

# **Vexatious and Malicious Complaints Policy**



Approved by Governors Date: STILL TO BE RATIFIED  
Review date: September 2026

**Vexatious and Malicious Complaints Policy**

## **1. Purpose**

This policy outlines how Phoenix Primary School identifies and manages complaints deemed to be vexatious or malicious, ensuring fairness for all and protection for staff, pupils, and the school community.

## **2. Scope**

This policy applies to all complaints received by the school, whether from parents, carers, or members of the public.

## **3. Definitions**

- **Vexatious complaint:** A complaint that is obsessive, persistent, harassing, prolific, or repetitious; designed to cause disruption; or lacks any serious purpose or value.
- **Malicious complaint:** A complaint made with the intention to cause harm, distress, or reputational damage to an individual or the school, and where the allegations are known by the complainant to be false.

## **4. Examples of Vexatious or Malicious Behaviour**

- Repeatedly making the same complaint (with minor variations) after the complaints process has been exhausted.
- Insisting on pursuing complaints in an unreasonable manner (e.g., demanding immediate responses, excessive phone calls or emails).
- Making unfounded or knowingly false allegations.
- Using abusive or threatening language.
- Harassing staff, governors, or other members of the school community.

## **5. Procedure for Managing Vexatious or Malicious Complaints**

### **Step 1: Initial Assessment**

- All complaints will be considered in line with the school's standard complaints procedure.
- If, during the investigation, the complaint is identified as potentially vexatious or malicious, the Headteacher will review the complaint with the Chair of Governors.

### **Step 2: Formal Notification**

- The complainant will be informed in writing that their behaviour or complaint is being considered under this policy.
- The letter will outline:
  - Why the complaint/behaviour is considered vexatious or malicious.
  - The actions the school will take.
  - The complainant's right to appeal the decision (see Step 4).

### **Step 3: Actions the School May Take**

- Limit communication to a single channel (e.g., written correspondence only).
- Refuse to investigate repetitive complaints about the same issue.
- Cease all correspondence and close the complaint if appropriate.

- In serious cases, take further action in line with safeguarding, staff protection, or legal advice.

#### **Step 4: Appeals**

- The complainant may appeal the decision to classify their complaint as vexatious or malicious to the Chair of Governors, who will review the case and respond within 15 school days.

#### **Step 5: Record Keeping**

- All correspondence and actions taken under this policy will be documented and stored securely in line with data protection requirements.

### **6. Review**

This policy will be reviewed annually by the Headteacher and Governing Body, and updated as necessary.

### **7. Linked Policies**

- Complaints Procedure
- Safeguarding Policy
- Staff Code of Conduct
- Parent Code of Conduct