

The Policy will be reviewed bi-annually, or more regularly, in the light of any significant new developments. The next anticipated review date will be:	March 2026
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Persistent, Habitual and Vexatious Complainants Management Policy

1. Introduction

At GFM, we are committed to fostering a positive and respectful learning environment that promotes the wellbeing of all members of our community. We recognise that persistent, unreasonable, habitual and/or vexatious complaints and/or social media posts are in opposition to this.

2. Purpose of policy

The purpose of this policy is to address and manage persistent, habitual and vexatious behaviour, recognising its potential to disrupt the harmony of the GFM community. By clearly defining and addressing persistent, habitual and vexatious behaviour, we aim to ensure a safe and supportive atmosphere conducive to learning and personal growth within the GFM community.

3. Definitions

At GFM, vexatious behaviour refers to actions that are repetitive, harassing, and disruptive, causing annoyance, frustration, or distress to members of the GFM learning community. This includes, but is not limited to, unwarranted and persistent communication (including online communication), excessive and unnecessary requests, repeated/duplicated complaints or any behaviour that disrupts the normal functioning of our school. It is important to note that vexatious behaviour can originate from all members of the learning community, including staff, students, parents, and visitors.

4. Persistent, Habitual and Vexatious Complainant:

An individual will be considered a persistent, habitual and vexatious complainant when they:

- persist in pursuing a complaint where the school's complaints procedure has been fully and properly implemented and exhausted (e.g. where several responses have been provided)
- change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response. Care must be taken not to discard new issues which are significantly different from the original complaints. These might need to be addressed as separate complaints
- are unwilling to accept documented evidence of action

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- deny receiving an adequate response in spite of correspondence specifically answering their questions
- persist in pursuing a matter when they have already exhausted other routes
- do not clearly identify the precise issues which they wish to be investigated, despite reasonable efforts to help them specify their concerns
- focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point. It is recognised that determining what is a ‘trivial’ matter can be subjective and careful judgements must be used in applying this criteria
- have in the course of addressing a complaint, had an excessive number of contacts with the school placing unreasonable demands on staff time. A contact may be in person or by telephone, letter or email. Discretion must be used in determining the precise number of “excessive contacts” applicable under this section, using judgement based on the specific circumstances of each individual case
- have threatened or used physical violence towards staff at any time. This will in itself cause personal contact with the complainant and/or their representatives to be discontinued and the complaint will, thereafter, only be continued through written communication. All such incidences will be documented. This will also inform the complainant of the action to be taken with regard to any further communication received
- have harassed or been personally abusive or verbally aggressive on more than one occasion towards staff dealing with the complaint. All instances of harassment, abusive or verbally aggressive behaviour will be documented
- are known to have recorded meetings or telephone conversations or circulated such records to third parties without the prior knowledge and consent of other parties involved
- make unreasonable demands and fail to accept that such demands may be unreasonable. For example, insisting on responses to complaints or enquiries being provided more urgently than is reasonable or within the complaints procedure or normal recognised practice
- post statements online with regards to GFM community without factual basis

5. Scope of the policy

This policy should only be used in exceptional circumstances after all reasonable measures have been taken to try to resolve complaints under the school’s complaints procedures. It is not, however, necessary for a complaint to have progressed through all the stages on the complaints policy, before this policy can be invoked. Judgement and discretion must be used in applying the criteria to identify potential persistent, habitual or vexatious complainants and in deciding on the appropriate action to be taken in specific cases.

The policy should only be invoked following careful consideration of all the issues by the Principal/CEO and the Chair of the GFM Local Advisory Board (LAB) after an attempt has been made to reason with the complainant and it has been explained to them what it will mean if the

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Persistent, Habitual and Vexatious Complainants Management Policy is invoked. Authorisation to invoke the policy must be made in consultation with, and on the advice of, a panel of 3 members of the GFM LAB. In an emergency the Chair of the GFM LAB (or, if unavailable, the Vice-Chair) may give authorisation pending ratification by the panel of 3 members of the GFM LAB. The decision to invoke the policy must be reported to the full GFM LAB. No individual may undertake a role in authorisation in this procedure if he/she has had an involvement with the complaint.

6. Dealing with Vexatious Behaviour

Where complainants or online commentators have been identified as persistent, habitual, unreasonable or vexatious under the scope of this policy, taking account of the above criteria, the Authorising Officers (Principal/CEO and Chair of GFM LAB or, if unavailable, the Vice-Chair of GFM LAB) will determine what action to take.

The Authorising Officers will implement such action and will notify complainants, in writing, of the reasons why they have been classified as persistent, habitual, unreasonable or vexatious and what action will be taken. They will also be notified of the review procedure and this notification may be copied for the information of others already involved in the complaint or matters closely related to it, e.g. KHDA.

A record must be kept, for future reference, of the reasons why a complainant/online commentator has been classified as persistent, habitual, unreasonable or vexatious. It may be decided to deal with complainants in one or more of the following ways:

- Withdraw contact with the complainant either in person, by telephone, by email, by letter or any combination of these, provided that at least one form of contact is maintained.
- Issue a warning letter to the parent, making sure all correspondence and evidence is available to KHDA
- In the case of physical or verbal aggression, take advice from GEMS HR/Legal Services
- Consider warning the complainant about being banned from the school site; or proceed straight to a temporary ban.

7. Rebuilding Positive Relationships:

At GFM we understand the potential for growth and positive change and we are dedicated to rebuilding positive relationships following incidents of vexatious behaviour within the GFM community. This may include facilitated discussions, mediation, or counselling services to promote understanding, empathy, and resolution. Through these restorative actions, we aim to foster a sense of community and mutual respect, encouraging the development of healthy relationships within our learning environment.

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8. Monitoring and review

This policy has been discussed and agreed by the GEMS Founders School teaching staff and leadership teams for implementation.

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