



Vexatious and Malicious Complaints Policy

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This policy was approved by the Full Governing Body in September 2025.

Vexatious Complaints Policy Framework

This **Vexatious Complaints Policy Framework** provides a structured approach for schools in Wales to handle complaints that are unreasonable, persistent, or vexatious. It ensures compliance with relevant regulations and guidance, promoting a fair and transparent process in managing complaints. The framework references best practice guidance from the **Welsh Government, DfE** (Department for Education), aligning with legal obligations under the **School Complaints Procedures (Wales) Regulations 2012**.

1. Introduction

1.1 Purpose of the Policy

- Establish a clear and fair approach to dealing with vexatious, unreasonable, or persistent complaints.
- Ensure school leadership and staff are protected from undue harassment or excessive burden.
- Comply with relevant guidance while upholding the right of legitimate complaints to be heard.

1.2 Legal and Policy Context

- **School Complaints Procedures (Wales) Regulations 2012**
- **The Equality Act 2010** (ensuring non-discrimination in complaints handling).
- **Welsh Government's Complaints Policy Guidance for Schools.**

2. Defining Vexatious Complaints

2.1 What is a Vexatious or Unreasonable Complaint?

A vexatious complaint is one that:

- Has no or little merit but is made persistently.
- Seeks to harass or disrupt school operations.
- Places excessive demand on school time and resources.
- Repeats issues that have already been addressed.

Examples include:

- Repeated demands for responses without allowing reasonable time for investigation.
- Refusal to accept final decisions made by the school.
- Unsubstantiated allegations or personal threats against staff.

2.2 Distinction between Legitimate and Vexatious Complaints

- The school must not dismiss a complaint simply because it is persistent but should assess whether it meets the criteria for being vexatious.
- Reasonable adjustments should be made for complainants with disabilities or additional communication needs (as per **Equality Act 2010**).

3. Managing Vexatious Complaints

3.1 School's Approach to Handling Complaints

- All complaints should follow the **School's Complaints Procedure** before being classified as vexatious.
- A fair and thorough investigation should be conducted.
- All communication should adhere to professionalism and safeguarding standards.

3.2 Identifying and Classifying a Vexatious Complaint

The school can decide a complaint is vexatious if:

- It is repetitive without new evidence.
- It includes abusive or offensive language.
- It places unreasonable demands on staff.
- The complainant refuses to engage in a constructive resolution.

3.3 Steps Before Taking Formal Action

1. Respond politely, acknowledging concerns.
2. Explain why the complaint is considered unreasonable or persistent.
3. Offer alternative ways to resolve the matter.

4. Actions the School May Take

4.1 Issuing a Warning

- A formal written warning to the complainant.
- Clear communication stating that continued unreasonable behaviour may result in restrictions.

4.2 Applying Restrictions

The school may:

- Limit communication to one channel (email, letter, or telephone).
- Set a specific staff member as the complainant's point of contact.
- Place a timeline or frequency limit on interactions.
- Refuse to process further complaints on the same issue unless new evidence is provided.

4.3 Refusing Further Communication

- In extreme cases where the complaint is excessively disruptive, the school may refuse further communication beyond informing the complainant of its decision.
- The complainant should be informed in writing and provided with avenues for escalation if they believe the handling is unfair (such as to the **Governing Body or Local Authority**).

5. Safeguarding and Staff Wellbeing

- Any vexatious complaints involving harassment, abuse, or intimidation of staff will be taken seriously and may be escalated to legal authorities.
- Staff must report any threatening behaviour as part of wellbeing procedures

6. Right to Appeal

- The complainant should have the right to appeal if they believe their complaint has been unfairly categorised as vexatious.
- Appeals can be made following the stages of the complaints procedure.
 - The Headteacher
 - The Governing Body.
 - Local Authority .

7. Communication and Review

7.1 Communicating the Policy

- This policy should be available on the school's website.
- Parents and stakeholders should be informed of complaint procedures to encourage constructive communication.

7.2 Regular Review

- Governing bodies should review this policy **at least every three years** or in line with updated guidance from the **Welsh Government or DfE**.

8. References and Further Reading

- **School Complaints Procedures (Wales) Regulations 2012**
- **Welsh Government's Complaints Policy Guidance for Schools**
- **School Complaints Procedures: Guidance 2022.**
- **The Equality Act 2010**

By implementing this **Vexatious Complaints Policy**, Fairfield Primary School can ensure fair treatment of all stakeholders while maintaining a respectful and professional environment for staff and leadership.