

## **VEXATIOUS COMPLAINANT POLICY**

### **1. INTRODUCTION**

- 1.1 Volleyball England is committed to ensuring all complaints are dealt with in a fair, effective, and timely manner, and in accordance with our Complaints Policy and Grievance & Disciplinary Policy.
- 1.2 Our staff and volunteers are expected to act respectfully and in a professional manner, however there are times when all avenues of diplomacy have been exhausted and nothing more can reasonably be done to address a real or perceived concern.
- 1.3 Volleyball England expects its employees, contractors, and volunteers to be treated with courtesy and respect and will protect them from unacceptable behaviour by complainants.
- 1.4 A persistent / vexatious complainant is an individual who:
  - 1.4.1 is raising a complaint without reasonable grounds, contentiously or with little merit or substance, and with the main purpose of causing annoyance or disruption; or
  - 1.4.2 is pursuing a complaint to an unreasonable degree or after appropriate procedures have been followed and exhausted in accordance with our Complaints Policy and/or Grievance & Disciplinary Policy.

### **2. EXAMPLES OF PERSISTENT / VEXATIOUS COMPLAINANTS**

- 2.1 Persistent / vexatious complainant behaviours may include but are not limited to:
  - 2.1.1 Refusing to specify the grounds of a complaint, despite offers of help;
  - 2.1.2 Refusing to cooperate with our procedures;
  - 2.1.3 Refusing to accept that certain issues are not within the scope of Volleyball England's jurisdiction or within the scope of our procedures;
  - 2.1.4 Insisting on the complaint being dealt with in ways which are incompatible with our procedures or with good practice;
  - 2.1.5 Making unjustified complaints about staff who are trying to deal with the issues and seeking to have them replaced;
  - 2.1.6 Changing the basis of the complaint as the investigation proceeds;
  - 2.1.7 Denying or changing statements they made at an earlier stage;
  - 2.1.8 Introducing trivial or irrelevant new information at a later stage;
  - 2.1.9 Raising many detailed but unimportant questions, and insisting they are all answered;
  - 2.1.10 Submitting falsified documents from themselves or others;

- 2.1.11 Adopting a 'scatter gun' approach: pursuing parallel complaints on the same issue with various members of staff and/or organisations;
- 2.1.12 Making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous Volleyball England staff / Board members, or detailed letters every few days, and expecting immediate responses;
- 2.1.13 Submitting repeat complaints with minor additions/variations, which the complainant insists make these 'new' complaints;
- 2.1.14 Refusing to accept the decision; repeatedly arguing points with no new evidence; and/or
- 2.1.15 Bringing Volleyball England and the sport into disrepute by communicating vexatious views to clubs and members through phone, email and social media posts.

### **3. PROCESS FOR DECLARING A COMPLAINT TO BE VEXATIOUS OR BEHAVIOUR TO BE UNREASONABLE**

- 3.1 When a member of staff, officer, Board member, athlete or volunteer of Volleyball England considers a complainant to be vexatious or behaviour to be unreasonable, the matter will be referred to the Chief Executive Officer of Volleyball England. Where the complaint relates to the Chief Executive Officer, the matter shall be referred to the Board, who shall appoint a Board Director to deal with the complaint.
- 3.2 In the first instance, the Chief Executive Officer will seek to remedy the situation informally, advising the person that this policy has been invoked and of the possibility of sanctions that could be applied.
- 3.3 In reaching a decision on whether to pursue sanctions in line with this policy, the Chief Executive Officer will seek support from a Volleyball England Board member and consider:
  - 3.1.1 The nature and history of the complaint and/or the individuals behaviour;
  - 3.1.2 The impact of the complainant's behaviour on the health, safety and welfare of Volleyball England employees, officers, volunteers or relevant third parties;
  - 3.1.3 Any other information that the Chief Executive Officer shall consider to be relevant.

### **4. POTENTIAL SANCTIONS**

- 4.1 The Chief Executive in conjunction with and approval by the Volleyball England Board, may impose such sanctions as they consider appropriate, taking in to account the facts of each individual case, including, without limitation:
  - 4.1.1 Limiting contact with Volleyball England to one medium (for example, telephone, letter, email etc.);
  - 4.1.2 Requiring the person to communicate with a designated individual from Volleyball England only;
  - 4.1.3 Insisting that a Volleyball England witness is present during any face-to-face contact;
  - 4.1.4 Refusal to process further complaints about the same matter;

- 4.1.5 Refusal to engage with the person for a specified period of time;
  - 4.1.6 Suspension of the individual's membership with Volleyball England;
  - 4.1.7 Expulsion from membership of Volleyball England;
  - 4.1.8 Exclusion from competition under the auspices of Volleyball England;
  - 4.1.9 Referral to statutory agencies including the Police.
- 4.2 Any sanction imposed pursuant to this policy shall be proportionate in light of the circumstances of each individual case.
- 4.3 The outcome will be communicated within 7-days of the decision which will confirm:
- 4.3.1 Why Volleyball England has taken the decision it has;
  - 4.3.2 The sanction(s) imposed;
  - 4.3.3 The duration of any restrictions or sanctions and the timing of any proposed review.

## **5. APPEALS**

- 5.1 This policy will only be invoked when all reasonable attempts to remedy a situation have been exhausted.
- 5.2 There is therefore no right of appeal against any restriction or sanction that is imposed through this policy.