



Norcot Early Years Centre

Complaints Policy

It is important not to confuse complaints from families with issues about staff discipline or capability, which are dealt with under HR policies and procedures.

This policy is for Norcot Early Years Centre. Any third parties offering services or using facilities have their own complaints procedure.

Ethos

At Norcot Early Years Centre we recognise the importance of establishing and maintaining good relationships with families and the wider community. It is of paramount importance that the Centre runs smoothly and that families and staff work together in a spirit of co-operation in the children's best interests. We are aware that there may be occasions where people have concerns or complaints and the following procedure sets out the steps that should be followed in order to resolve these as fairly, quickly, appropriately and informally as possible.

Aims

- To maintain good communication and relationships between Norcot Early Years Centre and persons who wish to express a concern or pursue a complaint.
- To support the well-being of children, staff and everyone else who has legitimate interest in the work of the centre, including governors and parents
- To provide a clear and fair procedure for the resolution of concerns or complaints

Responsibilities of Governors

- To agree this policy and review it on a regular basis
- To monitor and support the implementation of this policy
- To regularly review the number of complaints reaching the formal stages of the procedure. Individual complaints will not be discussed at Governing Body meetings
- To form a panel as described in the complaints procedure and carry out their duties as set down in the same; having considered a complaint the panel of governors shall make recommendations to the Governing Body

Responsibilities of Headteacher

- To ensure that staff are aware of this policy and implement it consistently
- To ensure that families are aware of their roles and responsibilities regarding complaints

Responsibilities of Staff

- To be familiar with and follow this policy at all times

Responsibilities of Complainants

- To adhere to the procedures as set out in this policy and remain courteous throughout complaints proceedings

Criteria for Success

- The Centre can demonstrate that complaints are handled as promptly and efficiently as possible
- Affected parties report that they are satisfied with the way complaints are handled by the Centre

Associated Policies

- | | |
|--------------------|-------------------------|
| • Confidentiality | • Security |
| • Grievance | • Safeguarding |
| • GDPR UK policies | • Whistleblowing |
| • Disciplinary | • Working with Families |
| • Health & Safety | |

Policy Agreed: November 2024

Policy to be Reviewed: Annually by Curriculum & Personnel Committee

Next review November 2025

Appendix 1--Complaints Procedure: Overview

This procedure does NOT cover the following:

- Admissions.
- Centre re-organisation proposals.
- Statutory assessments of SENDD, EHCP procedure or the content of the EHC plan.
- Safeguarding matters – including allegations of abuse against staff.
- Exclusions.
- Whistleblowing.
- Staff Grievances.
- Staff Discipline.
- Complaints about the **content** of the National Curriculum – these should be directed to the DfE, but complaints about the Centre's **delivery** of the curriculum **are within the scope** of the curriculum/teaching and learning policy.
- Services provided by other providers who use our premises or facilities.

Any complaints received under the above should be referred to the relevant policy and the procedure followed.

Advice for families making a complaint can be obtained from

- School Complaints parents helpline. Tel: 0118 9374988
- [SEND IASS](#) (formally Parent Partnership for parents of children with Special Educational Needs). Tel: 0118 9373421

A record of complaints made to or against the Centre is kept, including the date, the circumstances of the complaint and how the complaint was managed.

Complainants may have access to the complaints records but may not access confidential material (e.g. complaint forms completed by other complainants)

All concerns raised will be dealt with seriously and promptly to try and reduce these turning into complaints.

A 'concern' may be defined as an expression of worry or doubt over an issue considered to be important for which reassurance is sought.

A 'complaint' may be generally defined as an expression of dissatisfaction however made, about action taken or a lack of action.

Under the Equality Act 2010, we will make reasonable adjustments for those who:

- Have learning difficulties
- Have disabilities

We will make the process as accessible as possible for people who speak English as an additional language.

We will try and resolve the complaint informally, at the earliest possible stage, and usually this means meeting with the complainant, the subject of the complaint and the Headteacher or another senior leader, as appropriate. We can also use mediation as part of the procedure.

For written complaints: an acknowledgment will be sent on the day or next working day depending on date/time complaint is received, explaining that we have received it and it will be investigated and a response will be given, either verbal or written within 48 hours (or next working day if the 48 hours falls on a weekend).

For verbal complaints: complainants to speak to a member of staff and/or SMT if applicable on the day.

If we cannot resolve the issue informally, it will be escalated to a formal complaint, all stages are listed below.

Appendix 2--Procedure for investigating General Complaints concerning a child or member of staff

STAGE 1--Informal Resolution

Informal Step 1

Any complaint must first be raised in discussion with the key person concerned to clarify the situation and to try to reach an early, mutually acceptable resolution

Informal Step 2

If the complaint is unresolved at Step 1, the complainant should ask for a meeting with a member of Senior Management Team, to try to reach an early, mutually acceptable resolution

A complainant should receive an informal response to a complaint within five working days of receipt of the complaint at either step in Stage 1

STAGE 2--Headteacher Investigation (Formal)

If the complainant be dissatisfied with the resolution proposed at Stage 1 they may ask for a Headteacher Investigation into their complaint. The Head or another senior member of staff will conduct this investigation.

To escalate to this stage, the complainant must write to the Head giving details of the complaint and the reasons why they are dissatisfied with the Stage 1 resolution. The written complaint may be in the form of a letter, e-mail or on the form provided (see Appendix 6)

A complainant will receive an acknowledgement of their request for an escalation to Stage 2 within 5 working days giving an indication of when the investigation will be complete and when the complainant may expect to receive a full response. In any case the complainant will have a full response within 15 working days. In circumstances where the case is so

complex that the investigation is going to take longer, the complainant will be kept fully informed of progress in the case

STAGE 3--Review by the Governing Body (Formal)

If the complainant remains dissatisfied with the outcome of the Professional Investigation stage they have the right to request a review by a panel of three Governors.

To escalate to this stage, the complainant must write to the Chair of the Governing Body at the school address requesting the review and giving their reasons for being dissatisfied with the outcome at Stage 2. The written complaint may be in the form of a letter, e-mail or on the form provided (see Appendix 6).

The process for resolving the complaint will be shared with the complainant and a time scale no longer than 20 working days will be agreed to bring the complaint before the Governing Body Complaints Panel.

On receiving a review request the Chair will call a meeting of the Governing Body Complaints Panel comprising of no fewer than two governors to hear the complaint (see Guidance on Dealing with Complaints for a model panel procedure)

The panel will either:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part; or,
- decide there is insufficient evidence to make a decision

The panel may also:

- recommend appropriate action to be taken to resolve the complaint;
- recommend a review of the relevant school systems or procedures to ensure that problems of a similar nature do not recur.

The decision of the Governing Body will be final in most cases. The main exceptions are exclusions, other complaints and statutory admissions where separate procedures are available.

If governors are not able to act impartially (e.g. because they have prior knowledge of the details of the complaint, or they are involved in the complaint), the clerk may need to source governors from another school, or via the LA.

STAGE 4--Review by the Local Authority (in the case of complaints made with regard to the nursery school)

If a complainant is unhappy with the outcome of the Governing Body review, or if the Governing Body is unable to reach a decision, the Chair of the Complaints Panel may contact the Local Authority. A representative of the Local Authority will review the provision in question against statutory guidance and report findings and/or recommendations to the complainant, Headteacher and Governing Body.

If, **after exhausting all stages of the complaint procedure**, the complainant feels the school or Local Authority has acted unreasonably they may make a complaint in writing to the Secretary of State for Education at the Department for Education:

- Department for Education, Castle View House, East Lane,
Runcorn, Cheshire WA7 2GJ

or by telephoning: 0870 000 2288

Stage 4--Complaints to Ofsted 0300 123 4666 (in the case of complaints made with regard to Waterside Day Care)

If, **after exhausting all stages of the complaint procedure**, the complainant feels the Centre has not responded appropriately to their concerns they may make a complaint to Ofsted 0300 123 4666

Appendix 3--Procedure for investigating Child Protection Allegations made against members of staff (including the Headteacher)

If a child or family makes an allegation that a member of staff has abused or harmed the child, the matter must be referred immediately to the Head. The Head, or other Designated Child Protection Officer, must then without delay contact the Local Authority Designated Officer (LADO) via the Children's Single Point of Access on **0118 937 3641** in accordance with the child protection procedures.

If a child or family makes an allegation that the Head has abused or harmed their child, the matter must be referred immediately to the Chair of Governors. The Chair of Governors must then without delay contact the LADO in accordance with the child protection procedures.

N.B. The individual telephoning Children's Single Point of Access must ask to be put straight through to the LADO, they do not need to go into detail with the person answering the telephone.

Appendix 4--Procedure for investigating complaints concerning the Headteacher and/or the Governing Body

Any complaint concerning the Head or a governor should be referred to the Chair of Governors, unless the Chair themselves is involved in which case the complaint should be dealt with by the Vice Chair or other senior governor.

(Other than for Child Protection allegations against the Headteacher) the Chair should arrange a meeting to relay the details of the complaint. Care must be taken not to give a judgement about the complaint or potential outcome but simply to explain the complaint and the procedure that will be followed. This needs to be done sensitively and quickly. Information may need to be repeated or updated by email, but this should not be a substitute for a meeting

Stage 1 (Informal)

The Chair of Governors should seek to convene a meeting with the complainant and the Head/governor to secure an informal resolution to the complaint by mediation. Both the complainant and the Head/governor are entitled to have another person with them as support during the meeting.

Stage 2 (Formal)

Should either the Head/governor or the complainant be unwilling to participate in a mediation meeting, or should the mediation meeting fail to resolve the complaint, the Chair of Governors should appoint an Investigating Officer from outside the Governing Body to investigate the complaint and prepare a report for the Complaints Panel. The Local Authority should be informed of any complaint against the Head that has reached this stage.

The Complaints Panel should consider the report of the Investigating Officer as well as representations from the Head/governor and the complainant in coming to their decision. To this end the Complaints Panel may choose to invite written representations or invite the Head/governor and the complainant to attend the meeting to make oral representations. It is important that both parties are given the opportunity to make representations to the Complaints Panel.

In the vast majority of cases the decision of the Complaints Panel is final.

NOTE: The investigation report to a governor panel does NOT form part of any staff HR procedure. If, as a result of the investigation, an HR procedure needs to be followed, the situation will have to be investigated again under the remit of the HR procedure.

A complainant is entitled to know that their complaint has been investigated and that the Head has taken the action the Head deems to be appropriate within the procedures of the school.

A complainant is not entitled to become involved in the employment relationship between the school and the teacher and should not be given details about what an investigation may have discovered or how the Head intends to proceed if personnel procedures are to be embarked upon.

The role of the Investigating Officer

When using this procedure, the Chair of the Governing Body would appoint an investigating officer. (The investigating officer then works as an independent adviser to the Governing Body.)

On receipt of the complaint the Investigating Officer will write to the complainant and arrange a meeting to clarify and agree the exact nature of the complaint. The process for resolving the complaint will be shared with the complainant and a time scale of no longer than 20 working days will be agreed to bring the complaint before the Governing Body Complaints Panel. (This is an important stage for the avoidance of doubt at subsequent stages.)

The Investigating Officer will then make appointments to speak with the Head/governor and any other relevant individuals. (The purpose of this stage is to enable the nature of the complaint to be put to, answers to be given by and evidence to be collected from said individuals.)

When the Investigating Officer is satisfied that he/she is in receipt of all the relevant evidence, he/she will prepare a report. This report will consider the complaint in detail, in the light of all the evidence, and draw conclusions as to whether the complaint is upheld, partially upheld, unproven or not upheld, and make recommendations.

When the draft report is complete it will be shared in the first instance with the Head/governor and the complainant, who will be invited to make comments on points of factual accuracy. It will then be submitted to the Complaints Panel.

The Investigating Officer should attend the Complaints Panel meeting to answer any questions and make any points of clarification required by the committee.

Appendix 5--Dealing with unreasonably persistent complaints and/or unreasonable complainant behaviour

We are committed to dealing with all complaints fairly and impartially and in the best interests of the child. We do not normally limit the contact complainants have with the School. The majority of complaints are handled in an informal manner and are resolved quickly, sensitively and to the satisfaction of the complainant.

However, there are a small number of complainants who, because of the frequency, nature and quality of their contact with the School, hinder our consideration of their, or other people's, complaints. We refer to such complainants as 'unreasonably persistent complainants' and, in exceptional circumstances, we may have no alternative but to take action to limit their contact with the School.

The decision to restrict contact with the School will only be taken in consultation with the Chair of Governors after taking legal advice and will normally follow a prior warning to the complainant. Any restrictions imposed will be appropriate and proportionate. The options we are most likely to consider are:

- Informing the complainant in writing that his/her behaviour is now considered by the School to be unreasonable/unacceptable and, therefore, to fall under the terms of Appendix 5 of this policy
- Informing the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties
- Informing the complainant that, except in emergencies, all routine communication with the complainant to the School should be by letter only
- (in the case of physical or verbal aggression) Referring to the Guidance for Schools on dealing with abuse, threats and violence towards school staff, and consider warning the complainant about being banned from the School site; (Advice is available from the Local Authority Legal Team)
- Taking advice from the Local Authority on pursuing a case under Anti-Harassment legislation

In all cases where we decide to treat someone as an unreasonably persistent complainant, we will write to tell the complainant why we believe their behaviour falls into that category, what action we are taking and the duration of that action.

Where a complainant whose case is closed persists in communicating with us about it, we may decide to terminate contact with that complainant about the matter. In such cases, we will continue to read all correspondence from that complainant but, unless there is fresh evidence which affects our decision on the complaint, we will simply acknowledge its receipt and file it with earlier documents or, in the most extreme of cases, file it without acknowledgement.

New complaints from people who have come under the unreasonably persistent complainant's policy will be treated on their merits.

Appendix 6--Norcot Early Years Centre COMPLAINT FORM (Formal)

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

Your name:

Child's name:

Key Worker:

Your Relationship to the child:

Address:

Postcode:

Daytime telephone number:

Please give details of your complaint:

What action, if any, have you already taken to try to resolve your complaint? (e.g.

with whom did you speak; what did they say/do?)

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

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

Signed:

Date:

Appendix 7—Complaints Policy Flowchart – see separate document