

Policy:	POLICY AND PROCEDURES FOR THE HANDLING OF COMPLAINTS
Reviewed:	February 2018
Next Review:	3 years or as legislation may require
Responsibility:	Deputy Head of Centre
Category:	Safeguarding Policies - Community

The Policy and Procedures for the Handling of Complaints at Walton Lane Nursery School and Rocking Horse Club

1. Introduction and Scope

We care about what you think

The policy of this Centre is to work in partnership with parents/carers and the wider community. We try hard to do our best for all our pupils/students. Your views help us plan for the future. We like to know when things are going well. We also want parents/carers to tell us about their worries, concerns or complaints as soon as possible. It is much easier for the Centre to sort out a recent problem than something that happened some time ago.

Our commitment to you

- We will deal with your concern or complaint in a professional manner.
- It will be looked into thoroughly, fairly and as quickly as possible.
- We will keep you up-to-date with what we are doing.
- We will apologise if the school has made a mistake.
- We will tell you what we are going to do to put things right.

What to do first

If you have a concern about anything we do you can tell us by telephone, in person or in writing. If any of these are difficult for you, a friend or advocate can speak to the Centre on your behalf. Most concerns or complaints will be sorted out quickly either by putting things right or by explaining the Centre's actions to you.

Try to go to the member of staff involved or your child's Key Person who will either deal with your issue or pass you on to someone who is more able to help.

Please remember that the beginning or end of the day can be a very busy time. If you talk to a member of staff at these times, for practical reasons, it may not be possible to sort things out there and then. Be prepared for them to make an appointment to see you/to ring you at a more convenient time.

In considering concerns or complaints, the Centre will ensure that they are dealt with effectively and with fairness to all parties. Where possible, complaints will be resolved informally. Where a complaint has not been resolved informally, then the formal procedures set out in section "6(ii)" will be followed. Where your concern or complaint is considered sufficiently complex or serious, the Centre may choose to investigate formally from the outset.

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2. What is a concern or a complaint?

- (a) A concern or a complaint is defined as:
- An expression of dissatisfaction about the conduct/operation of the Centre.
 - The conduct of, actions or lack of actions by a member of staff/the Governing Body/an individual governor / or a director.
 - Unacceptable delay in dealing with a matter or the unreasonable treatment of a pupil or other person.
- (b) Concerns or complaints relating to any of the following are not covered by these procedures, as separate procedures apply.

These procedures do not cover:	
Child Protection	Centre re-organisation proposals
Collective Worship	Services provided by other organisations on the school site or through the school. These organisations must have their
Functions of the County Council	Sex Education
National Curriculum	Staff grievance and
Pupil Exclusions	Special Educational Needs and Disabilities (SEND)
Reports under Freedom of Information or data protection*	Unauthorised absence fines
School and Rocking Horse Club Admissions	

(*Where the concerns or complaints still exist following review.)

Note:

- i) Serious complaints or allegations relating to the abuse of children, assault, criminal or financial matters are also subject to separate procedures. The table above is not exhaustive, and separate procedures may exist for other categories.
- ii) For complaints regarding governors or directors, the Centre will follow this Policy to resolve the issue.

Making a complaint in regard to an External Provider of Services

If you have a concern / complaint about one of our external services e.g. Marsden Neighbourhood Centre groups, Adult Learning, please speak to Angela Woodward (Deputy Head of Centre) who will contact the relevant agency on your behalf. The agency will then contact you and try and resolve the issue.



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3. Anonymous Complaints

The Centre will always give serious consideration to concerns and complaints that are brought to its attention. However, anonymous complaints will not normally be considered.

4. Unreasonable Complaints

There is a right to raise a complaint against the Centre and an expectation that the individual will exhaust the Centre's procedures. If the individual contacts the Centre again with the same issue, this could be seen as unreasonable and the Centre may choose not to respond.

5. Making a complaint

The Centre expects that the majority of complaints to be made within three months of the incident being complained of. The Centre will consider complaints beyond this time frame in exceptional circumstances only.

Dependent on the type of complaint, the following table is a guide to whom it should be referred to:

Type of complaint:	Contact
Something that has happened, or failed to happen, in Centre.	Deputy Head of Centre / Headteacher.
The actions of the staff.	Deputy Head of Centre / Headteacher.
The actions of the Headteacher.	Chair of Governors via the school.
The actions of a governor.	Chair of Governors via the school.
The actions of the Chair of Governors.	Vice Chair via the School.
The actions of the Governing Body	Clerk to the Governing Body via the School.
The actions of a Director	Chair or Vice Chair of Directors.

The Centre/Governing Body/Directors would in most cases hope to resolve concerns and complaints at an informal stage, but the procedures allow for formal consideration of a complaint and a review stage if matters cannot be resolved.

The Centre is committed to dealing with complaints as speedily as possible and would plan to complete each stage within 20 school days. From time to time, it may not be possible to complete the process in that timescale. Where it is not possible, the complainant will be informed of any delays.

Where complaints are made against an individual member of the Centre staff, governor or

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director, the individual will be informed of the complaint at the earliest opportunity and certainly before any investigation commences.

6. The Complaint Procedures

(i) Informal Stage

The Centre will seek to resolve complaints informally by email, telephone call, brief meeting as appropriate. If the complaint is unable to be resolved at this stage, the Centre will ask you to put your concerns or complaint in writing and the 'Formal Stage' - Paragraph 6(ii) of the procedures will commence from the date that the letter is received by the Centre.

If the Centre has not heard from you by 20 school days, it will assume that you do not want to take things any further and the complaint will be closed.

For concerns regarding the Headteacher, the complainant should put the complaint in a sealed envelope marked 'private and confidential' and addressed to the Chair of Governors via the Nursery School. Under the Data Protection Regulations, the Centre is not permitted to provide the personal details of the Chair of Governors, but the Centre will forward the envelope to the Chair as soon as possible.

(ii) Formal Stage

This stage will commence when the:

- Informal complaint has not been resolved to the satisfaction of the complainant.
Or
- Complainant has indicated they wish to go straight to the formal stage.
Or
- The Centre feels that the complaint is inappropriate for an informal resolution.

The Deputy Head of Centre or Headteacher will:

Note: If the complaint is regarding the Headteacher or a governor, this will be investigated the Chair of Governors, or nominated governor if the Chair has previously been involved.

- Following receipt of the written complaint, formally acknowledge receipt of the complaint and ensure the complainant receives an up to date copy of the Centre's Complaint Policy and Procedures. It should be clarified what the complainant feels would put things right if it not clear in the correspondence.
(**Note:** It is acceptable for someone else to write the complaint on behalf of the complainant)
 - Seek advice, as appropriate. (Dependent on the nature of the complaint, this could include: the School's Adviser; Clerk to the Governing Body; Legal Services; Schools' HR Team; Finance Officer or Pupil Access Officer.)
 - Inform the member of staff (or governor / director) if the complaint concerns them and provide
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them with a copy of the complaint and Centre's Policy and Procedures.

- Arrange and complete a full investigation of the complaint.
- Prepare a report following the investigation; consider what actions need to be taken and whether it be substantiated or unsubstantiated.
- Advise the complainant, in writing, of the outcome of the investigation.
- Should the complaint remain unresolved:

If the Deputy Head of Centre/Headteacher/Chair has undertaken the investigation, the complainant can request a review to the Complaints Review Committee or Directors. The request **must** be received within 20 school days of the notification and set out the grounds as to which matters remain unresolved.

Note: If the Clerk to the Review Committee or the Directors do not hear from the complainant within 20 school days of the notification of the outcome of the investigation, the complaint will be closed.

- The Deputy Head of Centre/Headteacher/Chair of Governors/Directors should make a record in the Complaints Register* of the complaint and its outcome. This record may need to be updated by the Chair of the Review Committee/Directors in due course. The Complaints Register should be available for Ofsted Inspection purposes.

* **Note:** This is a requirement for Academies and strongly recommended for schools.

(iii) Complaints Review Committee

In very exceptional circumstances where the complaint has not been resolved by the Deputy Head of Centre/Headteacher/Chair of Governors/Directors, a meeting of the Complaints Review Committee/Directors will be arranged to review the complaint. The request **must** be made in writing to the Clerk of the Review Committee/Directors via the Centre. The request for the review **must** clearly set out the grounds as to which matters remain unresolved.

The Clerk to the Review Committee/Directors will convene the Complaints Review Committee. It is not expected to take more than 20 days to convene but the Clerk to the Committee/Directors will update the complainant as appropriate.

The Committee will:

- Consider the written materials;
- Consider the complaint and the Deputy Head of Centre/Headteacher's (or Chair of Governor's/Directors) action.
- With the Clerk, prepare an Agenda and invite the Deputy Head of Centre/Headteacher and/or Chair of Governors/Directors, (as appropriate) and the complainant to the meeting.
Note: It is the responsibility of the Deputy Head of Centre/Headteacher/Chair of Governors/Directors and complainant to secure their own witnesses and neither party can dictate who the other party brings.
- Seek advice and support as necessary.

At the end of their review, the Complaints Review Committee will:

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- Determine whether to dismiss or uphold the appeal in whole or part.
- Where upheld, decide on recommendations that should be reported to the Governing Body/Directors by the Chair of the Review Committee.
- Advise the Deputy Head of Centre/Headteacher/Chair of Governors/Directors (as appropriate) and complainant of their findings.
- Advise the complainant of any further action they may wish to take if they remain dissatisfied.

Following the review, the Chair of the Committee will arrange for the Centre's Complaints Register to be amended to include a brief summary of the complaint and the findings of the Complaints Review Committee. In addition, the Chair of the Committee will ensure that the matter in general terms and any recommendations be reported to the Governing Body/Directors.

This concludes the School's Complaints Procedure.

7. Withdrawal of a Complaint

If the complainant wishes to withdraw their complaint at any time, they will be asked to confirm this in writing.

8. The Role of the Local Authority or Diocesan/Church Authority

The role of the Local Authority (LA) (or the Diocesan/Church Authority for church schools) is prescribed by legislation. In responding to complaints about schools, the LA will explain to the complainant:

- That schools are self-managing and are responsible for administering procedures that deal with complaints made against them.
- The appropriate procedures for their complaint and refer them to the Headteacher, Chair of Governors or Clerk, as appropriate.
- The school may seek advice and support from the appropriate Local Authority Officer or the School's Adviser (or the Diocesan/Church Authority for church schools).

9. Social Media

Whilst the Centre accepts that complainants have a right to an opinion and make it public through the use of social media, complainants are reminded that they are not entitled to use social media to defame or harass individual staff, governors or directors.

10. Calculation of time

All references in this Policy to 'days' should be taken to mean school days and therefore will not include weekends, school holidays or INSET days.

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11. Next stage

Nursery School Complaints:

Complainants who remain unsatisfied with the outcome may refer their complaint to the Secretary of State for Education (For Nursery School Complaints).

National Helpline: **0370 000 2288**

On line: **www.education.gov.uk/help/contactus**

Or by writing to:

Department for Education,
School Complaints Unit
2nd. Floor Piccadilly Gate
Stove Street,
Manchester, M1 2WD

The role of the Secretary of State is to review that the School has followed their published procedures. The Secretary of State (via the Department of Education) does not facilitate a rehearing of a complaint.

Rocking Horse Club Complaints:

The Rocking Horse Club is registered with Ofsted against the National Standards for Childcare, and as an eligible provider to receive Nursery Education Grant.

Any complaints to Ofsted can be made to:

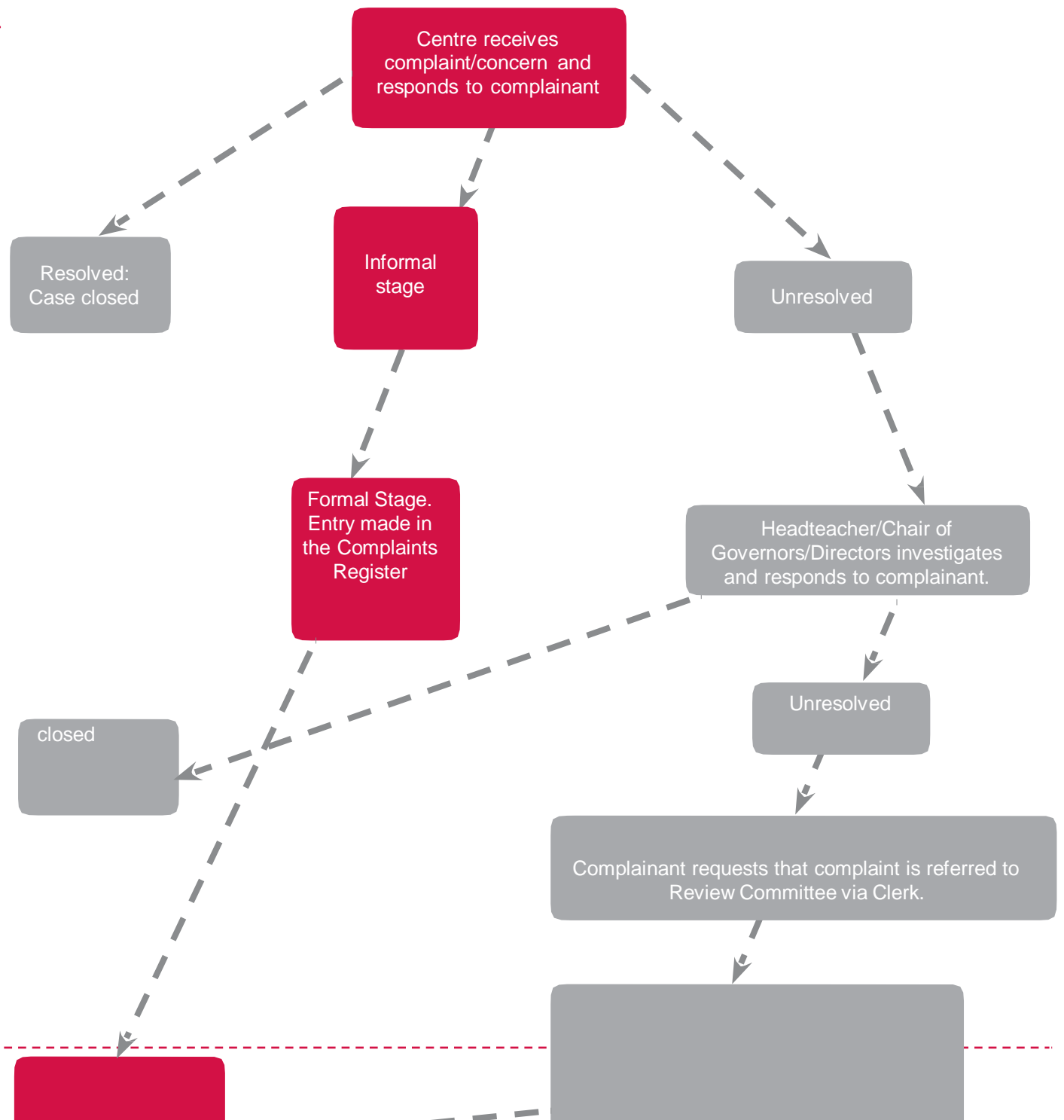
Applications, Regulatory and Contact (ARC) Team
Ofsted
Piccadilly Gate
Store Street,
Manchester, M1 2WD



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Complaints Flowchart

(Note: this is a brief overview and reference should be made to the Policy and Procedures)



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Complaint Form

Title: Mr/Mrs/ Ms/Dr/Other*
(*please supply)

Surname

Forename(s)

Landline
number:

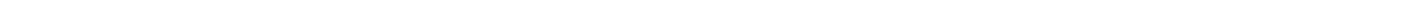
Address
and
Postcode:

Mobile
number:

Email
Address:

How would you
prefer us to
contact you?

Please give details of your complaint and how you have been affected:



What action, if any, have you already taken to try and resolve your complaint?

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

When did you first become aware of the problem?

If it is more than 3 months since you first became aware of the problem, please give a reason why you have not complained before.

Signature of complainant:

Date:

Signature if you are making a complaint on behalf of someone else

Signature:

Please state your relationship with the complainant and why you are making a complaint on their behalf:

FOR CENTRE USE ONLY:

Date acknowledgement sent:

By Whom:

Complaint referred to:

Date



