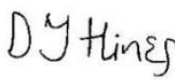





Complaints Procedure Policy 2025

Joy Lane Primary School, Oyster Bay Nursery, Oysters
SRP, Joy Lane Swimming Pool

Draft Prepared	September 2025
Date Agreed	22 nd September 2025
Signed by Executive Headteacher: Ms D J Hines	
Signed by Chair of Governors: Mrs N Mattin	
Date Policy to be Reviewed	September 2026

Aim

Joy Lane Foundation Primary School aims to meet its statutory obligations when responding to complaints from parents of pupils at the School and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into School improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The School will aim to give the complainant(s) the opportunity to complete the complaints procedure in full. To support this, we will make sure we publicise the existence of this policy and make it available on the School website.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals

Legislation and Guidance

This document meets the requirements of [section 29 of the Education Act 2002](#), which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

It is also based on [guidance for schools on complaints procedures from the Department for Education \(DfE\)](#), including the model procedure, and model procedure for dealing with serial and unreasonable complaints.

Who can make a complaint?

This complaints procedure is mainly aimed at parents or carers of children who are registered at the school, but it is not limited to them. Any member of the public may make a complaint to Joy Lane Foundation Primary School about any provision of facilities or services that the school provides.

Children who attend Joy Lane Foundation Primary School have their own complaints procedure drawn up using the Common Principles for a Child Friendly Complaints Process outlined by the Children's Commissioner.

Unless complaints are dealt with under separate statutory procedures, such as appeals relating to exclusions or admissions, the school will use this complaints procedure.

The difference between a concern and a complaint

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.
- A **complaint** may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

It is in everyone's interest that concerns and complaints are resolved at the earliest opportunity. Many issues can be resolved informally, without the need to use the formal stages of the Complaints Procedure. Joy Lane Foundation Primary School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Joy Lane Foundation Primary School will attempt to resolve the issue internally, through the stages outlined within this Complaints Procedure.

How to raise a concern or make a complaint

First Steps

Any Concerns or complaints should be raised with the relevant member of staff. Initially this is likely to be the Class Teacher who may involve the Key Stage Head/Assistant Headteacher if it seems appropriate to do so.

Raising a Formal Complaint

If the concern/complaint remains unresolved the next step is to make a formal complaint. In this case, Joy Lane Foundation Primary School will attempt to resolve the issue internally, through the stages outlined within this complaint's procedure.

A concern or complaint can be made in person, in writing or by telephone. In cases where a complainant may be unable to raise a concern or complaint on their own behalf a third party may act for them provided they have appropriate signed consent to do and the process is agreed by all involved.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations such as Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations

Formal complaints against School staff (except the Executive headteacher) should be made in the first instance, to the Executive Headteacher via the Complaints Coordinator at businessmanager@joylane.kent.sch.uk. Please mark your complaint as Private and Confidential.

Formal complaints that involve or are about the Executive Headteacher should be addressed to the Chair of Governors, via the Clerk to the Governing Body at clerk@joylane.kent.sch.uk. Please mark your complaint as Private and Confidential.

Formal complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to the Clerk to the Governing Body. Please mark your complaint as Private and Confidential

Anonymous Complaints

We will not normally investigate anonymous complaints. However, the Executive Headteacher or Chair of Governors, if appropriate, will determine whether the general feature of the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents.

We will consider complaints made outside of this time frame if exceptional circumstances apply.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Joy Lane Foundation Primary School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first School day after the holiday period.

Scope of this Complaints Procedure

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Suspension and permanent exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Exceptions	Who to contact
<ul style="list-style-type: none"> • Admissions to schools • Statutory assessments of special educational needs • School re-organisation proposals 	Concerns about admissions, statutory assessments of special educational needs or school reorganisation proposals should be raised with the Local Education Authority.
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH)
<ul style="list-style-type: none"> • Exclusion of children from school* 	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-disciplineexclusions/exclusions *complaints about the application of the behaviour policy can be made through the school's complaints procedure.
<ul style="list-style-type: none"> • Whistleblowing 	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The secretary of state for education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer.

	Referrals can be made at: www.education.gov/contactus Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the local authority or the DfE (see link above), depending on the substance of your complaint.
<ul style="list-style-type: none"> • Staff grievances 	Complaints from staff will be dealt with under the school's internal grievance procedures.
<ul style="list-style-type: none"> • Staff conduct 	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
<ul style="list-style-type: none"> • Complaints about services provided by other providers who may use school premises or facilities 	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.

Roles and Responsibilities

The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with the School throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Do not publish details about the complaint on social media

The investigator

An individual will be appointed to look into the complaint and establish the facts.

They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the Executive headteacher or complaints committee, which includes the facts and potential solutions

The complaints co-ordinator

The complaints co-ordinator is the School Business Manager. They will:

- Keep the complainant up to date at each stage in the procedure
- Make sure the process runs smoothly by liaising with staff members, the Executive Headteacher, Chair of Governors, Clerk to the Governing Body
- aware of issues relating to:
 - Sharing third party information
 - Additional support needed by complainants, for example interpretation support or where the complainant is a child or young person

Clerk to the Governing Body (Stage 1: Formal complaints)

The Clerk will:

- Be the contact point for the complainant and the complaints committee, including circulating the relevant papers and evidence before complaints committee meetings
- Arrange the complaints hearing
- Record and circulate the minutes and outcome of the hearing

Committee chair

The committee chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case.

Principles for Investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

Resolving complaints

At each stage in the procedure, Joy Lane Foundation Primary School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part.

In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review School policies in light of the complaint
- an apology.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Making a Formal Complaint

A formal complaint can be made after the concern/complaint has been raised with the relevant staff member and all attempts have been made to resolve the issues. If the complainant feels that no resolution has been made and the complaint/concern is unresolved, then a formal complaint should be made.

Formal complaints must be made to the Executive headteacher (unless they are about the Executive headteacher), via the Business Manager. This may be done in person, in writing (preferably on the template Complaint Form), or by telephone.

The Business Manager will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within five school days.

The Executive Headteacher may choose to delegate the investigation to another member of the School's Senior Leadership Team.

The Executive headteacher will however, remain responsible for the final decision regarding the outcome of the investigation.

Upon receipt of the complaint, the Executive Headteacher/Investigator will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see.

The Executive Headteacher/Investigator can consider whether a face-to-face meeting is the most appropriate way of doing this. During the investigation, the Executive Headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, a formal written response will be sent within 20 school days of the date of receipt of the complaint.

If the Executive Headteacher is unable to meet this deadline, the Executive headteacher will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Joy Lane Foundation School will take to resolve the complaint.

The Executive Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Informal Stage.

If the complaint is about the Executive Headteacher, or a member of the Governing Body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1: Formal. The complaint should be made to the Clerk of the Governing Body.

If the complaint is about the Clerk to the governing body the complaint should be made to the Chair of Governors via the Business Manager.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Informal Stage will be considered by an independent investigator appointed by the Governing Body.

At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 1: Formal

If the complainant is dissatisfied with the outcome at Informal Stage and wishes to take the matter further, they can escalate the complaint to Stage 1: Formal, a meeting with members of the Governing Body's Complaints Committee, which will be formed of the first three, impartial, governors available.

This is the final stage of the Complaints Procedure.

A request to escalate to Stage 1: Formal must be made to the Clerk to the Governing Body, within ten School days of receipt of the Informal Stage response.

The Clerk to the Governing Body will record the date the Stage 1: Formal Complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within five School days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk to the Governing Body will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within twenty School days of receipt of the Stage 1: Formal Complaint. If this is not possible, the Clerk to the Governing Body will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk to the Governing Body will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The Complaints Committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee.

If there are fewer than three governors from Joy Lane Foundation Primary School available, the Clerk will source any additional, independent governors through another local CACoT Schools or through the Local Authority's Governor Services team, in order to make up the committee.

Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 1: Formal.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations.

If the complainant is invited to attend the meeting, they may bring a supporter. This supporter should be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a School employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaint's procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them. Representatives from the media are not permitted to attend. Within 10 School days after receiving the request for the complaint be escalated to Stage 1: Formal, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 10 School days before the meeting. All relevant written material should be submitted by the complainant and the respondent, so that all parties can prepare fully for the meeting. Any written material will be circulated to all parties at least 5 School days before the date of the meeting.

The committee will not accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Informal Stage of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the School's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and Joy Lane Foundation Primary School with a full explanation of their decision and the reason(s) for it, in writing, within ten School days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Joy Lane Foundation Primary School.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 1: Formal will be heard by a committee of independent governors. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it.

Where appropriate, it will include details of actions Joy Lane Foundation School will take to resolve the complaint. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Duplicate complaints

If, after closing a complaint at the end of the Complaints Procedure, we receive a duplicate complaint from a spouse, a partner, a grandparent or a child not attending this school, we will remind them that we have already considered the complaint, and the local process is complete. Complainants will be advised to contact the DfE if they are dissatisfied with our handling of the complaint

Complaint Campaigns

If we receive what we consider to be a large volume of complaints, all based on the same subject and possibly from complainants not connected to the school, then we will treat these complaints as being part of a campaign and respond in one of the following two ways, depending upon the nature and scale of the complaint:

- send the same response to all complainants; or
- publish a single response on the school's website

Serial and Unreasonable Complaints:

There may be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of Governors is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Joy Lane Foundation Primary School is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain.

We will not normally limit the contact complainants have with our School. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Joy Lane Foundation Primary School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the School, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- seeks to circumvent the published complaints processes and procedures
- refuses to co-operate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be taken into account and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the School's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on School time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the School that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Executive Headteacher or Chair of Governors will attempt to discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the Executive headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Joy Lane Foundation Primary School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Joy Lane Foundation School.

If the behaviour is not modified the school 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 school community.

- Inform the complainant that their behaviour is now considered by the school 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 will be taken in the interests of all parties.
- Inform the complainant that, except in emergencies, all routine communication between the complainant and the school will be in writing only
- In the case of verbal or physical aggression the school will take advice from HR/Legal Services and consider warning the complainant about being banned from the school site; or proceed straight to a ban.
- Consider taking advice from Legal Services on pursuing a case under Harassment legislation
- Consider taking advice from Legal Services about putting in place a specific procedure for dealing with complaints from the complainant, i.e. the complainant will not be permitted to deal directly with the Executive Headteacher but only a third person to be identified by the Governing Body of the school, who will investigate, determine whether a complaint is reasonable or vexatious, advising the Executive Headteacher and the Governing Body accordingly.

However legitimate new complaints may still be considered under the usual policy. If a complainant's persistent complaining/harassing behaviour is modified but resumed within a reasonable period of time the school may resume the process identified above at an appropriate level. In these circumstances advice may be sought from HR/Legal Services

Link to other policy: Verbal Abuse Policy

Executive Headteacher's right to ban parents/carers from the school site under the Kent County Act Section 23

Next Steps

If the complainant believes the School did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 1: Formal.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Joy Lane Foundation Primary School. They will consider whether Joy Lane Foundation Primary school has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to: Department for Education Piccadilly Gate Store Street Manchester M1 2WD

Appendix A

Complaint form

Please complete and return to Complaints Coordinator at businessmanager@joylane.kent.sch.uk 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:

Mobile contact number:

Alternative contact number:

Please give details of your complaint, including whether you have spoken to anybody at the school about it:

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details:

Signature:

Date:

Office Use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

Appendix B

Data Protection Statement

Record keeping and confidentiality

- The school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome.
- The records will also include copies of letters and emails, and notes relating to meetings and phone calls.
- This material will be treated as confidential and stored securely and will be viewed only by those involved in investigating the complaint or on the review panel
- This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection.
- Records of complaints will be kept securely, only for as long as necessary and in line with the school's data protection policy.
- The details of the complaint, including the names of individuals involved, will not be shared with the whole governing board in case a review panel needs to be organised at a later point.
- Where the governing board is aware of the substance of the complaint before the review panel stage, the school will (where reasonably practicable) arrange for an independent panel to hear the complaint.
- Complainants also have the right to request an independent panel if they believe there is likely to be bias in the proceedings. The decision to approve this request is made by the governing board, who will not unreasonably withhold consent.

Appendix C

