



The Rosary Trust A Catholic Education Trust

Vexatious Communication Policy

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Vexatious Communication Policy

1. Introduction

This policy and procedure is to assist staff in managing their communications with parents and carers. It does not replace the statutory complaints procedures and should not be used to try and prevent a complaint being registered.

Schools in the Rosary Trust are committed to dealing with all correspondence equitably and in a timely manner. In general, we will not normally try to limit contact that individuals have with us. There are, however, occasions when the behaviour of an individual hinders our day to day work.

This policy is intended to deal with those individuals who persist in communicating in a vexatious way. Vexatious in the context of this policy is unreasonable and unjustifiable behaviour which causes offence or places unreasonable demands on resources, including staff time.

It is important to distinguish between people who make repeated representations because they really think and believe things have gone wrong, and people who are being vexatious.

Raising legitimate queries should not in itself lead to anyone being regarded as vexatious. There are however times when persistence in pursuing an issue becomes unreasonable. This policy gives examples of when this might be the case and sets out a process for dealing with contact that has become unreasonable.

2. Vexatious, Persistent or Abusive Communication

The type of behaviour that this policy covers can include the following (the list is not exhaustive):

- Harassing or verbally abusing or otherwise seeking to intimidate staff by:
 - Using foul or inappropriate language;
 - Using offensive language about their race, gender, disability or sexuality;
 - Continuing to make what appear to be groundless complaints about staff.
- Making an unreasonable number of contacts, by any means, in relation to a specific issue, which places unreasonable demands on staff (such as insisting on immediate responses to numerous, frequent and/or complex letters, telephone calls or emails);
- Recording meetings and conversations without the prior knowledge and consent of the other person involved.

3. Imposing Restrictions

Before any consideration is given to imposing a restriction, staff should ensure that correspondence and/or complaints have been dealt with appropriately as failing to deal with an issue promptly or properly can lead people to behave in ways which might be described as vexatious.

Before any decision to treat a correspondent as vexatious the Chair of Governors must review the evidence of the behaviour and consider what has been done to address the issue(s) raised.

If there is evidence of behaviour which is vexatious or unreasonable and attempts to resolve this have been unsuccessful the Head teacher will issue a written warning. The warning should explain why their behaviour is causing concern and ask them to change their behaviour. They will also be advised that if their behaviour is not moderated the school may impose a communication restriction. (See example letter at [Appendix 1: Letter of Warning](#)).

If the behaviour continues, the Head teacher will liaise with their Chair who will decide whether a communication restriction is warranted. Any restriction that is imposed on contact with the school must be proportionate and subject to regular reviews. The kinds of restriction which may be imposed are:

- Limiting contact to a named member of staff;
- Putting in parameters about when contact should be made;
- Only accepting correspondence in a certain format, e.g. by letter;
- Indicating that correspondence will not be responded to unless substantially new matters are raised (this implies that all incoming correspondence will be read).

Restrictions must be flexible according to individual circumstances and confirm who they can contact if they have safeguarding concerns about a child.

When a decision has been to apply this policy, the individual will be written to confirming reasons for the decision, the restriction imposed, when the restriction is to be reviewed. (See example letter at [Appendix 2: Letter Applying Restriction](#)).

4. Review

The status of an individual judged to be unreasonably persistent or vexatious will be reviewed by the Head teacher at the end of the review period.

The Head teacher will write to the restricted person informing them of the result of the review and whether the decision to apply this policy has been changed, extended or amended. (See example letter at [Appendix 3: Review Letter](#)).

5. Record Keeping

The decision making in respect of imposing a restriction must be recorded on the child's file.

Appendix 1 - Warning Letter

Dear

It has been reported to me that your communication with the school is becoming unreasonable because *[state reason]*.

I am asking you to moderate this behaviour by *[say how you want them to behave]*.

If you are unable to do this the school may have to consider placing a communication restriction on you which will limit when and how you can contact the school.

The school is committed to listening and responding to genuine concerns where there are valid grounds for you to make a complaint.

I look forward to your co-operation in this matter.

Yours sincerely

Head teacher

Appendix 2 – Communication Restriction Letter

Dear

On *[date]* *[name of member of staff]*, informed you that your communication with the school was becoming difficult to manage and asked that you moderate your behaviour.

Unfortunately, you have been unable to do this and I was asked to consider placing a communication restriction on you.

Having reviewed the matter, I have decided to place a communication restriction on you which will come into effect on *[date]*. From this date the following communication restriction will be in place:

[insert terms of restriction - please include who to contact re: safeguarding concerns if appropriate; who to contact re: issues such as contact arrangements if appropriate; other individual arrangements, e.g. feedback from meetings].

Any communication received by you outside the terms of this restriction will be recorded but will not be acknowledged.

If you can moderate your behaviour consideration can be given to an early lifting of the restriction.

In any event I will review this restriction on *[date]* and inform you of the outcome within 10 working days of the review. The restriction will remain in place until you have been formally advised in writing of the outcome of the review.

Yours sincerely

Head teacher

Appendix 3 - Review Letter

Dear

I have reviewed the communication restriction I placed on you on [date].

Insert one of the below:

- a) *Given that you have fully complied with the restriction I have decided that the restriction will be lifted from [date]. I hope that going forward you are able to communicate with the school in a satisfactory manner and that no further restrictions will be needed.*

- b) *Upon reviewing the restriction, I have decided that it should be amended because [insert reason]. Therefore, the terms of the restriction that will apply from today are: [insert terms]. This restriction will remain in place until [date]. I will review the restriction again on this date and inform you of the outcome.*

- c) *It appears that you have been unable to comply with the restriction, therefore I have decided that the restriction will remain in place until [date]. I will review the restriction again on this date and inform you of the outcome.*

Yours sincerely

Head teacher