K



**Complaints Policy**

# 1. Introduction

This policy statement sets out our approach to dealing with parental concerns and complaints.

# 2. Aims/Responsibilities

We always aim to maintain positive relationships with parents and carers and do our best to address any concerns as soon as they arise. However we are aware that in some instances a parent/carer may wish to make a complaint.

2.1 We value good home/pre-school relations and will, therefore, do everything we can to establish and maintain them. This includes seeking to resolve any concerns or complaints promptly, and to the satisfaction of all concerned.

2.2 We welcome feedback on what parents/carers feel we do well, or not so well, as a pre-school. We will consider carefully all feedback, whether positive or negative, and will review our policies and practices accordingly.

2.3 We will treat all concerns and complaints seriously and courteously and will advise parents/carers and others of Waterton Pre-Schools’ procedures for dealing with their concerns. In return, we expect parents/carers and other complainants to behave respectfully towards all members of the pre-school community. In particular, any disagreement should **not** be expressed inappropriately or in front of child.

2.4 All staff and governing members of Waterton Pre School will be made aware of this policy statement and will be familiar with procedures for dealing with concerns and complaints, to which they will have access as required.

2.5 The complaints procedures will be reviewed regularly and updated as necessary.

2.6 The staff, Trustees and Committee Members of Waterton Pre-Schools will receive training in handling parental concerns and complaints as appropriate. This may be on an individual basis, or as a group activity.

2.7 Whilst we will seek to resolve concerns and complaints to the satisfaction of all parties, it may not be possible to achieve this in every case. We will, therefore, take up our right to close a complaint before all the stages of the Pre-school procedures have been exhausted, if this appears to be appropriate.

# Complaints procedure

The majority of concerns from parents, carers and others are handled under the following procedures.

## 1. Overview of complaints procedure stages;

1. **The informal stage** aims to resolve the concern through informal contact at the appropriate level in the pre-school.

1. **Stage 1** is the first formal stage at which written complaints are considered by the Manager, who has special responsibility for dealing with complaints.

1. **Stage 2** if the complaint is not resolved through stage 1 the next stage would be to involve the Executive Headteacher who will follow the procedure for A Headteacher’s Investigation.

1. **Stage 3** the way the complaint was dealt with will be reviewed and commented upon by a panel made up from the Pre-school Trust Board

**2. Detailed explanation of complaints procedure stages**

## a. The informal stage –initial contact with the pre-school

* In the first instance, concerns should be raised informally through the child’s key worker or other appropriate member of staff.

* If the issue concerns the key worker the concern should be raised with the Manager.

* All members of staff are aware of the complaints procedure and are able to refer the issue to the most appropriate person with responsibility for the area of concern. Staff are expected to make clear notes of the details of the complaint and to follow up after the matter has been referred.

* If the matter cannot be resolved immediately contact will be made either by telephone, in person or in writing to arrange a convenient time to discuss the issue(s) with the Setting Manager

* Any actions or monitoring of the situation that has been agreed will be confirmed either verbally or in writing.

* If necessary we will contact appropriate people who may be able to assist us with our enquiries into your concern.

* An update on the progress of our enquiries will normally be made within ten working days. Once we have responded to your concern, you will have the opportunity to ask for the matter to be considered further.

* If the concern has not been addressed fully the complaint can be raised more formally under stage 1 of the procedure.

## b. Formal consideration of the complaint

* If the complaint cannot be resolved informally it will be escalated to **Stage 1** where it will become a formal complaint.

* All formal complaints must be submitted in writing to the Manager. If, however, the complaint concerns the Manager personally, it should be sent to Waterton Pre-Schools and addressed to the Executive Headteacher Mrs Becky Cook.

* The complaint will be acknowledged in writing within three working days of receipt. A copy of this procedure will be enclosed with the acknowledgement.

* Normally we would expect to investigate in full and respond within 15 working days but if this is not possible we will write to explain the reason for the delay and confirm when we hope to be able to provide a full response.

* As part of our consideration, the complainant may be invited to attend a meeting to provide further details. The complainant will be invited to bring someone to attend the meeting with them to help explain the reasons for the complaint. The Manager or Executive Headteacher may also be accompanied by a suitable person if they wish.

* Following the meeting, the Manager, or Executive Headteacher will, where necessary, talk to witnesses and take statements from others involved. If the complaint centres on a child, we will talk to the child concerned and, where appropriate, others present at the time of the incident in question.

* We will normally talk to children with a parent or carer present, unless this would delay the investigation of a serious or urgent complaint. In such circumstances, we will ensure that another member of staff, with whom the pupil feels comfortable, is present.

* If the complaint is against a member of staff, it will be dealt with under Waterton Pre-Schools’ internal confidential HR procedures.

* The Manager or Executive Headteacher will keep written / typed, signed and dated records of all meetings and telephone conversations, and other related documentation.

* Once the relevant facts have been established, a written response will be sent to the complainant.

* If follow-up action is needed, this will be indicated in the response. A further meeting may be held to discuss the outcome as part of our commitment to building and maintaining good relations.

* The person investigating the complaint may decide that we have done all we can to resolve the complaint, in which case we may use our discretion to close the complaint at this point. Please see section 3 for further information about this process.

* If the complaint has not been resolved to full satisfaction it should be referred to **Stage 2**, as described below.

## c. Consideration by an Appeal panel

* If the complainant is not satisfied with the outcome of Stage 1 they can choose to take the matter to **Stage 2**. Appeals can be referred to an appeal panel through stage 2 of the complaints procedure. This is a formal process, and the ultimate recourse at pre-school level. Should the complaint refer to a Manager, then the panel will consist of Pre-School Trustees.
* The purpose of this arrangement is to give the complainant the opportunity to present in front of a panel of 3 Trustees who have no prior knowledge of the details of the case and who can, therefore, consider it without prejudice.
* The aim of a panel is not to rehear the complaint. It is there to review how the complaint has been investigated and to determine whether this has been conducted fairly. It is there to establish facts and make recommendations which will reassure you that we have taken the complaint seriously.

**The appeal panel operates according to the following formal procedures:**

1. A a panel of three Trustees will aim to arrange to meet within **20 working days.**

1. Further written documentation may be submitted by the complainant in support of the appeal.

1. The Manager, Executive Headteacher or complaint investigator will be asked to prepare a written report for the panel. The panel can request additional information from other sources if necessary.

1. The complainant will be informed, at least **five working days** in advance, of the date, time and place of the meeting. The meeting will normally take place at the academy however alternative arrangements can be made if preferred.

1. Any relevant correspondence or reports regarding stage 1 will be enclosed with the letter. The complainant will be given the opportunity to submit further written evidence to the panel.

1. The letter will explain what will happen at the panel meeting and will advise that the complainant is entitled to be accompanied to the meeting. The person accompanying the complainant should not normally be directly connected to the academy. They are to provide support and to witness the proceedings.

1. If it is necessary in the interests of the ratifying the investigative process, the complaint investigator may, with the agreement of the chair of the panel, invite relevant witnesses directly involved in the matters raised to attend the meeting.

1. The chair of the panel will bear in mind that the formal nature of the meeting can be intimidating and will do his or her best to put everyone involved at ease.

1. As a general rule, no evidence or witnesses previously undisclosed should be introduced into the meeting by any of the participants. If either party wishes to do so, the meeting will be adjourned so that the other party has a fair opportunity to consider and respond to the new evidence.

1. The chair of the panel will ensure that the meeting is properly minuted. Any decision to share the minutes with the complainant is a matter for the panel’s discretion. There is not an automatic right to see or receive a copy as the minutes are the property of the governing body. Since such minutes usually name individuals, they are understandably of a sensitive and, therefore, confidential nature.

1. If the complainant feels that he or she would like to have a copy of the minutes this should be indicated in advance. If the panel is happy for the minutes to be distributed, the clerk can then be asked to maintain confidentiality in the minutes.

1. The complainant will be sent a written outcome of the panel meeting. This should give all the information required.

1. During the meeting, there will be opportunities for:

* + the panel to hear the case and the argument for why it should be heard at stage 2;
  + the panel to hear the complaint investigator’s case in response;
  + the complainant to raise questions via the chair;
  + the complainant to be questioned by the complaint investigator through the chair;
  + the panel members to be able to question the complainant and the complaint investigator;
  + the complainant and the Manager/CEO to make a final statement.

1. In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to the complainant and the Manager **within three school days**. All participants other than the panel and the clerk will then leave.

1. The panel will then consider the complaint and all the evidence presented in order to:

* + reach a unanimous, or at least a majority, decision on the case;
  + decide on the appropriate action to be taken, if necessary;
  + recommend, where appropriate, to the governing body changes to the school’s systems or procedures to ensure that similar problems do not happen again.

1. The clerk will send the complainant and the Manager a letter outlining the decision of the panel. The letter will also explain that there is no further appeal to the pre-school.

1. If the complainant feels that the Pre-School has not properly followed procedures this must be communicated in writing to Waterton Pre-Schools (FAO Executive Headteacher) within 10 working days of receipt of the panel outcome explaining what was wrong with the procedure. This instigates **stage 3** of the complaints procedure.
2. A panel made up of Pre-School Trust Board representatives will be formed, who will review the process undertaken. The complaint or outcome will not be judged, only the procedure followed. A response will be sent to all parties within 10 working days to indicate the panel’s decision. If the decision is that the procedure was not properly followed then a course of action will be advised of which may include that the committee panel review part of the complaint or that a new panel is set up to review the complaint. Otherwise, the procedure followed will be upheld as reasonable and fair.

1. A copy of all correspondence and notes will be kept on file in the pre-school’s records but separate from children’s personal records.

## 3. Closure of Complaints

1. Very occasionally and regretfully it may be necessary to close a complaint where the complainant is still dissatisfied. We will do all we can to help to resolve a complaint against the pre-school but sometimes it is simply not possible to meet all of the complainant’s wishes. Sometimes it is simply a case of “agreeing to disagree”.

1. If a complainant persists in making representations to the pre-school (the Manager, chair of the Pre School Trustees, Executive Headteacher or another interested party) it can be extremely time-consuming and can detract from our responsibility to look after the interests of all the children in our care.

1. For this reason, we are entitled to close correspondence (including personal approaches, as well as letters and telephone calls) on a complaint where we feel that we have taken all reasonable action to resolve the complaint and that the complaint has exhausted our official process. Waterton Pre-Schools will support this position, especially where the complainant’s action is causing undue distress to staff and/or pupils.

1. In exceptional circumstances, if it becomes evident during stage 1 of a complaint that an escalation to stage 2 would be not be beneficial to either party, closure may occur before a complaint has reached stage 2 to avoid unnecessary use of time and resources. It may be decided therefore, that every reasonable action has been undertaken to resolve the complaint and that a complaints review panel would not help to move things forward. This does not, of course, prevent you from referring your complaint to Waterton Pre-schools for a review of the way it has been handled, as described above.

**4. The role of Ofsted**

Parents may contact Ofsted at any stage of the proceedings if they feel that they have concerns regarding the provisions’ registration requirements, the details of which are located on the parent’s notice board, together with the Ofsted registration number. Ofsted will investigate any claims that they feel are necessary, which may result in actions being taken for the provision to address, evaluate and monitor. The outcome of all complaints are recorded in the complaints summary record, which is available for Ofsted inspectors on request.

**Policy Information**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Document Detail** | | | | |
| Document Name | | Complaints Policy (Pre-school) | | |
| Version | | 1 | | |
| Effective from: | | January 2020 | | |
| Approved by: | | Pre-school Trust Board | | |
| Approval meeting reference: | |  | | |
| Next Review Date: | | November 2022 (in line with WAT review schedule) | | |
| **Version Control** | | | | |
| **Version** | **Date** | **Author** | | **Change /Reference** |
| 2 | Nov 2022 | B.Cook | | Change references to Pre-School Committee to Pre-School Trustees. |
| Next Review Date: | | | November 2024 | |