



BITTERNE
C of E PRIMARY

Complaints Policy and Procedures (including vexatious and persistent communication procedures)

Headteacher: Mrs. Jen Johnson

Reviewed by	Headteacher	Authorised by	Governing Body
Date	September 2026	Next Review	September 2027
Review Cycle	Annually	Signed by Chair of Governors	Rev Tony Palmer



Together we soar...



1. Purpose and principles

Bitterne CE Primary School is committed to working in positive partnership with parents, carers and the wider community. Our approach is underpinned by our Christian values of Hope, Courage and Creativity. We welcome concerns being raised promptly and will seek to resolve them fairly, proportionately and as close as possible to the point at which they arise.

This policy provides a clear route from an informal concern, through Stage 1 formal investigation, to Stage 2 review by an impartial governing body complaints committee. The procedure is intended to be simple, accessible, non-adversarial and fair to everyone involved.

The governing body has established this procedure under section 29 of the Education Act 2002 and has had regard to Department for Education guidance for maintained schools.

2. Relevant legislation and guidance

This policy has been developed with regard to the following legislation and Department for Education guidance:

- Education Act 2002, section 29 - requires the governing body of a maintained school to establish and publicise procedures for dealing with complaints about the school and any community facilities or services it provides where no separate statutory procedure applies. Under section 29(2), the governing body must have regard to guidance issued by the Secretary of State when establishing and publishing its procedure.
- Department for Education, School complaints procedures: guidance for maintained schools, including Best practice guidance for school complaints procedures 2020 and the DfE model complaints procedure.
- Education Act 1996, sections 496 and 497 - provides powers for the Secretary of State to intervene where a governing body has failed to perform a duty under education law or has acted unreasonably in exercising education functions.
- Equality Act 2010 - including the school's duties in relation to equality, non-discrimination and reasonable adjustments.
- Human Rights Act 1998 - relevant to fair, lawful and proportionate decision-making.
- UK General Data Protection Regulation (UK GDPR), Data Protection Act 2018 and Data (Use and Access) Act 2025 - relevant to the lawful, fair, secure and proportionate handling of personal data and complaint records.
- Freedom of Information Act 2000 - relevant to information rights and records held by the school.
- School Information (England) Regulations 2008, as amended - including the requirement for maintained schools to publish their complaints procedure online.

The school will also have regard to other statutory guidance and legislation relevant to the subject matter of an individual complaint. Decisions made under this procedure will be lawful, rational, reasonable, fair and proportionate.



3. Who can make a complaint?

This procedure is not limited to parents or carers of pupils registered at the school. Any person, including a member of the public, may complain about a provision, facility or service provided by the school unless the matter is subject to a separate statutory or other procedure.

4. Concern, formal complaint and Stage 2 review: what is the difference?

Step	What it is	What happens	What the complainant needs to do
Informal concern	An expression of worry, doubt or dissatisfaction where the person is seeking an explanation, reassurance or practical resolution.	Usually handled by the class teacher or relevant member of staff. The focus is on discussion, clarification and early resolution. It is not a formal investigation.	Explain the concern clearly and give the school a reasonable opportunity to resolve it.
Stage 1 – Formal complaint	A formal request for the school to investigate dissatisfaction about an action taken, a failure to act, or the way a matter has been handled.	The Headteacher, or an appropriate person where the complaint concerns the Headteacher, clarifies the complaint, considers relevant evidence, investigates as necessary and issues a formal written outcome.	Set out what happened, what remains unresolved, relevant dates/evidence and what outcome is sought. The school's complaint form is recommended but not compulsory.
Stage 2 – Governing body complaints committee	The final internal stage. It is a review of the complaint and the Stage 1 decision by an impartial committee.	The committee considers the complaint afresh within the scope originally raised. It reviews the Stage 1 handling and decision, relevant evidence, fairness, reasonableness and compliance with policy. It does not take over the Headteacher's lawful day-to-day	State which parts of the Stage 1 outcome remain disputed, why, and the outcome sought. Identify any alleged procedural or policy failure where relevant. New complaints are not added at Stage 2.



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A complainant does not have to use the word “complaint” for an expression of dissatisfaction to be treated appropriately. Equally, routine questions, requests for information and attempts to resolve an issue will not automatically be treated as formal complaints.

5. How to raise a concern or complaint

- Informal concerns should normally be raised with the class teacher or the member of staff closest to the issue. A senior leader or the Headteacher may become involved where appropriate.
- Formal complaints about members of staff, other than the Headteacher, should be addressed to the Headteacher via the school office and marked Private and Confidential.
- Formal complaints about the Headteacher should be addressed to the Chair of Governors via the Clerk at clerk@bitterneprimary.net and marked Private and Confidential.
- Complaints about the Chair of Governors, an individual governor or the governing body should be addressed to the Clerk at clerk@bitterneprimary.net and marked Private and Confidential.
- Complainants should not approach individual governors about a live complaint. Doing so may compromise a governor’s ability to sit impartially on a Stage 2 committee.

A concern or complaint may be made in person, by telephone or in writing. A third party may act for a complainant with appropriate consent. The school will make reasonable adjustments under equality law where required, including support with putting a complaint in writing or providing information in an accessible format.

6. Use of artificial intelligence or other drafting tools

The school recognises that complainants may use artificial intelligence (AI), translation software, advocacy services or other tools to help draft or organise a complaint. The use of such tools will not, by itself, disadvantage a complainant or cause a complaint to be rejected.

The complaint must, however, reflect the complainant’s own concerns and the facts they wish the school to consider. Where wording is generic, unusually extensive, unclear, appears to contain factual inaccuracies, or makes it difficult to identify the actual complaint, the school may contact the complainant to clarify:

- the specific events, actions or omissions being complained about;
- which matters remain unresolved;
- the relevant dates, people and evidence, so far as known; and
- the outcome the complainant is seeking.



The school may ask a complainant to confirm that the final complaint accurately represents their concerns. Clarification is intended to ensure a fair and focused investigation; it is not a test of whether AI has been used. The school is not required to investigate generic allegations, invented citations or propositions that the complainant confirms do not form part of their complaint.

7. Anonymous complaints

The school will not normally investigate anonymous complaints. The Headteacher or Chair of Governors, as appropriate, will decide whether the seriousness and substance of an anonymous complaint warrant investigation.

8. Timescales

Complaints should be raised within three months of the incident or, where there is a series of associated incidents, within three months of the most recent incident. The school will consider complaints outside this period where exceptional circumstances apply. Complaints received outside term time will normally be treated as received on the first school day after the holiday period.

For this policy, a “school day” means a day on which the school is open to pupils. Where a deadline cannot reasonably be met, the school will explain the reason and provide a revised date.

9. Matters outside the scope of this procedure

Some matters have separate statutory or employment procedures. These include, where applicable:

- school admissions and admission appeals;
- statutory assessments of special educational needs;
- suspensions and permanent exclusions, except complaints about the application of the school’s behaviour policy where the complaints procedure is appropriate;
- matters likely to require a child protection investigation, which are handled under safeguarding procedures;
- staff grievances and whistleblowing;
- staff disciplinary or capability matters. A complainant may be told that an employment matter is being addressed, but confidential employment outcomes will not be shared;
- complaints about services supplied by an external provider using school premises, where the provider has its own complaints procedure; and
- complaints solely about National Curriculum content.

Where the police, local authority safeguarding services, a tribunal, court or another public body is investigating related matters, the school may adjust timescales or suspend consideration of relevant aspects until that process permits the school to proceed fairly.



10. Resolving complaints

At every stage the school will seek an appropriate resolution. Depending on the findings, this may include an explanation, acknowledgement that something could have been handled differently, an apology, practical action, an assurance about future practice, or a review of systems or policy. An acknowledgement that a matter could have been handled better is not necessarily an admission of unlawful or negligent action.

11. Informal concern – early resolution

The informal stage is intended to resolve issues quickly without a formal investigation where that is appropriate. The member of staff will listen to the concern, clarify what has happened, explain relevant information or decisions where possible and identify any practical next steps.

If the concern cannot be resolved informally, or the complainant wishes to make a formal complaint, they may move to Stage 1. The school may also decide that the seriousness or nature of an issue means it should be handled formally from the outset.

12. Stage 1 – Formal complaint

Formal complaints must be made to the Headteacher unless the complaint is about the Headteacher. The complaint form at Appendix 2 is recommended because it helps define the issues, but use of the form is not a condition of access to the procedure.

The school will acknowledge a Stage 1 complaint within 3 school days. The Headteacher, or delegated investigator, will clarify the complaint, what remains unresolved and the outcome sought. A telephone call or meeting may be used where this will assist. The Headteacher may delegate investigation but will normally retain responsibility for the Stage 1 decision.

During the investigation, the investigator may:

- review correspondence, records, policies and other relevant evidence;
- interview those involved and keep an appropriate written record;
- seek clarification from the complainant where necessary; and
- consider each substantive point of complaint and the evidence relevant to it.

A formal written response will normally be provided within 10 school days of receipt. If this is not possible, the complainant will receive an update and revised response date.

The Stage 1 response will explain the decision and reasons, indicate whether each substantive complaint is upheld, partially upheld or not upheld where appropriate, identify any action the school will take, and explain how to request Stage 2. At this point, a meeting will be offered to explain these outcomes should the complainant wish.

If the complaint is about the Headteacher or a governor, a suitably skilled and impartial governor will undertake Stage 1. Complaints jointly about the Chair and Vice-Chair, the entire governing body, or a majority of the governing body will be considered by an independent investigator appointed by the governing body.



13. Stage 2 – Governing body complaints committee

If the complainant remains dissatisfied after Stage 1, they may request Stage 2. This is the final stage of the school's internal complaints procedure.

The request must be made in writing to the Chair of Governors at clerk@bitterneceprimary.net within 10 school days of the Stage 1 response. Requests outside this period will be considered where exceptional circumstances apply.

The Stage 2 request should identify:

- the aspect(s) of the original complaint and Stage 1 outcome that remain disputed;
- why the complainant disagrees with the Stage 1 findings or considers the response incomplete or unreasonable;
- any school policy, procedure or part of the complaints process they believe was not followed, where relevant;
- the evidence on which they rely; and
- the outcome they are seeking.

Stage 2 is not a forum for adding unrelated or wholly new complaints. New complaints will normally begin at Stage 1. However, the committee will consider the original complaint afresh within its proper scope and is not restricted solely to checking whether the Headteacher followed procedure.

The committee's role is to consider whether the complaint was investigated fairly and sufficiently; whether relevant evidence, policy and law were properly considered; whether findings and decisions were reasonable and supported by the evidence; and whether appropriate action or redress is required. In doing so, the committee respects the Headteacher's delegated responsibility for the day-to-day operational management of the school and does not substitute itself as the school's operational decision-maker.

The Clerk will acknowledge the Stage 2 request within 5 school days and aim to convene the committee within 20 school days. If this is not possible, the complainant will be given an anticipated date and kept informed.

The committee will consist of at least three impartial governors with no prior involvement or knowledge that would compromise their independence. Where necessary, independent governors from another school or other suitable independent persons may be used.

The committee may determine the complaint at a meeting or, where appropriate and fair, on written representations. If a meeting is held, reasonable efforts will be made to agree a date. If a complainant rejects three reasonable proposed dates without good reason, the meeting may proceed in their absence using the written material available.

A complainant attending a meeting may bring a relative or friend for support. Legal representation is not normally necessary, although there may be circumstances where it is appropriate. Media representatives are not permitted.

At least 10 school days before a meeting, the Clerk will confirm the arrangements and request any further written material. Further material should normally be submitted at least 5 school days before the meeting and will be circulated to relevant parties at least 5 school days beforehand, subject to data protection and confidentiality requirements.

The meeting will be private and non-adversarial. Electronic recording is not normally permitted unless required as a reasonable adjustment or otherwise agreed in advance by



all parties. Covert recordings will not normally be accepted as evidence, although the committee may consider whether there is an exceptional reason why particular material should be considered.

The committee may:

- uphold the complaint in whole or in part;
- not uphold the complaint in whole or in part;
- identify appropriate action to resolve matters; and
- recommend changes to systems, policies or procedures to reduce the likelihood of recurrence.

The Chair of the committee will provide a written decision, with reasons, within 10 school days of the meeting or conclusion of the written review. The decision will explain that Stage 2 completes the school's internal procedure and will signpost the complainant to the Department for Education.

14. Complaints about the governing body

Where a complaint is jointly about the Chair and Vice-Chair, the entire governing body or a majority of the governing body, Stage 2 will be heard by an independent committee. The school will take reasonable steps to ensure independence and the appearance of impartiality.

15. Withdrawal of a complaint

If a complainant wishes to withdraw a formal complaint, the school will ask for confirmation in writing. The school may nevertheless consider whether any safeguarding, regulatory or organisational learning issue requires separate action.

16. Serial, persistent and unreasonable complaints or communications

The school distinguishes between a person who needs to contact the school regularly because of genuine ongoing issues and behaviour that becomes unreasonable, persistent or disproportionate. A complainant will normally be allowed to complete the complaints procedure. A complaint will not be labelled serial merely because a person is persistent in pursuing it through the published stages.

The school may consider communication or complaint behaviour unreasonable where, for example, it:

- repeatedly raises the same matter after the complaints procedure has been completed and no material new evidence is provided;
- makes excessive, repetitive or disproportionate demands on staff time, including very frequent contacts or repeatedly sending substantially the same material to multiple staff or governors;
- refuses to identify the substance of the complaint or the outcome sought despite reasonable assistance;
- seeks outcomes that are impossible, unlawful or outside the school's control;



- changes the basis of the complaint as the process proceeds without good reason;
- uses abusive, threatening, discriminatory, harassing or personally offensive language;
- knowingly provides false information or persistently relies on material that has been shown to be inaccurate;
- records meetings or conversations covertly without a compelling reason; or
- continues to pursue a concluded complaint in a manner that causes a disproportionate impact on the school's ability to carry out its core functions.

Restrictions will be proportionate, targeted at the behaviour or subject matter rather than the person, kept under review and will not prevent the school from responding to genuinely new and materially different concerns, safeguarding matters, or information requiring action.

Before restrictions are imposed, the school will normally explain the behaviour causing concern, ask for it to change and warn what restriction may follow. Where behaviour continues, the Headteacher or Chair of Governors may set a communication plan. This may include:

- a single named point of contact;
- one agreed communication channel;
- reasonable limits on the frequency of contact;
- requiring communications to be concise and focused on new information;
- declining to respond further on a concluded issue unless material new evidence is provided; or
- other proportionate arrangements necessary to protect staff wellbeing and the effective operation of the school.

The school will write to the person explaining any restriction, its reasons, its duration or review point, and how genuinely new matters can still be raised. Serious threats, harassment or abusive behaviour may also be addressed under the school's arrangements for protecting staff and, where appropriate, referred to the local authority or police.

17. Complaint campaigns

Where the school receives a large volume of substantially identical complaints arising from a coordinated campaign, it may use a proportionate alternative process, such as a common written response or a response published on the school website. Any such approach will be applied fairly and will not prevent the school from considering material individual circumstances where these are raised.

18. Confidentiality, data protection and records

Complaints will be handled with appropriate confidentiality. Information will be shared only where necessary for the fair handling of the complaint, safeguarding, legal obligations or



the effective management of the school. Complaint records will be retained in accordance with the school's records retention and data protection arrangements.

The school will respect third-party privacy and will not disclose confidential information, including confidential staff employment information, simply because it has been requested as part of a complaint.

19. Roles and responsibilities

19.1 The complainant

The complainant will receive a more effective response if they:

- explain the complaint fully and as early as possible, distinguishing clearly between the facts, concerns and outcome sought;
- co-operate with reasonable requests for information, clarification or meetings;
- respond promptly to requests made as part of the procedure;
- raise genuinely new matters separately rather than adding unrelated issues to an existing complaint;
- treat all those involved with respect and refrain from abusive, threatening, discriminatory or harassing communication; and
- respect confidentiality and avoid publicising information about the complaint in a way that could compromise children, staff, other individuals or the fair handling of the complaint.

19.2 Complaints co-ordinator

The complaints co-ordinator may be the Headteacher, another designated member of staff or a person providing administrative support. The role is to support the effective administration of the procedure by:

- ensuring the complainant is kept appropriately informed at each stage;
- liaising with staff, the Headteacher, Chair of Governors, Clerk/Governance Professional and external bodies where appropriate;
- ensuring that reasonable adjustments or other support needs are considered;
- being mindful of confidentiality, third-party information and data protection requirements; and
- maintaining appropriate complaint records.

19.3 Investigator

The investigator's role is to establish the facts relevant to the defined complaint through a comprehensive, open-minded and fair consideration of the available evidence. The investigator should:

- clarify the complaint and the outcome sought where necessary;
- review relevant correspondence, records, policies and other information;



- interview relevant people sensitively and fairly where this is necessary and proportionate;
- keep appropriate notes or records of meetings and interviews;
- distinguish evidence and findings of fact from opinion or assumption;
- consider information that supports and does not support the complaint;
- keep material secure and comply with relevant information-governance requirements;
- work within the published timescales, or explain any necessary extension; and
- where the investigation has been delegated, provide the decision-maker with a clear account of the evidence and findings.

19.4 Headteacher / Stage 1 decision-maker

Except where the complaint concerns the Headteacher, the Headteacher is responsible for the Stage 1 decision. The Headteacher may delegate the investigation to an appropriate senior leader or other suitable person but will normally retain responsibility for deciding the outcome. The decision-maker will consider the complaint, evidence and investigation fairly; reach reasoned findings; determine whether the complaint is upheld, partially upheld or not upheld where appropriate; identify proportionate action or learning; and provide the complainant with a written decision and escalation information.

19.5 Clerk / Governance Professional

The Clerk or Governance Professional is the principal administrative contact for Stage 2 and supports the independence and orderly operation of the committee. The role includes:

- acknowledging the Stage 2 request and ensuring the committee is constituted impartially;
- advising on the published procedure and, where appropriate, seeking governance or regulatory advice;
- agreeing the date, time, venue and accessibility arrangements for any meeting;
- collating and circulating relevant written material within the published timescales, subject to confidentiality and data protection requirements;
- recording or arranging an appropriate record of the proceedings;
- supporting the committee Chair in ensuring a fair process; and
- notifying the parties of the committee's decision.

19.6 Stage 2 complaints committee

The committee is responsible for reaching its own impartial decision on the complaint within the scope of the matters considered at Stage 1. It will consider the original complaint, the Stage 1 investigation and response, relevant evidence presented by the parties, and applicable policies and procedures. The committee will consider whether the



complaint was investigated fairly and sufficiently and whether the findings and decision were reasonable and supported by the evidence.

The committee will not assume the operational role of the Headteacher or substitute itself as the school's day-to-day decision-maker. However, it is not restricted solely to checking that procedure was followed: it may consider the substance of the original complaint afresh within its proper scope and reach its own findings.

Committee members must be impartial, open-minded and free from prior involvement or any external interest that could compromise, or reasonably appear to compromise, their independence.

19.7 Chair of the Stage 2 complaints committee

- The committee Chair will ensure that the meeting or written review is fair, focused and non-adversarial. In particular, the Chair will ensure that:
- the committee's remit is explained clearly;
- both parties have a fair opportunity to present their case and respond to relevant information;
- the defined issues are addressed and unrelated new complaints are not introduced into Stage 2;
- relevant evidence is considered and key findings of fact are identified;
- confidentiality, data protection and the welfare of any child or young person involved are protected;
- the committee reaches its decision independently; and
- the written outcome gives clear reasons for the committee's findings and any action or recommendations.

19.8 Complaints involving children and young people

Where a child or young person is the complainant, a witness, or is otherwise directly involved, the school and committee will give particular consideration to their welfare, age, understanding and support needs. The child's welfare is paramount. Arrangements will be made so that participation is appropriate and does not cause unnecessary distress or intimidation.

20. Next steps after Stage 2

After Stage 2, the school's internal complaints procedure is complete. A complainant who believes the school did not handle the complaint in accordance with its published procedure, or acted unlawfully or unreasonably in the exercise of duties under education law, may refer the matter to the Department for Education. The Department for Education does not normally reinvestigate the substance of the complaint or simply replace the school's decision with its own.



Appendix 1 – Complaints Route at a glance

Stage	Main purpose	Key timescale
Informal concern	Discuss, clarify and seek early practical resolution.	As promptly as reasonably possible.
Stage 1 formal complaint	Formal investigation and written decision by Headteacher/appropriate investigator.	Acknowledge within 3 school days; written response normally within 10 school days.
Stage 2 committee	Independent governing body review of the original complaint and Stage 1 decision.	Request within 10 school days; acknowledge within 5; aim to convene within 20; decision within 10 school days after review.



Appendix 2 – Complaint Form

Please complete and return to the Headteacher who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address / preferred contact details:
Please set out what happened, including relevant dates and people:
Who have you already spoken to at school and what happened?
What remains unresolved?
What outcome are you seeking?
Please list any documents or other evidence attached:
I confirm that this complaint accurately represents the concerns I wish the school to consider. Signature: Date:



Appendix 3 – Stage 2 escalation form

Please complete and return to the Clerk to the Governors who will acknowledge receipt and explain what action will be taken.

Your name:
Date of Staff 1 response:
Which part(s) of your original complaint and Stage 1 outcome remain disputed?
Why do you disagree with the Stage 1 findings or consider the response incomplete or unreasonable?
Was any relevant policy or procedure not followed? If so, identify it and explain how:
What evidence do you want the committee to consider?
What outcome are you seeking at Stage 2?
I confirm that this complaint accurately represents the concerns I wish the Governor Panel to consider. Signature: _____ Date: _____



Appendix 4 – Policy basis and review note

This policy draws on the Department for Education's model complaints procedure and Best practice guidance for school complaints procedures 2020, together with the school's previous complaints and vexatious/persistent communication procedure. Its principal statutory basis is section 29 of the Education Act 2002. It also reflects relevant requirements and principles arising from the Education Act 1996, Equality Act 2010, Human Rights Act 1998, UK GDPR, Data Protection Act 2018, Data (Use and Access) Act 2025, Freedom of Information Act 2000 and School Information (England) Regulations 2008, as amended. The governing body will review the policy in light of relevant legislative change or updated Department for Education guidance.