

**Complaints Policy**

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# Introduction

Each day Alfreton Nursery School makes many decisions and strives to do the best for our whole school community and the children in our care. We take all complaints very seriously and hope to always find a respectful and positive way forward.

As a Rights Respecting School we expect all staff/visitors/parents to adhere to our school’s Safeguarding, Health & Safety and Codes of Conduct. Safeguarding the children is our highest priority.

# Aims

Our school aims to meet its statutory obligations when responding to complaints from parents of children at the school, and others.

When responding to complaints, we aim to:

* Be impartial and non-adversarial
* Facilitate a full and fair investigation by an independent person or panel, where necessary
* Address all the points at issue and provide an effective and prompt response
* Respect complainants’ desire for confidentiality
* Treat complainants with respect
* Keep complainants informed of the progress of the complaints process
* Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

The school will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we publicise the existence of this policy and make it available on the school website.

**Consultation**

This Policy has been written by Angela Stanton, Head Teacher in consultation with all school staff and Governors.

# Procedures & Practice

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This document meets the requirements of section 29 of the [Education Act 2002](http://www.legislation.gov.uk/ukpga/2002/32/section/29), which states that schools must have and make available a procedure to deal with all complaints relating to their school and to any community facilities or services that the school provides.

It is also based on [guidance for schools on complaints procedures](https://www.gov.uk/government/publications/school-complaints-procedures) from the Department for Education (DfE).

In addition, it addresses duties set out in the [Early Years Foundation Stage statutory framework](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/596629/EYFS_STATUTORY_FRAMEWORK_2017.pdf) with regards to dealing with complaints about the school’s fulfilment of Early Years Foundation Stage requirements.

The DfE guidance explains the difference between a concern and a complaint.

A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”.

The school will resolve concerns through day-to-day communication as far as possible.

A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”.

The school intends to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does not cover complaints procedures relating to:

* Admissions
* Statutory assessments of special educational needs (SEN)
* Safeguarding matters
* Exclusion
* Whistle-blowing
* Staff grievances
* Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

Arrangements for handling complaints from parents of children with SEN about the school’s support are within the scope of this policy. Such complaints should first be made to the Headteacher; they will then be referred to this complaints policy. Our SEN policy and information report includes information about the rights of parents of pupils with disabilities who believe that our school has discriminated against their child.

Complaints about services provided by other providers who use school premises or facilities should be directed to the provider concerned.

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# Principles for investigation

When investigating a complaint, we will try to clarify:

* What has happened
* Who was involved
* What the complainant feels would put things right

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage.

Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

The school expects that complaints will be made as soon as possible after an incident arises and no later than 3 months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

**Complaints about our fulfilment of early years requirements**

We will investigate all written complaints relating to the school’s fulfilment of the Early Years Foundation Stage requirements, and notify the complainant of the outcome within 28 days of receiving the complaint. The school will keep a record of the complaint (see section 9) and make this available to Ofsted on request.

Parents and carers can notify Ofsted if they believe that the school is not meeting Early Years Foundation Stage requirements, by calling 0300 123 4234 or 0300 123 4666, or by emailing [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk). An online contact form is also available at <https://www.gov.uk/government/organisations/ofsted#org-contacts>.

We will notify parents and carers if we become aware that the school is to be inspected by Ofsted. We will also supply a copy of the inspection report to parents and carers of children attending the setting on a regular basis.

**Stages of Complaint**

**In the first instance – informal stage**

Should you have a concern or if you wish to make a complaint, you can do this:-

* by telephone
* in person
* in writing, by letter or email

We endeavour to resolve most concerns and complaints quickly and informally. Please discuss this with Angela Stanton, Head Teacher; Laura Dolby or Amanda Hubball, Teachers; Katie Cresswell, School Business Manager or another appropriate member of staff.

If the member of staff you speak to in the first instance is unable to resolve the matter, please make an appointment with Angela. We will attempt to address your concern or complaint but this is not always possible. The next step moves to a formal process:-

Stage 1

**Request a meeting with the Head Teacher** who will investigate your complaint and aim to inform you of the outcome **within 10 school days**.

Please note that governors should not be made aware of a potential complaint as they may be required to sit on a Panel in the event of a formal hearing (Stage Two) and should be impartial.

If your complaint is about the Head Teacher, please **write to the Chair of Governors, Gill O’Hagan**.

Stage 2

Should you be dissatisfied with the outcome following Stage 1 and wish to escalate your complaint further, please write a letter to the Chair of Governors and include the following:-

* A clear explanation of your complaint.
* Identify the process you have followed to date and who you have spoken to and why you are dissatisfied.
* A clear explanation of what you recognise to be a successful outcome as a result of your complaint.

The Chair of Governors will arrange for your complaint to be considered and investigated under the arrangements approved by the Governing Body. This is likely to involve a Panel of Governors. If the Chair of Governors was involved at Stage 1, another member of the governing body will appointed to oversee the investigation.

Please ensure that the Governors' Complaint Panel is provided with any written information or evidence you intend to use in a formal hearing. You may bring a friend, representative or interpreter to any meeting if you wish.

Following the investigation the Chair of the Panel will write to inform you of the outcome of your complaint and any agreed actions to be taken. The Governing Body will aim to deal with your complaint **within 28 school days**

**Further Recourse**

Most complaints are resolved by this process. Should your complaint not be resolved, your further options are as follows:

Refer your complaint to the Secretary of State at the Department for Education:

The Secretary of State

Department for Education

Sanctuary Buildings

Great Smith Street

London SW1P 3BT

Website: [www.education.gov.uk](http://www.education.gov.uk)

Telephone: 0370 000 2288

Unreasonable Complainants

We are committed to dealing with all complaints fairly and impartially and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with the school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

This school defines unreasonable complainants as ‘*those who, because of the frequency or nature of their contacts with the school, hinder our consideration of their or other people’s complaints*’.

A complaint may be regarded as unreasonable when the person making the complaint:-

* refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
* 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, and seeks to have them replaced;
* changes the basis of the complaint as the investigation proceeds;
* repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
* refuses to accept the findings of the investigation into that complaint where the school’s complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
* seeks an unrealistic outcome;
* makes excessive demands on school time by frequent, lengthy, complicated and stressful contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

A complaint may also be considered unreasonable if the person making the complaint does so either face-to-face, by telephone or in writing or electronically:-

* maliciously;
* aggressively;
* using threats, intimidation or violence;
* using abusive, offensive or discriminatory language;
* knowing it to be false;
* using falsified information;
* publishing unacceptable information in a variety of media such as in social media websites and newspapers.

Complainants should limit the numbers of communications with a school while a complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text) as it could delay the outcome being reached.

Whenever possible, the Head Teacher or Chair of Governors will discuss any concerns with the complainant informally before applying an ‘unreasonable’ marking.

If the behaviour continues the Head Teacher will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact the school causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will usually be reviewed after six months.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed. This may include banning an individual from the school.

**Equal Opportunities**

The individual needs of the whole school community have been taken into consideration whilst writing this Policy. All complainants will be treated with mutual respect in line with the School’s Rights Respecting Procedures.

**Monitoring and Review**

This policy will be reviewed annually, but can be revised as needed. It will be ratified by the full governing board.

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# Links with other Policies

This policy links with our policies on:

* Child protection and safeguarding policy and procedures
* Admissions policy
* Exclusions policy
* Staff grievance procedures
* Staff disciplinary procedures
* SEN policy and information report
* Privacy notices
* Health & Safety Policy