

<p style="text-align: center;">Caverstede Early Years Centre</p> <p style="text-align: center;">Complaints procedure statement</p> <p style="text-align: center;">Statutory Policy</p> <p style="text-align: center;">To be reviewed every three years</p>	
Last Reviewed: 2016	Review Due: 2019

Introduction:

The fundamental objective of the school is to create and maintain a safe, happy and healthy learning environment where every pupil can achieve their full potential. Our ethos is to work in a spirit of co-operation between parents, carers, staff and governors.

It is recognised that from time to time parents or carers may have issues with the way the school discharges its responsibilities to meet its obligations, and these issues may be raised as complaints directly with the school.

In line with the requirements of the Education Act 2002; Section 29 , and Best Practice Advice for School Complaints Procedures 2016 (January 2016), Caverstede Early Years Centre will:-

- Have a complaints procedure that is easily accessible, simple to use and easy to understand.
- Promote an open door policy where every parent can express their concerns to any member of staff.
- Encourage resolution of problems by informal means wherever possible.
- Resolve all issues swiftly to established timescales, impartially and in a spirit of cooperation.
- Ensure a full and fair investigation by an independent person where necessary.
- Respect people's desire for confidentiality.
- Provide an effective response and appropriate redress where necessary.
- Ensure that the Governing Body regularly monitors written complaints received by the school.

From 1st September 2003 Governing Bodies of all maintained schools and maintained nursery schools in England, have been required to have in place a procedure to deal with complaints relating to the school and to any community facilities or services that the school provides. The law also requires the procedure to be publicised.

The difference between a concern and a complaint

A 'concern' may be defined as '*an expression of worry or doubt over an issue considered to be important for which reassurances are sought*'. A complaint may be generally defined as '*an expression of dissatisfaction however made, about actions taken or a lack of action*'.

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. Informal concerns will be taken seriously and every effort will be made to resolve the matter as soon as possible.

There are occasions when complainants would like to raise their concerns formally. In these case, the school's formal procedure will be invoked through the stages as outlined in our procedures.

Who can raise a concern or make a complaint?

Any person, including members of the general public, may make a complaint about any provision of the facilities or services that the school provides, unless separate statutory procedures apply (such as exclusions or admissions). The school will not limit complaints to parents or carers of children that are registered at the school.

If you wish to raise a concern or complaint on someone else's behalf, the school will only deal with this if the person on whose behalf you are complaining is unable to do so for themselves. For example, they are too young, they have a disability that prevents them from complaining on their own behalf or who may not have English as their first language. Face to face translators can be provided through the local authority or over the phone interpretation services if required.

How will my concern be handled?

Our procedure has three stages:

1. Responding to concerns
2. Investigating complaints
3. Appeal to the governing body

At any point in the handling of your complaint, there is the possibility of a 'resolution' meeting.

The complaints procedure

1. Responding to concerns (informal)

Parent/carer discuss their concerns with child's keyperson, class teacher, or if they prefer another member of the school's classroom staff. Reference should be made to the Centre's complaints policy and a copy provided if required.

The complainant will be asked at this stage what they think might resolve the issue (an acknowledgement that the school could have handled the situation better is not the same as an admission of lawful or negligent action).

If a resolution cannot be sought at this level or the complainant is dissatisfied at the outcome of these initial discussions then the parent/carer may wish to escalate the complaint to the next level of the procedure.

This informal approach is nearly always the quickest and most effective way of resolving your concerns.

2. Investigating complaints (informal) – Review by Head of Centre.

The parent/carer can request an appointment to see the Head of Centre to discuss their concerns.

If a resolution cannot be sought at this level or the complainant is dissatisfied at the outcome the parent/carer should put their concerns or complaint in writing and request an appointment to see the Head of Centre. This will be as soon as reasonably practical to avoid any possible worsening of the issue. The Head of Centre will investigate fully and communicate findings and/or resolution to the complainant verbally or in writing depending on the nature of the issue. This will be within 25 school days of the date the complaint was made.

During the meeting, the parent/carer and Centre representative may have a friend or colleague present if required. An agreed written record of any discussion is made. All parties present sign the record and receive a copy. This signed record signifies that the procedure has concluded.

If the parent/carer is not satisfied with the outcome at this stage then the complaint can be moved to the next stage for an independent review by the Governing Body Panel.

3. Appeal to the Governing Body (formal)

The complainant should write to the Clerk of the Governing body clearly stating their complaint and why they feel the matter has not been resolved. The clerk can provide support with writing your letter of concern/complaint. The process will follow the time scales:

- Letter acknowledged and Governing Body Panel informed within 5 school days on receipt.

- The Panel sets a date to meet as soon as reasonably practical but no longer than 15 school days from the acknowledgement date of the letter.
- Governors Panel obtains a report from the Head of Centre and any further information/documentation required within 5 school days before the meeting
- If the Panel cannot meet because the end of term is less than 15 school days from the date of acknowledgement of the letter of complaint, it must meet within 10 school days of the start of the new term.
- The Governing Body Panel will communicate their findings to all parties concerned within 10 school days.

If the complaint is unclear or there are numerous complaints, the Governors will seek further clarification asking the parent/carer to complete the template/form at Appendix 1 and return it in the timescale above.

If at the meeting with the Governing Body the parent/carer and Centre cannot reach agreement and the Chair of Governors authorises, 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. They can hold separate meetings with the Centre personnel (Head of Centre/Chair of the Governing Body) and the parent/carer, if this is decided to be helpful. The mediator keeps an agreed written record of any meetings that are held and of any advice given.

When the mediator has concluded their investigations, a final meeting between the parent/carer, the Head of Centre and the Chair of the Governing Body 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.

If the complaint is made against the Head of Centre or a member of the Governing Body, the complaint procedure would start at stage 3.

Unreasonably persistent, abusive or harassing complainants and vexatious complaints

The school expects anyone who wishes to raise problems with the school to:

- treat all staff with courtesy and respect;
- respect the needs of pupils and staff within the school;
- recognise the time constraints under which members of staff in schools work and allow the school a reasonable time to respond to your concern;

Whilst we recognise that some concerns may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour and will take steps supported by legal action as appropriate to ensure that the school can continue its work safely and securely.

What to do if you are not happy;

Parents cannot take their appeal further than the Governing Body. The Local Authority [LA] cannot investigate school matters on parent's behalf nor can it review how the school has dealt with a complaint. If a parent feels that the School or Governors have acted unreasonably or not followed the School's procedures correctly, they can write to the Secretary of State for Education and Skills, Department for Education, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT.

The role of the Office for Standards in Education, Early Years Directorate (Ofsted) and the Peterborough Safeguarding Children Board

Parent/carers may approach Ofsted directly at any stage of this complaints procedure. In addition, where there seems to be a possible breach of our registration requirements, it is essential to involve Ofsted as the registering and inspection body with any complaints which relate to the requirements of the childcare register.

The address and telephone number of Ofsted, displayed on our notice board, is

Ofsted
Piccadilly Gate
Store Street
Manchester
M1 2WD
Telephone 0300 123 1231

If a child appears to be at risk, our Centre follows the procedures of the Peterborough Safeguarding Children Board

In these cases, both the parent/carer and Centre are informed and the Head of Centre works with Ofsted or the Peterborough Safeguarding Children Board to ensure a proper investigation of the complaint followed by appropriate action.

Records

A record of complaints against our Centre and/or the children and/or the adults working in our Centre is kept, including the date, the circumstances of the complaint and how the complaint was managed. Written records of complaints are kept securely for a period of three years, including details of the investigation, and the action taken in response to the complaint and the outcome.

A yearly summary of complaints made in relation to Ofsted requirements for the childcare register and the action that was taken as a consequence will be maintained and monitored by the Children's Welfare and Equalities Committee.

Review

This policy will be reviewed every 3 years unless any legislative changes or new guidance issued by the Department for Education (DfE) are required.

Appendix 1

Complaint Form

Please complete and return to the Centre Office. The administrator will acknowledge receipt and explain what action will be taken.

Your name: _____ Child's name: _____ Relationship to the child: _____	Address: _____ Post Code: _____ Telephone: _____
Please give details of the complaint: (continue on separate sheet if necessary)	
What action, if any, have you already taken to try and resolve your complaint. (Who did you speak to and what was the response)?	
What actions do you feel might resolve the problem at this stage?	
Attachments YES / NO - If YES then give details.	
Signature: _____ Date: _____	
Official Use Only Received by: _____ Date: _____ Acknowledgment* sent by: _____ Date: _____ Complaint referred to: _____ Date: _____ <small>* Attached copy of acknowledgment to this form</small>	

Appendix 2

Sharing your concerns about your child's education A Parents' Guide

Caverstede Early Years Centre recognises that at times things can go wrong. This guidance will help you understand how to resolve concerns you may have about your child's education.

The school has procedures for dealing with concerns or complaints and we value any feedback about our services, including compliments and suggestions. If you are concerned about any aspect of your child's education, you should contact Mrs Debbie Hayes, Head teacher at the school.

The school's governing body has overall responsibility for the school and for ensuring the well-being of pupils and that all pupils receive an appropriate and high standard of education.

The Headteacher is responsible for making decisions on a daily basis about the school's internal management and organisation. So you should contact the school if you are concerned about an issue such as:

- your child's academic progress
- special education needs provision
- your child's welfare
- bullying
- something that has happened in school;

How do I complain to the school?

First, we hope you will speak to the relevant member of staff as soon as you have a concern. This will be the key person or class teacher.

This informal approach is nearly always the quickest and most effective way of resolving your concerns.

If you feel that your concern has not been resolved, then it is important to speak to or write to the Headteacher who will look into your concern.

If you are unhappy with the Headteacher's response you should write with your complaint to the Chair of Governors/Clerk to the Governing Body at the school address. Mark your envelope 'FOR IMMEDIATE ATTENTION' – Private and Confidential.

This is how your complaint will be handled

Within 5 school days the chair of governors will clarify the nature of your complaint by asking you to complete a complaint form and will offer help in completing the form, if appropriate

Within 5 school days of receiving the form the Chair will decide whether mediation should be offered to help you and the Headteacher explore possible resolution.

If mediation is agreed, the chair of governors will endeavour to set up the meeting **within 10 school days**. If that timescale is not possible you will be told the reason.

If mediation is not deemed appropriate or if it is not successful, the Chair of Governors or Clerk will set up a panel of governors to meet **within 15 school days** of receipt of complaint form to consider your complaint. The clerk will provide details of the hearing and will request any further information you may wish to provide.

The complaints panel will consist of three governors who (as far as possible) will have no prior knowledge of the events being complained of. The panel will be supported by a clerk who will take notes during the hearing and will stay with the panel while they make their decision in case governors need to be reminded about responses to a particular question. The panel will hear the complaint impartially and make their decision based on the facts and the evidence they have been provided with.

Five school days before the hearing the clerk will send to you, the complainant, the Headteacher and the three panel members, copies of all papers submitted by both sides so that there is sufficient time to read the evidence before the hearing (which must be submitted to the clerk seven days before the hearing).

At the hearing,

1. You and the Headteacher will be invited into the room where the panel is being held at the same time.
2. After introductions, you, the complainant will be invited to explain your complaint,
3. The Headteacher may question you
4. The panel will question you
5. The Headteacher will be invited to explain the school's actions
6. You, the complainant may question the Headteacher
7. The panel will question the Headteacher
8. The panel may ask questions at any point.
9. You, the complainant will then be invited to sum up your complaint.
10. The Headteacher will then be invited to sum up the school's actions and response to the complaint.
11. The chair will explain that you and the Headteacher will hear from the panel **within ten school days**.
12. Both you and the Headteacher will leave together while the panel decides on the issues.
13. The clerk will remain with the panel.

Can I take my complaint further?

You cannot take your complaint to the local authority. The local authority cannot investigate school matters on a parent's behalf nor can it review how the school has dealt with your complaint.

However, if you feel that the school has acted unreasonably or not followed the correct procedures, you can write to the Secretary of State for Education

<http://www.education.gov.uk/heip/contactus/dfe>

Appendix 3

Mediation – The benefits of mediation

Mediation can be a good way to resolve a complaint because:

- It gives both complainant and Headteacher another opportunity to hear each other's points of view (with a third party facilitating)
- It gives the third party an opportunity to help Headteacher and complainant explore and build on areas of agreement
- It gives Headteacher and complainant a structure within which they can resolve remaining differences.
- If both complainant and Headteacher emerge from the mediation satisfied, that is the best foundation for a continuing positive relationship between them.
- Even if the complaint continues to a governors' panel, the issues to be considered should be much clearer.

Mediation may elicit one or more of the responses listed below from either party:

- an acknowledgment that the complaint is valid in whole or in part.
- 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;
- a commitment to review school policies in light of the complaint.

Recourse to mediation must be with the agreement of both parties and is intended to help arrive at a mutually agreeable solution — it is not possible to impose this on either party. Nor does it prevent a complainant having recourse to formal appeals procedures as detailed.

In-house mediation

Many chairs of governors and other governors already have the skills — or can acquire the skills — to conduct a mediation process between their Headteacher and a complainant. The skills and attributes include:

- ability to listen impartially to both sides
- ability to control a dialogue so that both sides listen to each other
- ability to summarise the arguments and focus the dialogue
- ability to identify areas of agreement that might form a basis for resolving one or more of the issues relating to the complaint
- understanding that solutions cannot be imposed and that both parties need to be satisfied with whatever is resolved.
- understanding that mediation does not always work and there is a further step available to complainants.