



**OLD CHURCH**  
Nursery School



# Complaints Policy

Signed on behalf of the Governing Body:

Position: Chair of Governors

Date:

**Reviewed October 2020**

## **POLICY AND PROCEDURES FOR DEALING WITH PARENTAL COMPLAINTS**

Name of School: **Old Church Nursery**

Date of Policy: November 2017

Review date for Policy: November 2020

### **1. INTRODUCTION**

This policy has been produced by the governors of Old Church Nursery School after consultation with staff and parents. It sets out the way in which this school will deal with complaints.

It is in the interest of everyone that all parties involved in any complaint conduct themselves in a professional, courteous and respectful manner at all times.

It is in the interest of everyone that complaints and responses are dealt with promptly at all stages.

### **2. DEFINITION OF A COMPLAINT**

A complaint is an expression of significant dissatisfaction, however made, by a person or persons with a legitimate interest in the school about any aspect of their child's education, the practices or policies of the school, the conduct action or omissions of members of staff employed at the school or about the quality of teaching

Complaints may be written or oral. It is not always appropriate to ask for complaints to be put in writing as this might unnecessarily formalise the situation, resulting in either party taking a more defensive or entrenched position and making conflict more difficult to resolve.

For a complaint to warrant serious consideration it should meet at least one of the following criteria:

- It is first hand
- It relates to recent events (a matter that occurred more than 3 months previously will only be looked at in exceptional circumstances).
- The events in question can be dated
- There is an independent corroboration of the allegations

It is important to bear in mind that every expression of concern is not a complaint. Discretion needs to be applied in determining whether action over and above the normal day to day discussions on parental concerns is needed. All staff members are expected to exercise such discretion before referring matters to the Head teacher.

Problems and expressions of concern should be dealt with as far as is possible, at the point of first contact. This is usually the key worker or class teacher. If it cannot be resolved at this level then the teacher should refer the matter to the Deputy Head Teacher and if necessary, the Head Teacher

### **3. RESPONSIBILITIES**

The conduct of the school is the responsibility of the Governing Body. The Head teacher is responsible for the internal organisation and management of the school

- This makes the Head teacher responsible for investigating complaints not resolved by other members of staff.
- The Governing Body may be called upon to consider, resolve and/or adjudicate if complaints are referred to them by the Head teacher or by the complainant who is not satisfied with the result of the informal process.
- If the complaint is not resolved at school level the interested parties have recourse to the LEA or the legal process.

In the event of a complaint being made to a member of the Governing Body, the complainant should be advised to speak to the Head Teacher, so that an attempt can be made to resolve the matter informally. Governors must not prejudice themselves by giving any view or opinion as this would prevent their participation in a panel at a later stage. If at any point it appears that there are issues regarding school staff which may need to be dealt with under the disciplinary or other staffing procedures, personnel advice should be sought.

#### **4. AIMS**

##### **The school's complaints procedure should:**

- underpin the school's aims and objectives by giving due consideration to the complaints of parents.
- ensure that all complaints are considered fully, fairly and confidentially, promptly, thoroughly, and, in the first instance, on an informal basis
- ensure that there is an effective partnership among school, staff and parents.
- In the absence of a resolution to the satisfaction of the complainant - to provide guidance which will enable the complainant, the Head teacher or the Governing Body to consider how, if at all, the matter should be taken further.
- ensure that all relevant members of the school community can have their points of view heard.

The Governing Body may be called upon to consider, resolve and/or adjudicate if complaints are referred to them by the Head teacher or by the complainant who is not satisfied with the result of the informal process.

## 5 REFERRAL STRUCTURE

In most cases referral will be as follows:

- Class teacher/Key worker
- Deputy Head Teacher
- Head Teacher

On occasions, if a complaint is particularly serious or involves the Head Teacher, it will be appropriate to by-pass levels in the referral structure and go straight to the Chair of Governors.

- When a complaint is made to the Head teacher (s)he may decide to deal with it or to refer it to an appropriate level in the structure. When the Head has asked a colleague to deal with a complaint, feedback should be given to the Head teacher. A response to the complainant should be provided within **five working days**.
- Where a teacher or staff member other than the Head teacher receives a complaint (as opposed to an expression of concern) and deals with it, the Head Teacher should be notified of the complaint and how it was resolved.
- If a matter remains unresolved despite the involvement of the Head Teacher, the Head Teacher will ask the Chair of Governors or an appointed Governor to act as a facilitator. The Governor may choose to seek the advice of appropriate officers of the LEA before initiating formal procedures.
- If all informal channels have been exhausted and there is still dissatisfaction, the complainant should be made aware of how formal procedures can be initiated.

- Records of all investigations should be kept and dated. A formal record of the outcome should be kept centrally in the Head Teacher's office.

## **5. POSSIBLE OUTCOMES AT THE INFORMAL STAGE**

- The matter is resolved
- The complaint has been found by the Head teacher to be valid and that the Head teacher, within his/her responsibility for the overall management of the school will take appropriate action
- The Head teacher or the complainant will refer the matter to the Governing Body for their consideration.

## **6. COMPLAINTS MADE TO THE GOVERNING BODY**

In the event of a complaint being received directly by the Governing Body from a parent or other stakeholders in the school, governors should have regard to the following:

- Any complaint to the Governing Body or one of its members should be passed to the Head teacher for investigation. The Head teacher if (s)he has not already done so, should follow the informal procedure outlined above to attempt to resolve the matter and report the outcome to the complainant and details of action taken to the Chair of Governors.
- The complaint should not be shared with the Full Governing Body
- If the Chair of the Governing Body is satisfied that the informal procedures have been exhausted and the complaint is still not resolved, (s)he may, after further discussions with the Head teacher, decide to initiate the formal procedure.

- In the event of the complaint being about the Head teacher, the Chair of the Governing Body will inform the Head teacher of the complaint and then attempt, through an informal approach, at first, to resolve the matter.
- The complainant will be advised of the Chair's conclusions.

## **7. THE FORMAL PROCEDURE**

- If informal attempts to settle the complaint have failed to satisfy the complainant, (s)he should set out the complaint fully in writing and submit this to the Chair of the Governing Body. Where this is not possible because of literacy or second language considerations, the complaint should be made orally and where necessary arrangements for interpretation should be made.
- Receipt of the complaint will be acknowledged in writing by the Chair of the Governing Body, the Vice Chair if the Chair is not available or the Clerk within 5 working days. A copy of this complaints procedure will be enclosed with the acknowledgment.
- The Governing Body will arrange for the complaint to be heard by a panel of three Governors who have not had involvement with the matter at an earlier stage. This panel should be set up at a properly convened meeting of the full Governing Body. The panel will, where possible, reflect a cross section of Governors, who have no direct interest or involvement in the case.
- The panel will be provided with copies of the complaint and all other relevant documentation.

- At least five working days notice of the hearing by the panel will be given to all concerned.
- All parties involved in the dispute may be accompanied, if desired, by a friend, representative or an interpreter and may call witnesses.
- The Head teacher (or the Chair of Governors if the complaint is against the Head teacher) will explain what has already been done to attempt to resolve the complaint and the outcome of any investigation. Then:-
  - The complainant will present his or her case and call any witnesses.
  - The panel and Head teacher will have an opportunity to question the complainant and witnesses.
  - The Head teacher will have the opportunity to respond to the complainant and call witnesses if appropriate.
  - The panel and the complainant will have the opportunity to question the Head teacher and the witnesses.
  - The Head teacher, followed by the complainant, will summarise their positions.
  - All but the members of the panel will withdraw while a panel decision is reached.

When the evidence has been fully considered and a decision made, the panel will notify in writing the complainant and the Head teacher of the outcome, giving an explanation of the conclusion, the reason for it, and any decision taken, including details of any request made of those complained against to take particular actions in respect of the complaint. This will be done as quickly as possible but within a maximum of five working days.



The Governing Body should be informed at their next meeting that a complaint has been received and addressed. Details should not be divulged to the full Governing Body, or to any other party not directly involved, as to do so would violate confidentiality.

## **8. TAKING IT FURTHER**

If the complainant is not satisfied by the outcome of the Governing Body Panel investigation they can write to the DfE with copies of relevant correspondence. The DfE will look into the matter and give a written reply.

If after this parents/carers are not satisfied with the process they can contact Ofsted on: 0845 404045 or email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)