banned from the School premises; or proceed immediately to a temporary ban;
- Consider taking advice from the Trustees on pursuing a case under Anti-Harassment legislation;
- Consider pausing all investigations or active complaints until such times as the individual in question is ready to cooperate with the school in an appropriate way.
- Consider taking advice from the Trustees and LADO and Safeguarding Team H&F about implementing specific procedures for dealing with complaints from the complainant, i.e. the complainant will not be able to deal directly with the Directors. Instead they communicate with a third party to be identified by the Trustees of the school who will investigate to determine whether or not the complaint is reasonable or vexatious, and then advise the Directors accordingly.

Thus, based upon the above, legitimate new complaints may still be considered, even if the person making them is, or has been, subject to the terms of this policy. In such matters, the school may be additionally advised by the Trustees and LADO and Safeguarding Team Hammersmith and Fulham LA.

If a complainant's persistent complaining/harassing behaviour is modified and is then resumed at a later date, within a reasonable period of time, then the school may resume the process identified above, at an appropriate level. In these circumstances, the School may be advised by the Legal Services.

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