

Scartho Nursery School

Complaints Policy and Procedure

Reviewed every 3 years.
Spring Term 2021
To be reviewed Spring term 2024

1. INTRODUCTION

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. Complaints should be dealt with promptly, at all stages.

2. DEFINITION OF A COMPLAINT

A complaint is an expression of significant dissatisfaction, written or oral, by a person or persons with a legitimate interest in the school about any aspect of their child's education. This includes 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 the conflict more difficult to resolve. For a complaint to merit serious consideration it should meet at least one of the following criteria:

- It is made by the person (s) directly affected by the matter of the complaint
- It relates to recent events (a matter that occurred more than 3 months previously will only be looked into in exceptional circumstances)
- The events in question can be applied to a particular date
- There is independent corroboration of the allegations

It is important to bear in mind that not all expressions of concerns constitute 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 Person. If it cannot be resolved at this level, then the Key Person should refer the matter to the Head Teacher.

3. RESPONSIBILITIES

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

- This makes the Head Teacher responsible for investigating complaints if not resolved by the 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 resource to the LA or to the legal process.

In the event of the 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 on the complaint as this would prevent their participation in a panel at a later stage and make it more difficult for the Head Teacher to resolve the complaint. 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 between school, staff, governors 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 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 a 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 resource to the LEA, who can investigate or to the legal process.

5. REFERRAL STRUCTURE

In most cases referral will be as follows:

- Key Person
- Head Teacher

On occasions, for example if a complaint is particularly serious or for example involves the Head Teacher, it will be appropriate to by-pass levels in the referral structure 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 Teacher 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 of receiving the complaint.

When a teacher 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.

6. 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 internal 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.

7. COMPLAINTS MADE TO THE GOVERNING BODY

In the event of the 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.

- 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 Governors will inform the Head Teacher of the complaint and then attempt, through the informal approach at first, to resolve the matter.
- The complainant will be advised of the Chair's conclusions.

8. 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 Governors. Where this is not possible because of literacy or second language considerations the complaint should be made orally and where necessary arrangements for interpretations should be made.
- Receipt of the complaint will be acknowledged in writing by the Chair of Governors, the Vice Chair if the Chair is not available, or the Clerk, within five 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 and the Chair may wish to appoint this panel, which reflects 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.
- The complainant will present his or her case and call any witnesses. The panel and Head Teacher will have the 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 complaint, 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 dealt with. Details should not be divulged to the full Governing Body, nor to any other party not directly involved, as to do so would violate confidentiality.

9. TAKING IT FURTHER

If the complaint 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.

Policy Review

31st August the Western and Scartho Federation was dissolved at FGB on 14th September it was agreed that the name change on this policy would apply