

PERSISTENT OR VEXATIOUS COMPLAINTS POLICY

PURPOSE

England Athletics is committed to offering the highest quality of service provision across grassroots athletics and running in England.

Our three values of PRIDE, INTEGRITY and INCLUSIVITY ensure our staff work continually to achieve these benchmarks by working in an open and accountable way that builds trust and respect.

England Athletics works hard to provide an efficient and effective service to all. However, we recognise that there may be occasions where we fall short of expectations and individuals may not be completely satisfied.

In making complaints most people act entirely reasonably. Occasionally, we receive complaints that are vexatious in that they cause disruption to our work, disproportionate cost and time to handle and impact on the wellbeing of our employees.

We are committed to dealing with all complaints equitably, comprehensively, and in a timely manner.

This policy sets out England Athletics approach to dealing with persistent or vexatious complaints.

SCOPE

This policy applies to all stakeholders who wish to make a complaint about any of England Athletics services or activities.

OUR AIM

To ensure that:

- We deal with all complaints promptly, politely and, when appropriate, confidentially;

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- To decide which complaints will be treated as persistent or vexatious and what we will do in those circumstances.

What are Persistent and Vexatious Complaints?

Features of the type of complaint and behaviour that this policy covers can include the following (the list is not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category):

- Persisting in a complaint after being advised that there are insufficient or no grounds for their complaint.
- Refusing to co-operate with the complaints process whilst still wanting their complaint to be resolved, including a failure or refusal to specify the grounds of the complaint despite offers of assistance, changing the basis of the complaint or introducing trivial or irrelevant new information and expecting this to be considered and commented on.
- Submitting repeat complaints, after the complaints procedure has been completed, essentially about the same issues, with additions/variations which the complainant insists on being treated as new complaints and put through the complete complaints procedure again.
- Refusing to accept the outcome of the complaint procedure after its conclusion, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given.
- Harassing or otherwise seeking to intimidate employees dealing with their complaint or correspondence, by using inappropriate language or behaviour, by use of racist or offensive language and/ or making what would appear to be groundless complaints about our employees.
- Making an unreasonable number of contacts with us, by any means, in relation to a specific complaint or correspondence including making persistent and unreasonable demands or expectations of employees and/or the procedure after the unreasonableness has been explained (such as insistence 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.

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Handling Persistent or Vexatious Complaints

Managing vexatious complaints can be very time consuming. England Athletics is not obliged to meet a complainant's unreasonable demands, for example, by answering every single point in an unreasonable letter.

The most difficult vexatious complaints to deal with are those where the complaint is slightly different from the original complaint, but about the same broad area of activity. A careful decision will have to be made as to whether or not the matters are sufficiently different to justify being considered as a new complaint. If they are considered as a new complaint then the England Athletics Complaints Policy and Procedure will be followed.

Equally if the complainant keeps making complaints about different matters, each complaint should be considered in the usual manner unless they are about entirely trivial matters.

Stage 1

In the first instance, the Membership Services Manager will consult with the relevant Senior Manager prior to issuing a warning to the complainant. The Membership Services Manager will contact the complainant in writing to explain why their behaviour is causing concern and the actions that may be taken if the behaviour does not change.

Stage 2

If the Persistent or Vexatious Complaint persists then the CEO will contact the complainant in writing advising them of the way in which they will be allowed to contact England Athletics in future, if and what procedures have been put in place and, if applicable, for what time period. The CEO may consult with the Welfare Department or England Athletics Board, if required.

Possible restrictions will be tailored to deal with the individual circumstances and may include:

- Banning the complainant from making contact by telephone except through a third party e.g. solicitor or friend acting on their behalf
- Banning the complainant from sending emails to employees of England Athletics and insisting they only correspond by letter
- Banning the complainant from accessing England Athletics premises
- Requiring contact to take place with one named employee only
- Restricting telephone calls to specific days/times/duration
- Requiring any personal contact with an England Athletics employee to take place in the presence of an appropriate witness

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- Letting the complainant know that England Athletics will not reply to or acknowledge any further contact from them on the specific topic of that complaint
- Informing the complainant that any further complaints submitted by the individual will only be considered if the CEO agrees

For complaints considered Persistent or Vexatious the CEO's decision is final.

All records will be retained, and details of any or all of the actions taken.

Please note: We reserve the right at any point in the process to forward the Persistent or Vexatious Complaint to our legal representatives who may respond on our behalf.

Equality

We will ensure that we meet the requirements of the Equality Act 2010 to make 'reasonable adjustments' for disabled customers.

In some circumstances disabled people may have difficulty in expressing themselves or cannot communicate appropriately in a clear and concise manner. Where we consider that there may be an indication that this is the case, we will consider the needs and circumstances of the individual in the first instance, and then use this information to make an informed decision.

NB. The contents of this policy will be subject to revision from time to time.

Version Control

Issue Number	Date of Issue	Updated by	Update	Communication channel
1		Gill Jones	Created	Email, Website Sharepoint

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