



POLICY

Overview

Suffolk Parent Carer Forum is committed to dealing with everyone fairly, ensuring we provide high quality services, and a clear, and timely response when they contact us. SPCF Compliments & Complaints Policy is embedded to ensure that this is the case.

However, in certain cases people may pursue their complaints in a way that is unreasonable. They may act unacceptably, or be unreasonably persistent in their contacts and submission of information. This can impact investigating their complaint (or complaints by others) or otherwise disproportionately impact on the operational capacity of the organisation. These actions can occur either while their complaint is being investigated, or when the complaint investigation is finished.

Values & Principles

SPCF is committed to responding with patience and understanding to the needs of all, including when they have a complaint.

In order to distinguish between those who make a number of complaints with good cause, because they really think things have gone wrong, and others who are unreasonably complaining without sufficient cause; SPCF will:

- Consider each complaint on its own terms, and decide whether it is genuine or unreasonable and/or vexatious
- Evaluate each written or spoken submission
- Ensure that, if someone has made unreasonable and/or vexatious complaints in the past, it is not assumed that any subsequent complaint from them also falls into this category

SPCF cannot commit significant time responding to unreasonable complainant actions, but will try to avoid inflaming any already difficult situation. We will exercise judgement on the best way of handling each case.

Aim

This policy outlines how SPCF aims to ensure a proportionate approach when responding to complaints and complainant conduct. It supports employees (including volunteers and associates) to understand clearly what is expected of them, what options for action are available, and who can authorise these actions.

Scope

This policy covers unreasonable complainant conduct, which may include one or two isolated incidents, as well as unreasonably persistent conduct, which is usually a build-up of incidents or concerning conduct over a longer period.



How do we identify which complaints are unreasonable and/or vexatious?

For the purpose of this policy, unreasonable and/or vexatious complaints are those which, because of the nature or frequency of the complainant's contact, impact the organisation's consideration of their or other people's complaints or otherwise disproportionately impact on the operational capacity of the organisation.

Single incidents may be unacceptable in themselves, but more often the difficulty is caused by unreasonably persistent conduct that is time consuming to manage and interferes with proper consideration of the complaint.

The following are examples of some of the actions which SPCF considers unreasonable and/or vexatious (this list is not exhaustive):

- Refusing to specify the grounds of a complaint, despite offers of help.
- Refusing to cooperate with the complaint's investigation process.
- Refusing to accept that certain issues are not within the scope of a complaint's procedure.
- Insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure.
- Making unjustified complaints about staff who are trying to deal with the issues, and/or seeking to have them replaced.
- Systematically harassing or bullying staff.
- Making audio / video recordings of staff without their knowledge.
- Changing the basis of the complaint as the investigation proceeds.
- Denying or changing statements he or she made at an earlier stage.
- Introducing trivial or irrelevant new information at a later stage.
- Raising many detailed but unimportant questions, and insisting they are all answered.
- Submitting falsified documents from themselves or others.
- Adopting a 'scatter gun' approach: several complainants pursuing parallel complaints on the same issue or one complainant pursuing parallel complaints on the same issue with various organisations
- Making excessive demands on staff time and resources with lengthy phone calls, emails to numerous staff or detailed letters every few days; and expecting immediate responses.
- Submitting repeat complaints with minor additions / variations which the complainant insists make these 'new' complaints.
- Refusing to accept the decision; repeatedly arguing points with no new evidence.
- Enlisting others to make their complaint on their behalf if the outcome is not to their liking.

Responsibilities

SPCF Management (consisting of the Chair and Trustees) has ultimate responsibility for the implementation of the provisions of this policy; they are responsible for ensuring that the appropriate mechanisms are in place to support an open, fair and proportionate response to complainants.



The Management Team will manage the implementation of this policy, advising relevant staff, of their findings and suggesting an appropriate course of action; external advice will be sought as necessary.

All Employees (including volunteers and associates) have a responsibility to ensure that complaints relating to SPCF are handled appropriately; complaints received, whether written or spoken, should be escalated to the Chair.

Monitoring & Review

Complaints will be monitored and summary information will be permanently retained in line with the SPCF Data Protection policy.

The Chair, or other Board Member nominated by the Chair, will consider and agree the option/s proposed prior to any action being taken; if relevant, an appropriate time limit on any restrictions will also be agreed.

Any actions taken by SPCF should be proportionate to the nature and frequency of the complainant's current contact. The following options may be suitable, taking the complainant's conduct and circumstances into account:

- Placing limits on the number and duration of contact with staff per week or month.
- Offering a restricted time slot for necessary calls.
- Limiting the complainant to one route of contact (telephone, letter, email etc).
- Refusing to register and process further complaints about the same matter.

Managing Complainant Contact

Having designated a complaint as unreasonable and/or vexatious and decided on appropriate option/s for action (eg: restricted access), the Management Team will send the complainant notice, which will include a copy of the policy and will explain:

- That this represents the full and final decision in respect of the raised complaint
- Why the decision has been taken
- What it means for their contact with the organisation
- How long any restrictions will last

In order to ensure ongoing complainant contacts are managed, the Management Team may also decide to adopt one or more of the following approaches:

- Informing all relevant staff that contact with a named complainant is being restricted
- Appointing a key team member to coordinate the organisation's response(s)

Unreasonable & Vexatious Complaints Policy



Where a full and final decision on the complaint has been reached and communicated, the complainant will be told that future correspondence will be read and placed on file, but not acknowledged unless it contains new information.

This Policy will be reviewed annually to ensure it remains fit for purpose and compliant with current legislation and best practice of SPCF.

Last Reviewed: November 2024

Next Review: November 2025