



Ghanshyam Nursery School

'Laying the foundations for life'

S.K.S.S. TEMPLE, WESTFIELD LANE, HARROW, HA3 9EA

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Making a Complaint Policy

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Presented and Agreed by Governors:

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Making a complaint

Ghanshyam Nursery School is committed to safeguarding and promoting the welfare of children as we believe that this is of paramount importance. We expect all staff and volunteers to share this commitment. We uphold the rights of everyone to equality under the law regardless of gender, age, race, belief, ability, disability, sexual orientation or identity.

We believe that our core school motto ('Laying the foundations for life' - We strive to provide the highest quality childcare facilities and personnel for the social, personal, cultural and religious advancement of the child) and British values are not mutually exclusive. We focus on ensuring our work is effective in securing this motto; challenging children, staff and parents/carers who express opinions contrary to the British values with regard to our duty to prevent extremism and radicalisation. Ghanshyam Nursery School has the highest regard for the safety of the children in our care and will carry out its duties to safeguard and promote the welfare of children at all times.

Policy statement

We believe that children and parents are entitled to expect courtesy and prompt, careful attention to their needs and wishes. We welcome suggestions on how to improve our setting and will give prompt and serious attention to any concerns about the running of the setting. We anticipate that most concerns will be resolved quickly, by an informal approach [with the appropriate member of staff]. If this does not achieve the desired result, we have a set of procedures for dealing with concerns. We aim to bring all concerns about the running of our setting to a satisfactory conclusion for all of the parties involved.

If any person, including parents (or carers) of children, or members of the public do, however, have a complaint, they can expect it to be treated by the nursery fairly and in accordance with this procedure.

Ghanshyam Nursery School aims to:

- Deal with complaints promptly;
- Resolve a complaint by informal means if possible;
- Be impartial;
- Ensure that a thorough investigation is carried out; and
- Provide redress where appropriate.

The School will also ensure that anyone who requests a copy of this document is made available.

Complaints Policy and Procedure

In accordance with Section 29 of the Education Act 2002, this policy makes available a procedure to deal with all complaints relating to the nursery and to any community facilities or services that the nursery provides.

Ghanshyam Nursery School values comments from parents, carers and members of the public ("the Complainant"). As a nursery we always strive to develop effective partnerships and we take complaints or concerns very seriously.

A distinction is drawn between concerns and complaints. A 'concern' is "an expression of worry or doubt over an issue considered to be important for which reassurances are sought." A 'complaint' is "an expression of dissatisfaction however made, about actions taken or a lack of action." If you

have a concern, you should raise this with a member of staff and the nursery will endeavour to address all concerns informally and provide reassurance.

A complaint may be made about the nursery as a whole, about a specific room or about an individual member of staff. Parents, carers and members of the public can be assured that all complaints will be treated fairly and confidentially. No child will be penalised for a complaint that parents raise in good faith.

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. The nursery will take informal concerns seriously and make every effort to resolve the matter as quickly as possible. There are occasions when Complainants would like to raise their concerns formally. In those cases, the nursery's formal procedure will be invoked through the stages in the complaints procedure.

Any person may make a complaint about the nursery and any provision of facilities or services that the nursery provides, unless separate statutory procedures apply (such as for statutory assessments of special educational needs; safeguarding; whistleblowing; staff grievances and/or disciplinary matters). If the complaint relates to third party providers offering services on the School premises, the Complainant must use the third parties own complaints procedure.

Roles and Responsibilities.

The Complainant

The Complainant who makes the complaint will receive a more effective response to the complaint if:

- he/she co-operates with the nursery in seeking a solution to the complaint;
- expresses the complaint in full as early as possible;
- responds promptly to requests for information or meetings or in agreeing the details of the complaint; and
- treats all those involved in the complaint with respect.

The Manager (or complaints co-ordinator)

The Manager (or complaints co-ordinator) will:

- ensure that the Complainant is fully updated at each stage of the procedure;
- ensure that all people involved in the complaint procedure will be aware of the legislation around complaints including the Equality Act 2010, Data Protection Act 2018 and Freedom of Information Act 2000;
- liaise with staff members and Chair of Governors to ensure the smooth running of the complaints procedure; and
- keep records.

The Investigator

The Investigator's role can include:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved;
- consideration of records and other relevant information; and
- interviewing staff and children and other people relevant to the complaint.
- effectively liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right;
- identifying solutions and recommending courses of action to resolve problems; and
- responding to the complainant in plain and clear language.

The Investigator should make sure that they:

- conduct interviews with an open mind and are prepared to persist in the questioning; and
- keep notes of interviews.

Raising a Complaint – Timeframe

Complaints must be made within 3 months of the incident that gave rise to the complaint. The nursery will consider later complaints at its discretion only in exceptional circumstances. All complaints will be acknowledged within 7 days (except finance queries which will be acknowledged within 21 days). The nursery's aim is to complete the first stage of the procedure within 14 days of receipt of the complaint and the second stage within a further 14 days if the complaint is lodged during term time and as soon as practicable during holiday periods. The School will endeavour to complete the third stage of the procedure within a further 28 days if the appeal is lodged during term-time and as soon as practicable during holiday periods.

Procedures

All settings are required to keep a written record of any complaints that reach stage two and above, and their outcome. This is to be made available to parents, as well as to Ofsted inspectors on request. A full procedure is set out in the Pre-school Learning Alliance publication Complaint Investigation Record (2012) which acts as the 'summary log' for this purpose.

Making a complaint

Stage 1

- Any parent who has a concern about an aspect of our setting's provision talks over his/her concerns with our manager first.
- Most complaints should be resolved amicably and informally at this stage.
- We record the issue, and how it was resolved, in the child's file.

Stage 2

- If this does not have a satisfactory outcome, or if the problem recurs, the parent moves to this stage of the procedure by putting the concerns or complaint in writing.
- For parents who are not comfortable with making written complaints, there is a template form for recording complaints in the Complaint Investigation Record; the form may be completed our manager and signed by the parent.
- Our setting stores all information relating to written complaints from parents in the child's personal file. However, if the complaint involves a detailed investigation, our manager may wish to store all information relating to the investigation in a separate file designated for this complaint.
- When the investigation into the complaint is completed, our manager meets with the parent to discuss the outcome.
- We inform parents of the outcome of the investigation within 28 days of him/her making the complaint.
- When the complaint is resolved at this stage, we log the summative points in our Complaint Investigation Record, which is made available to Ofsted on request.

Stage 3

- If the parent is not satisfied with the outcome of the investigation, he or she can request a meeting with our manager and the chair, director or owner. The parent may have a friend or partner present if they prefer and our manager should have the support of the management team
- 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.
- This signed record signifies that the procedure has concluded. When the complaint is resolved at this stage, we log the summative points in our Complaint Investigation Record.

Stage 4

- If at the stage three meeting the parent cannot reach agreement with us, we invite an external mediator 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 us to define the problem, review the action so far and suggest further ways in which it might be resolved.
- Staff or volunteers within the Pre-school Learning Alliance are appropriate persons to be invited to act as mediators.
- The mediator keeps all discussions confidential. She/he can hold separate meetings with our staff 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.

Stage 5

- When the mediator has concluded her/his investigations, a final meeting between the parent and our manager and chair, director or owner is held. The purpose of this meeting is to reach a decision on the action to be taken to deal with the complaint. The mediator's advice is used to reach this conclusion. The mediator is present at the meeting if all parties think this will help a decision to be reached.
- 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, Children's Services and Skills (Ofsted) and the Local

Safeguarding Children Board

- Parents may approach Ofsted directly at any stage of this complaints procedure. In addition, where there seems to be a possible breach of the setting's registration requirements, it is essential to involve Ofsted as the registering and inspection body with a duty to ensure the Safeguarding and Welfare Requirements of the Early Years Foundation Stage are adhered to.
- Parents can complain to Ofsted by telephone or in writing at:

Ofsted National Business Unit, Piccadilly Gate, Store Street, Manchester M1 2WD

Tel: 0300 123 1231
- These details are displayed on our setting's notice board.
- If a child appears to be at risk, we follow the procedures of the Local Safeguarding Children Board.
- In these cases, both the parent and our setting are informed and our manager work with Ofsted or the Local Safeguarding Children Board to ensure a proper investigation of the complaint, followed by appropriate action.

Records

- A record of complaints in relation to our setting, or the children or the adults working in our setting, is kept for at least three years; including the date, the circumstances of the complaint and how the complaint was managed.
- The outcome of all complaints is recorded in our Complaint Investigation Record, which is available for parents and Ofsted inspectors to view on request.

The School will ensure that it complies with its obligations under the Equality Act 2010. Although we provide a complaint form, the Complainant does not have to use it and we will accept alternative methods of contact. A complaint may be made in person, by telephone, or in writing.

In order to prevent any later challenge or disagreement over what was said, notes of meetings and telephone calls will be kept and a copy of any written response added to the record.

The School will keep a written record of all complaints and at what stage of the procedure they are resolved. The School will keep records of the following information:

- Date when the complaint was raised
- Name of Complainant and any parent/pupil concerned
- Description of the complaint
- Records of all the investigations
- Witness statements (if appropriate)
- Name of staff handling the issue at each stage
- Final outcome
- Any action taken by the School as a result of the complaint
- Copies of all correspondence on the issue

The School will consider any requests for information under the Freedom of Information Act 2010 and Data Protection Act 2018 as appropriate.

Unreasonable Complainants

Ghanshyam Nursery School will do its best to be helpful to people who raise a complaint or concern. However, in cases where the School is contacted by an individual who makes an unreasonable complaint the School will follow an appropriate protocol.

A complaint may be regarded as unreasonable if the Complainant:

- Refuses to co-operate with the complaints investigation process while still wishing their complaint to be resolved;
- Refuses to accept that certain issues are not within the scope of a complaints procedure;
- Insists on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice;
- Introduces trivial or irrelevant information which the complainant expects to be taken into account and commented on, or raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- Makes unjustified complaints about staff who are trying to deal with the issues;
- Changes the basis of the complaint as the investigation proceeds;
- Makes excessive demands on school time by either frequent, lengthy, complicated and/or stressful contact with staff regarding the complaint;
- Repeatedly makes the same complaint and refuses to accept previous findings (despite investigations or responses concluding that the complaint is groundless or has been addressed); or
- Seeks an unrealistic outcome.

A complaint may also be considered unreasonable if the Complainant acts:

- Maliciously;
- Aggressively, using threats, intimidation or violence;
- Using abusive, offensive or discriminatory language;
- Making defamatory statements;
- Knowing it to be false; or

- Publishing information such as on social media websites and/or in newspapers.

Where, at any stage, a complaint is deemed by the Manager (or Chair of the Governors if about the Manager or another governor), to be unreasonable, the School may take any of the following actions:

- Implement a limited communications strategy;
- Advise that a third party act on the Complainant's behalf;
- Inform them that the procedure has been completed and that the matter is now closed; and/or
- Notify the parent that the complaint procedure will not be implemented and that there will be no further response to their complaint.

Where aggression or abusive behaviour has been used, the School may:

- Ask the parent to leave the School premises;
- Inform the police; and/or
- Bar them from being on the School premises.

If the Complainant contacts the school again on the same issue, then the correspondence may be viewed as 'serial' or 'persistent' and the school may choose not to respond. More information about dealing with vexatious requests for information is available on the Information Commissioner's Office (ICO) website.

Monitoring and Review.

The Governors monitor the complaints procedure, in order to ensure that all complaints are handled properly. The Manager logs all complaints received by the School and records how they were resolved. Governors examine this log on an annual basis.

Information and feedback regarding the effectiveness of our policy across the School comes from a variety of sources including informal and formal reports from staff, parents, pupils and visitors; feedback from classroom observations and from questionnaires from for parents, staff and pupils.

The feedback from monitoring procedures will be used to evaluate the success of our strategies, to help us to make adjustment when necessary. It will also be used to identify good practice and to provide support and staff development where necessary.

Appendix 1 Formal Complaints Form

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

Your Name:	
Child's Name (if appropriate):	
Child's Room:	
Your relationship to the child:	
Address:	
Postcode:	
Daytime Tel Number:	
Evening Tel Number:	
Please give details of your complaint here:	
What actions, if any, have you taken to try and resolve your complaint?	

What actions do you feel might resolve the problem?	
Are you attaching any paperwork?	
Signature:	
Date:	
For Office Use only	
Date acknowledgement sent:	
Name of member of staff sending acknowledgment:	
Complaint referred to:	
Name of member of staff referring complaint:	
Date complaint referred:	