Vexatious Complaints & Harassment Policy

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Related Documents:
Safeguarding and Child Protection Policy Complaints Policy Whistleblowing Policy Parent Handbook Staff Handbook Student Handbook Host Family Handbook Code of Conduct

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Oxbridge Group Ltd: Vexatious Complaints & Harassment Policy

Contents

Introduction 3
Aims of this policy 3
Expectations of Oxbridge Group Ltd 3
Oxbridge Guardian's expectations of those making a complaint 4
Who is a persistent or vexatious complainant? 4
Oxbridge Guardian's actions in cases of persistent or vexatious complaints or harassment 5

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Oxbridge Group Ltd: Vexatious Complaints & Harassment Policy

Introduction

Oxbridge Group Ltd deal with specific complaints as part of their day-to-day management of the company in accordance with their published Complaints Policy.

The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant. However, there are occasions when complainants behave in an unreasonable manner when raising and/or pursuing concerns. The consequences are that the actions of the complainants begin to impact negatively on the day-to-day running of the company and directly or indirectly the overall well-being of our staff and/or children and young people.

In these exceptional circumstances the company may take action in accordance with this policy.

Aims of this policy

The aims of this policy are to:

- uphold the standards of courtesy and reasonableness that should characterise all communication between the company and persons who wish to express a concern or pursue a complaint;
- support the wellbeing of children and young people, staff and everyone else who has legitimate interest in the work of the company, including Homestays, parents and partner schools;
- deal fairly, honestly, openly and transparently with those who make persistent or vexatious complaints and those who harass members of staff at the company while ensuring that other stakeholders suffer no detriment.

Expectations of Oxbridge Group Ltd

Children and young people/parents/staff/homestays/members of the public who raise either informal concerns or formal complaints with Oxbridge Group Ltd can expect the company to:

- regularly communicate in writing:
- explain how and when problems can be raised with the company;
- explain the existence of the company's complaints procedure, and
- explain the existence of the Policy for Dealing with Persistent or Vexatious Complaints and/or Harassment;
- respond within a reasonable time;

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- be available for consultation within reasonable time limits bearing in mind the needs of the company and the nature of the complaint;
- respond with courtesy and respect;
- attempt to resolve problems using reasonable means in line with the company's complaints procedure, other policies and practice and, keep complainants informed of progress towards a resolution of the issues raised.

Oxbridge Guardian's expectations of those making a complaint

Oxbridge Group Ltd can expect Children and young people/parents/staff/homestays/members of the public who wish to raise problems with the company to:

- treat all Oxbridge Group Ltd staff with courtesy and respect;
- respect the needs and well-being of children and young people and staff involved with the company;
- avoid any use, or threatened use, of violence to people or property;
- avoid any aggression or verbal abuse;
- recognise the time constraints under which members of staff in the company work and allow Oxbridge Group Ltd a reasonable time to respond;
- recognise that resolving a specific problem can sometimes take some time;
- in the case of a complaint, follow the Oxbridge Group Ltd Complaints Procedure.

Who is a persistent or vexatious complainant?

For the purpose of this policy, a persistent or vexatious complainant is a child/young person/parent/carer/homestay/member of staff or member of the public who complains about issues, either formally or informally, or frequently raises issues that the complainant considers to be within the remit of Oxbridge Group Ltd, and whose behaviour is unreasonable.

Such behaviour may be characterised by:

- actions which are obsessive, persistent, harassing, prolific, repetitious;
- prolific correspondence or excessive e-mail or telephone contact about a concern or complaint;
- uses Freedom of Information requests excessively and unreasonably;
- an insistence upon pursuing unsubstantial complaints and/or unrealistic or unreasonable outcomes;

- an insistence upon pursuing complaints in an unreasonable manner;
- an insistence on only dealing with the Managing Director on all occasions irrespective of the issue and the level of delegation in the company to deal with such matters;
- 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 company because it is unlawful;
- making multiple and frequent complaints to staff in order to receive the desired outcome, whether staff are involved or related to the nature of the complaint;
- results in repeated and/or frequent requests for information, whether or not those requests are made under the access to information legislation.

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

- appear to be targeted over a significant period of time on one or more members of staff / students and/or
- cause ongoing distress to individual member(s) of Oxbridge Group Ltd staff / children / young people in their care and/or
- have a significant adverse effect on the whole/parts of the company and/or
- are pursued in a manner which can be perceived as intimidating and oppressive by the recipient. This could include situations where persistent demands and criticisms, whilst not particularly taxing or serious when viewed in isolation, have a cumulative effect over time of undermining confidence, well-being and health.

Oxbridge Guardian's actions in cases of persistent or vexatious complaints or harassment

In the first instance Oxbridge Group Ltd will verbally inform the complainant that his/her behaviour is considered to be becoming unreasonable/unacceptable and, if it is not modified, action may be taken in accordance with this policy.

This will be confirmed in writing.

If the behaviour is not modified Oxbridge Group Ltd will take some or all of the following actions as necessary, having regard to the nature of the complainant's behaviour and the effect of this on the company:

- inform the complainant in writing that his/her behaviour is now considered by the company to be unreasonable/unacceptable and, therefore, to fall under the terms of this policy;
- inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties;
- inform the complainant that, except in emergencies, all routine communication with the complainant to the company should be by letter only;
- in the case of physical or verbal aggression, take advice from HR or Legal Services, consider warning the complainant about being banned from the company's office and associated schools/homestays; or proceed straight to a temporary ban;
- consider taking advice from the HR/Legal Services on pursuing a case under Anti-Harassment legislation;
- consider taking advice from the HR/Legal Services about putting in place a specific procedure for dealing with complaints from the complainant, i.e. the complainant will not be able to deal directly with the Managing Director but only with a third person to be identified by the company, who will investigate, determine whether or not the concern/complaint is reasonable or vexatious and then advise the Managing Director accordingly.

Thus, legitimate new complaints may still be considered even if the person making them is, or has been, subject to the Policy for Dealing with Persistent or Vexatious Complaints and/or Harassment towards Oxbridge Group Ltd. However, Oxbridge Group Ltd will be advised by their HR/Legal Services.

If a complainant's persistent complaining/harassing behaviour is modified and is then resumed at a later date within a reasonable period of time, Oxbridge Group Ltd may resume the process identified above at an appropriate level. In these circumstances advice may be sought from their HR/Legal Services.