

OXCLOSE COMMUNITY NURSERY SCHOOL

COMPLAINTS PROCEDURE POLICY

Rationale

We believe that our school provides a good education for all our children, and that the headteacher and other staff work very hard to build positive relationships with all parents. However it is necessary for the schools to have a procedure in place in case there are complaints made by parents.

Under Section 29 of the Education Act 2002, the governing body of all maintained schools and nursery schools in England are required to have in place a procedure to deal with complaints relating to the school and to any community facilities or services the school provides. The law also requires the complaint procedure to be publicised.

The Law

(Consult the Education Act 2002 for further details)

- Procedures relating to general complaints do not replace the LA's procedures relating to curriculum and collective worship complaints.
- Certain forms of complaint, e.g. staff grievance or disciplinary procedures, also fall outside the scope of these general complaints procedures.
- Third parties that use school premises for any purpose should be encouraged to adopt their own complaints procedures.
- Schools and governors are encouraged to involve their LA and teachers' associations in drawing up these procedures:
 - establish a member of staff who will act as complaints coordinator and who will take the initial responsibility for handling complaints
 - take a two-stage (small schools) or three-stage (larger schools) formal procedure to reviewing and resolving complaints
 - have formal, published procedures with time limits
 - form a governors' committee to deal with complaints that cannot be resolved by the complaints coordinator or the headteacher
 - record complaints so the overall level, nature and outcome of complaints can be reviewed and any necessary steps taken to improve policies and procedures.

Aims and objectives

Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

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The school needs 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.

These key messages deal with complaints but the underlying principle is that concerns ought to be handled, if at all possible without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases, the class teacher or the individual delivering the service in the case of extended school provision, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.

Procedures for Dealing with Formal Complaints

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 matter further.

The Headteacher has the responsibility for the operation and management of the complaint.

Framework of Principles

An effective complaints procedure will:

- Encourage resolution of problems by informal means wherever possible
- Be easily accessible and publicised
- Be simple to understand and use
- Be impartial
- Allow swift handling with established time limits for action and keeping people informed of the progress
- Ensure a full and fair investigation by an independent person where necessary;
- Respect people's desire for confidentiality;
- Address all the points at issue and provide an effective response and appropriate redress where necessary

- Provide information to the school's Senior Leadership Team so that services can be improved.

Investigating Complaints

At each stage, the person investigating the complaint will make sure they:

- Establish what has happened so far, and who has been involved
- Clarify the nature of the complaint and what remains unresolved

- Meet with the complainant or contact them (if unsure or further information is necessary)
- Clarify what the complainant feels would put things right
- Interview those involved in the matter 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 the questioning
- Keep notes of the interview.

Resolving Complaints

At each stage in the procedure the school will want to 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 may be appropriate to offer one or more of the following:

- An apology
- An explanation
- An admission that the situation could have been handled differently or better
- An assurance that the event complained of will not recur
- An explanation of the steps that have been taken to ensure that it will not happen again
- An undertaking to review school policies in light of the complaint.

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school could have handled the situation better is not the same as an admission of negligence.

An effective procedure will identify areas of agreement between the parties. 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

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will 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 the matter is now closed.

Time Limits

Complaints need to be considered, and resolved, as quickly and efficiently as possible. An effective complaints procedure will have realistic time limits for each action within each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

The Formal Complaints Procedure

The Stages of Complaint

1. The school complaints procedure has well defined stages as indicated. There may, on occasion, be the need for some flexibility; for example, the possibility of further meetings between the complainant and the member of staff directly involved and further investigations may be required by the Headteacher after a meeting with the complainant.
2. Three school-based stages are likely to be sufficient for most schools:
 - **Stage One:** complaint heard by staff member (though not the subject of the complaint)
 - **Stage Two:** complaint heard by Headteacher
 - **Stage Three:** complaint heard by Governing Body's complaints appeal panel.
3. An unsatisfied complainant can always take a complaint to the next stage.
4. In the case of a complaint which concerns the conduct of the Headteacher the complainant should be referred to the Chair of Governors.

Managing and Recording Complaints

Recording complaints

1. The person dealing with the complaint will record the progress of the complaint and the final outcome. A complaint may be made in person, by telephone, or in writing. At the end of a meeting or telephone call, it would be helpful if the member of staff ensured that the complainant and the school have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls can be kept and a copy of any written response added to the record.
2. The records will be held centrally.

Governing Body Review

1. The Governing Body can monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure and make changes where necessary. Preferably, complaints information shared with the whole Governing Body will not name individuals.
 2. As well as addressing an individual's complaint, 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 Governing Body can be a useful tool in evaluating a school's
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performance.

Publicising the Procedure

There is a legal requirement for the Complaints Procedure to be publicised. It is up to the Governing Body to decide how to fulfil this requirement but details of the Complaints Procedure could be included in:

- The school prospectus
- The governors' report to parents
- The information given to new parents when their children join the school
- The information given to the children themselves
- The home-school agreement
- Home school bulletins or newsletters
- Documents supplied to community users including course information or letting agreements
- Posters displayed in areas of the school that will be used by the public, such as reception or main entrance