

Complaints Policy

General Principles

We would like everyone's experience at Kintore Way Children's Centre to be a pleasurable one. If there is any matter about which a parent or carer is concerned, this should in the first instance be raised with the child's key person. If the issue requires further discussion, the teacher or senior practitioner in the child's room should be consulted. Informal concerns are taken seriously and every effort will be made to resolve the concern at this stage. If an allegation is made against a member of staff or the complaint is of a safeguarding nature the procedures set out in the safeguarding policy will be followed.

Initial concerns

If efforts to resolve the issue are unsuccessful, the next step would be to make an appointment to speak to a member of the senior management team. If there is a concern about any aspect of the Centre services or personnel outside of the classroom, a request should be made to speak to a member of the senior management team who will do their best to resolve the matter.

Dealing with complaints – formal procedures

Every effort will be made to resolve complaints informally wherever possible. If this is not possible the complaint must be recorded, signed and dated by the complainant or an adult acting on their behalf. The complaint must record sufficient details to enable an investigation to take place. The Headteacher should formally acknowledge the complaint within 3 school days of receiving it and begin an investigation.

Investigating complaints

There are three potential stages of investigation:

- Stage one – complaint heard by a member of staff (if not the subject of the complaint)
- Stage two – complaint heard by the Headteacher or a member of the senior leadership team (if not the subject of the complaint)
- Stage three – Complaint heard by the governing body complaints appeal panel

The member of staff, the Headteacher, a member of the senior leadership team or the chair of the governor's panel will need to establish what happened and who has been involved. The investigator will meet with or contact the complainant to clarify the nature of the complaint and what remains unresolved. The investigator will also clarify what the complainant feels would put things right. The investigator will interview all parties involved and record their responses. The subject of the complaint will be interviewed and may be accompanied by a union or other representative if they so wish. The investigator must keep an open mind, listen to and question those involved, being persistent when necessary to establish the sequence of events.

If a complaint concerns the Headteacher it will immediately move to stage three. If at any stage the complainant is unsatisfied, the complaint can be taken to the next stage.

Stage One: Complaint Heard by Staff Member

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the Centre can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they know what to do when they receive a complaint.

It would assist the procedure if the Centre respected the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases a member of the senior leadership team would deal with the complaint.

Where the first approach is made to a governor, the next step would be to refer the complainant to the appropriate person and advise them about the procedure. It would be useful if governors did not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

Stage Two: Complaint Heard by Headteacher or member of the senior leadership team

The Headteacher's influence will already have shaped the way complaints are handled in the Centre. At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The Headteacher may delegate the task of collating the information to another senior staff member but not the decision on the action to be taken.

Stage Three: Complaint Heard by Governing Bodies Complaints Appeal Panel

The complainant needs to write to the Chair of Governors giving details of the complaint. The Chair, or a nominated governor, will convene a governing body complaints panel. The Chair of governors should acknowledge receipt of this letter within 5 school days if possible but no more than ten at most by writing to the complainant.

The governors' appeal hearing is the last Centre-based stage of the complaints process, and is not convened merely to rubber-stamp previous decisions.

Individual complaints would not be heard by the whole Governing Body at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own chair.

The Remit of the Complaints Appeal Panel

The panel can:

- Dismiss the complaint in whole or in part;
- Uphold the complaint in whole or in part;
- Decide on the appropriate action to be taken to resolve the complaint;
- Recommend changes to the Centre's systems or procedures to ensure that problems of a similar nature do not reoccur.

There are several points which any governor sitting on a complaints panel needs to remember:

a. It is important that the appeal hearing is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.

b. The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the Centre and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.

c. An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.

The Role of the Chair of the Panel

The Chair of the Panel has a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents and others who may not be used to speaking at such a hearing are put at ease;
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure; each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

Notification of the Panel's Decision

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response; this is usually within ten working days. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

If you are not satisfied from the response of the governing body you can contact the Secretary of State for Education.

Alternatively, if a complaint remains unresolved, a parent may contact OFSTED

OFSTED
Piccadilly Gate
Store Street
Manchester
M1 2WD

Telephone: 03001231231 (Lines open 8-6pm Monday to Friday)

E-mail: enquiries@ofsted.gov.uk

<http://www.ofsted.gov.uk/contact-us>

Formal complaints are recorded anonymously on complaints record sheets and these are kept available for viewing by parents or Ofsted if requested.

A written record of complaints and their outcomes will be kept in a Complaints file for a minimum of 3 years. All written complaints will be investigated within 28 days and the complainant notified in writing of the outcome.

Kintore Way Nursery School & Children's Centre

Policy Name

Complaints Policy

Adopted and signed on behalf of the Centre by the Governing Body at the meeting on

Curriculum Committee - 13th February 2014

Name of Governing Body Representative

Claire Gager, Chair of Curriculum Committee

Signature of Governing Body Representative

Date signed _____

Date to be reviewed: Spring 2014