

# Nightingale Infant and Nursery School



## Procedure for dealing with concerns and complaints

### Procedure for the Nursery

#### **Statement of intent**

In an ideal world, complaints would not exist. Unfortunately, we do not live in an ideal world and complaints can arise from time to time, despite our best efforts.

Our Infant and Nursery School aims to provide a safe and stimulating, caring environment where children and their families feel welcome and valued. We believe in working together with parents to ensure their children's needs are identified and met. Staff are available for consultation by parents whenever guidance, clarification or reassurance may be required.

The partnership between parents and staff is intended to work in both directions. Parents who know their children so well are also encouraged to help staff by giving them an insight into any problems or other areas which might from time to time be giving their child concern.

We have a comments, compliments and complaints book, which is located on the parent's notice board.

#### **Methods**

To achieve this, we operate the following complaints procedure. All nurseries are required to keep a 'summary log' of all complaints. This is to be made available to parents as well as to Ofsted inspectors.

#### **Making a complaint**

Any parent who has a concern about an aspect of the nursery's provision talks over, first of all, his/her worries and anxieties with the Nursery Teacher, who can sort out most problems within a reasonable timescale, depending on the problem.

The Nursery Teacher will complete a complaint record form for the parent to sign. Most complaints should be resolved amicably and informally at this stage. See attached form.

Nightingale Infant and Nursery will store written complaints from parents in the child's personal file. However, if the complaint involves a detailed investigation, the Nursery Teacher may wish to store all information relating to the investigation in a separate file designated for this complaint in the school

---

office.

If the parent is not satisfied with the outcome of the investigation, he or she requests a meeting with the Headteacher, Mr Coy, who oversees the running of the Nursery, and if appropriate the Nursery Teacher. The parent may have a friend or partner present if required. An agreed written record of the discussion is made as well as any decision or action to take as a result. All of the parties present at the meeting sign the record and receive a copy of it.

If at the meeting the parent and setting cannot reach agreement, an external mediator is invited to help to settle the complaint. This person should be acceptable to both parties, listen to both sides and offer advice. A mediator has no legal powers but can help to define the problem, review the action so far and suggest further ways in which it might be resolved.

The mediator keeps all discussion confidential. S/he can hold separate meetings with the setting personnel (Nursery Teacher or Headteacher) and the parent, if this is decided to be helpful. The mediator keeps an agreed written record of any meetings that are held and of any advice s/he gives.

When the mediator has concluded her/his investigations, a final meeting between the parent, the setting Manager and the Headteacher is held. The purpose of this meeting is to reach a decision on the action to be taken to deal with the complaint.

A record of this meeting, including the decision on the action to be taken, is made. Everyone present at the meeting signs the record and receives a copy of it. This signed record signifies that the procedure has concluded.

#### **The role of the Office for Standards in Education, Early Years Directorate (Ofsted) and the Local Area Safeguarding Children Board.**

Parents may approach Ofsted directly at any stage of a complaint. In addition, where there seems to be a possible breach of the Playgroup's registration requirements, it is essential to involve Ofsted as the registering and inspection body.

These details are displayed on our settings notice board.

If the matter is still not resolved then the parent will be invited to address their complaint to:

**OFSTED**  
**Royal Exchange Buildings**  
**St Ann's Square**  
**MANCHESTER**  
**M2 7LA**

If a child appears to be at risk, our setting follows the procedures of the Norfolk Local Area Safeguarding Children Board in our local authority.

In these cases, both the parent and setting are informed and the setting Manager works with Ofsted or the Local Area Safeguarding Children Board to ensure a proper investigation of the complaint, followed by appropriate action.

A record of complaints against our setting and/or the children and/or the adults working in our setting is kept, including the date, the circumstances of the complaint and how the complaint was managed.

---

---

The outcome of all complaints is recorded in the Complaints Summary Record which is available for parents and Ofsted inspectors on request.

## **In respect of the School**

### **Part 1: General Principles of complaints**

#### **Dealing with complaints – initial concerns**

It is important to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

The underlying principle is that concerns should be handled, if at all possible, without the need for formal procedures. These complaint procedures need not in any way undermine efforts to resolve the concern informally. In most cases, a member of staff will receive the first approach, and is possible, should attempt to resolve issues on the spot, including apologising if and when necessary.

#### **Dealing with complaints – formal procedures**

The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the concern further.

The Head Teacher will take responsibility for the operation and management of the school complaints procedures, and will act as the nominated 'Complaints Co-ordinator'.

### **Framework of Principles**

Our approach to addressing complaints will aim to:

- Encourage resolution of problems by informal means wherever possible,
- Be easily accessible and publicised,
- Be simple to understand and to use,
- Be impartial,
- Allow swift handling, with established time-limits,
- Ensure a full and fair investigation where necessary,
- Respect people's desire for confidentiality,
- Provide information to the Governors/Senior Management Team so that services can be improved.

### **Investigating complaints**

**At each stage, the Head Teacher will:**

---

- 
- Establish what has happened so far, and who has been involved,
  - Clarify the nature of the complaint and what remains unresolved,
  - Interview those involved and/or those complained of, allowing them to be accompanied if they wish,
  - Conduct the interview with an open mind and be prepared to persist in questioning,
  - Keep notes of the interview.

### **Resolving complaints**

At each stage in the procedure, the school will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it might be appropriate to offer one or more of the following:

- an apology,
- an explanation,
- an admission that a situation might have been handled differently or better,
- an assurance that the event complained of will not happen again,
- an undertaking to review school policies in light of the complaint.

Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. (An admission that the school could have handled a situation better is not an admission of negligence). Areas of agreement between the parties will be identified. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

### **Vexatious Complaints**

It is the aim that these procedures will limit the number of complaints that become protracted. However, there may be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the chair of the Governing Body is able to inform them in writing that the procedure has been exhausted and, that as far as the school is concerned the matter is now closed.

## **Part 2: Managing and recording complaints**

### **Recording complaints**

The Head Teacher will record the progress of the complaint and the final outcome. A complaint can be made in person, by telephoning or in writing. A complaint form (Annex A) will be made available. At the end of a meeting or telephone call, the Head Teacher will ensure that the school and the complainant have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls will be kept and a copy of any written response added to the record. The Head Teacher will be responsible for the records, and will hold them centrally.

---

---

## **Governing Body Review**

The GB (Governing Body) can monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedures, and make changes whenever necessary. Preferably, complaint information shared with the whole GB will not name individuals. As well as addressing complaints, the process of listening to and resolving complaints will contribute to school improvement. When individual complaints are heard, the school may identify underlying issues that need to be addressed. The monitoring and review of complaints by the school and the GB can be a useful tool in evaluating the school's performance.

## **Publishing the procedures**

There is a legal requirement for the Complaints Procedures to be publicised. The Procedures may be included in, or referred to in:

- the school brochure,
- the Governors Report to Parents,
- the information given to parents when their parents join the school,
- newsletters,
- a specific complaints leaflet which includes a form on which a complaint can be made,
- the school website.

## **Time Limits**

Complaints will be considered, and resolved as quickly as possible. In the event of a complaint to the Head Teacher, a verbal response will in most cases be given on the same day - usually reassurance that the complaint will be looked into. The Head Teacher will then investigate the complaint, and a formal response will be made to the complainant within one week. If a letter of complaint is received, the Head Teacher will acknowledge the letter within two days of receiving the letter. A formal response will be given to the complainant within one week of the initial letter. In the event of the complaint reaching Stage 3 of the Formal Procedures, the Governing Body will agree time limits and deadlines.

## **Formal Procedure for complaints**

### **Stage 1 – Complaint heard by Staff Member**

It is in everyone's interest that complaints are resolved at the earliest possible stage. Members of staff will attempt to resolve the complaint immediately, and will then inform the Head Teacher of the outcome. In the event of this not being possible, the member of staff will refer the issue to the Head Teacher to follow up. (In the event of a complaint being made to a Governor, he or she will take the same action, while advising the complainant about the procedure. He/she will inform the Head Teacher immediately, who will take up the case. It is not appropriate for Governors to approach staff directly. It would be useful if governors did not act independently on an individual complaint outside of 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 2 – Complaint heard by the Head Teacher**

Again, the Head Teacher will attempt to resolve the complaint without progressing further through the complaints procedures. The complainant may be requested to complete a Complaints Form (Annex A). In the event of the Head Teacher not being able to resolve the complaint, Stage 3 will be adopted. In the event of the complaint being against the Head Teacher, the complainant may choose to:

- address the Head Teacher personally,
- using the complaints form, go directly to the Chair of Governors,
- contact the Local Authority.

### **Stage 3 – Complaint Heard by GB Complaints Appeal Panel.**

The Head Teacher will inform the complainant of how to contact the Chair of Governors. The complainant will be given a formal Complaint Form (Annex A). The Chair will convene a Complaints Panel, made up of members of the Statutory Panel, and will appoint a clerk. The governors appeal panel is the last school-based stage of the complaints process, and is not convened merely to rubber stamp a previous decision. Individual complaints would not be heard by the whole GB 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 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 school's systems or procedures to ensure that problems of a similar nature do not recur.

### **Roles and responsibilities**

The Clerk to the panel would be the contact point for the complainant and will:

- arrange the time, date and venue of the hearing,
  - collate any written material and send it to the parties in advance of the hearing,
  - meet and welcome the parties as they arrive at the hearing, record the proceedings,
  - notify all parties of the panel's decision.
-

---

The Chair of the Governing Body will:

- check that the correct procedures are being followed,
- convene the panel/clerk,
- direct the clerk to arrange the hearing.

The Chair of the Panel (to be selected by the panel) has a key role. He/she will ensure that:

- the remit of the panel is explained to the parties, and that each party has the opportunity of putting their case without due interruption,
- the issues are addressed,
- key findings of facts are made,
- parents and others who are not 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,
- each side has an opportunity to state their case and ask questions,
- written materials collected during the complaints process are seen by all parties.
- All parties are informed of the decision of the panel, in writing, within a set time scale following the hearing. This letter will inform the complainant that the only further action that they may take is to the Secretary of state for Education on the grounds that the Governing Body have not discharged their duty properly.

### **Checklist for a Panel Hearing**

The Panel needs to take the following points into account:

- The hearing is as informal as possible.
  - Witnesses are only required to attend for the part of the hearing in which they give their evidence.
  - After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
  - The Head Teacher may question both the complainant and the witnesses after each has spoken.
  - The Head Teacher is then invited to explain the school's actions and be followed by the school's witnesses.
  - The complainant may question both the Head Teacher and the witnesses after each has spoken.
-

- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Head Teacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave the hearing while the panel decides on the issues.
- The Chair explains that both parties will hear from the panel within a given time scale – usually within one week.

### **Review and Development**

This document will be reviewed whenever any reference document changes and at such other times considered necessary. It will not be changed without staff consultation and Governing Body approval.

<b>This policy was created and ratified by the Governing Board in:</b>	<b>September 2016</b>
<b>The policy owner is:</b>	<b>Nightingale Infant and Nursery School</b>
<b>This policy will be reviewed by the Governing Body in:</b>	<b>September 2019</b>
<b>Policy Version:</b>	<b>V1.1</b>
<b>Signed by the Chair of the Governing Body:</b>	