



Concerns and Complaints Policy

September 2022

Introduction

- 1.1 **Circulation:** this policy is addressed to the Senior Management Team; to all members of the teaching and pastoral staff, and to parents on request.
- 1.2 **Policy status:** the policy has been approved by the Principal of the Kindergartens (the "Nursery"). It provides guidelines for handling concerns and complaints. It takes account of the requirements contained in statutory framework for the Early Years Foundation Stage published by the DCSF in May 2008. The procedures set out below may be adapted as appropriate to meet the policy aims and circumstances of each case.
- 1.3 **Application:** separate procedures apply in the event of a child protection issue or if the Head asks a child to leave and the parents seek a review of that decision.
- 1.4 **Parent/s / You** includes a current or prospective parent or legal guardian or education guardian and may at our discretion include a parent whose child has recently left the Nursery.
- 1.5 **Four stages:** this policy describes a four stage procedure:

Stage 1: informal raising of a concern or difficulty notified orally or in writing to a member of staff

Stage 2: a formal complaint in writing to the Head

Stage 3: a renewed complaint in writing to the Principal

Stage 4: reference to the Complaints Panel

A concern about the safety of your child should be notified immediately to the person you believe is best placed to take urgent action and should be confirmed in writing to the Head.

2 Policy aim and statement

- 2.1 **Aim:** the Nursery actively seeks to maintain an open dialogue with parents. The aim of this policy is to ensure that a concern or complaint is managed sympathetically, efficiently and at the appropriate level, and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents' confidence in our ability to safeguard and promote welfare. We will try to resolve every concern or complaint in a positive way with the aim of putting right a matter which may have gone wrong and, where necessary, reviewing our systems and procedures in light of the circumstances. Every complaint will be investigated and the Nursery will provide feedback on the outcome of the investigation within 28 days of the complaint being received.
- 2.2 **Policy statement:** we need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a difficulty which is not resolved quickly and fairly can soon become a cause of resentment, which would be damaging to relationships and also to our nursery culture. Parents should never feel - or be made to feel - that a complaint will be taken amiss or will adversely affect a child or his/her opportunities at this nursery. The policy however distinguishes between a concern or difficulty which can be resolved informally and a formal complaint which will require investigation. A record of all complaints and their outcome will be kept by the Nursery. Records will be kept for as long as is necessary and for not less than 3 years.

3 Management of complaints

- 3.1 **Complaints Officer:** the Head has appointed a senior member of staff ("Complaints Officer ") to be responsible for investigating and resolving complaints. If the Complaints Officer is unavailable or is the subject of the complaint, his/her duties will be carried out by the Head or another senior member

of staff. The main responsibilities of the Complaints Officer are to:

- be the first point of contact while the matter remains unresolved and keep records
- co-ordinate the complaints procedures in the Nursery
- maintain an on-going training programme for all Nursery employees in relation to complaints, and ensure that all staff are aware of the need to maintain privacy and confidentiality
- monitor the keeping, confidentiality and storage of records in relation to complaints
- report regularly to the Head with respect to complaints

3.2 **Duty Officer:** The Head acts as Duty Officer at all times when the Nursery is open. The Duty Officer has authority to take decisions relating to most matters of pastoral care and discipline. The Duty Officer can be contacted at any of the kindergartens using the main office 01633 833331.

3.3 **Complaints Form:** every concern or complaint notified to a member of staff will be noted, together with the action taken, on a standard form known as a Complaints Form.

4 **Stage 1: concerns and difficulties**

4.1 **Concerns:** we expect that most concerns, where a parent seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include a dissatisfaction about some aspect of teaching or pastoral care, or about allocation of privileges or responsibilities, or about some other aspect of the Nursery's systems or equipment, or a billing error.

4.2 **Notification:** please raise the concern initially as follows:

4.2.1 **education issues** - if the matter relates to the classroom, the curriculum or special educational needs, please speak or write to the Head as appropriate.

4.2.2 **pastoral care** - for concerns relating to matters outside the classroom, please speak or write to the Head (see below).

4.2.3 **disciplinary matters** - a problem over any disciplinary action taken or a sanction imposed should be raised first of all with the member of staff who imposed it, and, if not resolved, with the Head.

4.2.4 **financial matters** - a query relating to fees or extras should be stated in writing to the Principal.

4.3 **Acknowledgement:** we will acknowledge a written notification by telephone, fax, e-mail or letter within two working days of receipt during term time and as soon as practicable in the holidays.

4.4 **Unresolved concerns:** a concern which has not been resolved by informal means within 15 working days should be notified in writing as a formal complaint which will be dealt with in accordance with Stage 2 below.

5 Stage 2: formal complaint

- 5.1 **Notification:** an unresolved concern under Stage 1, or a complaint which needs investigation, or a dissatisfaction with some aspect of the Nursery's policies, procedures, management or administration should be set out in writing with full details and sent with all relevant documents and your full contact details in an envelope addressed to the Head or to the Complaints Officer. Your complaint will be acknowledged by telephone or in writing within two working days during term time, indicating the action that is being taken and the likely time scale. A Complaints Form will be completed and sent to the Complaints Officer.
- 5.2 **Investigation:** the Head may ask a senior member of staff to act as "investigator". The investigator/s may request additional information from you and will probably wish to speak to you personally and to others who have knowledge of the circumstances. The outcome of the investigation will be reported to the Head who will then notify you in writing of his decision and the reasons for it. Written records will be kept of all meetings and interviews held in relation to your complaint.

6 Stage 3: reference to the Principal

- 6.1 **Notification:** if you are dissatisfied with the Head's decision under Stage 2, your complaint may be renewed in writing to the Principal. Your letter to the Principal should give full details of your complaint and enclose all relevant documents and your full contact details. Your letter will normally be acknowledged by telephone or in writing within four working days during term time, indicating the action that is being taken and the likely time scale.
- 6.2 **Action by the Principal:** the Principal will arrange for your complaint to be investigated following procedures equivalent to those described in Stage 2 (above). When the Principal is satisfied that he has established all the material facts and relevant policies, so far as is practicable, he will notify you in writing of his decision and the reasons for it.

7 Stage 4: reference to the Complaints Panel

- 7.1 **Composition:** we have constituted a Complaints Panel ("Panel") comprising Rik McShane and members who are independent of the governance, management and running of the Nursery.
- 7.2 **Notification:** to request a hearing before the Complaints Panel please write to the Principal within seven working days of the decision complained of. Your request will only be considered if you have completed the procedures at Stages 1-3. Please ensure that a copy of all relevant documents and your full contact details accompany your letter to the Principal. Please state in your letter the outcome that you desire and all the grounds of your complaint. Please also send the Principal a list of the documents which you believe to be in the Nursery's possession and wish the Panel to see. The Principal will acknowledge your request in writing within four working days.
- 7.3 **Convening the Panel:** the Principal will convene the Complaints Panel as soon as reasonably practicable but the Panel will not normally sit during half terms or holidays. The Panel will consist normally of a minimum of three individuals who have no detailed prior knowledge of the circumstances of the complaint. One member of the Panel shall be an independent member who is not involved in the management and running of the Nursery. You may ask the Principal to tell you who has been appointed to sit on the Panel.
- 7.4 **Notice of hearing:** as soon as reasonably practicable, the Clerk will send you written notification of the date, time and place of the hearing together with brief details of the Panel members who will hear it.
- 7.5 **Attendance:** you will be asked to attend the hearing and may be accompanied by one other person such as a relative, teacher, or friend. It is not necessary for that person to be legally qualified but if you do wish to be accompanied by a legally qualified person, acting in their professional capacity,

please notify the Nursery at least seven days before the hearing. Copies of additional documents you wish the Panel to consider should be sent to the Clerk at least three clear days prior to the hearing.

- 7.6 **Chair:** the hearing will be chaired by one member of the Panel (chosen by themselves) and will be conducted in an informal manner.
- 7.7 **Hearing:** all statements made at the hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes. The Chair may direct that the hearing is tape recorded to assist accurate recollection for purposes of the decision. The Panel will be under no obligation to retain tapes thereafter. The Clerk will be asked to take a handwritten minute of the proceedings in any event.
- 7.8 **Evidence:** the Chair will conduct the hearing in such a way as to ensure that all those present have the opportunity of asking questions and making comments in an appropriate manner. The hearing is not a legal proceeding and the Panel shall be under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account.
- 7.9 **Conduct:** all those attending the hearing are expected to show courtesy, restraint and good manners or, after due warning, the hearing may be adjourned or terminated at the discretion of the Chairman. If terminated, the original decision will stand. Any person who is dissatisfied with any aspect of the way the hearing is conducted must say so before the proceedings go any further and his/her comment will be minuted.
- 7.10 **Adjournment:** the Chair may at his/her discretion, adjourn the hearing for further investigation of any relevant issue.
- 7.11 **Decision:** after due consideration of the matters discussed at the hearing, the Panel shall reach a Decision unless there is an agreed position. The Panel's decision may be notified orally at the hearing or subsequently and shall be confirmed in writing to you within seven working days. Reasons for the Decision will be given. The Decision may include recommendations and will be sent to you, the Principal, the Head and, where relevant, any person about whom the complaint has been made.
- 7.12 **Private proceeding:** a hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.
- 7.13 **Confidentiality:** correspondence, statements and records relating to individual complaints will be kept confidential except to the extent required by the Statutory Framework of the Early Years Foundation Stage or where disclosure is required in the course of a Nursery's inspection or under other legal authority. The Nursery is obliged to provide Ofsted with a written record of all complaints made during any specified period together with details of the action taken as a result, on request. Parents are entitled to information from their children's file except to the extent that data protection laws stipulate that it would be against the best interests of the child to do so.

Ofsted: If parents remain dissatisfied with the management of their complaint, they are entitled to make a complaint directly to Ofsted - Ofsted National Business Unit, Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD Please call Ofsted on 0300 123 1231 E-mail www.enquiries@ofsted.gov.uk

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Authorised by	The Principal
Date	September 2022