

### 10.02 Making a Complaint v2.0

Date agreed by Committee	30/04/2025
Operational Date	01/05/2025
Date last updated	14/02/2023
Review Date	April 2026

#### Policy statement

Our setting believes that children and parent/carers 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 Oldfield Pre-School. We anticipate that most concerns will be resolved quickly by an informal approach to 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. The same procedures apply to agencies who may have grievance or complaint.

#### 1. 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 defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Oldfield Pre-School takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Oldfield Pre-School will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

#### 2. How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the Key Person, Session Leader or Manager. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual trustees to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

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Complaints against school staff (except the manager) should be made in the first instance, to the Manager. Please mark them as Private and Confidential.

Complaints that involve or are about the manager should be addressed to the Chair of Trustees. Please mark them as Private and Confidential.

Complaints about the Chair of Trustees should be made to the Secretary of the Trustees. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

### 3. Anonymous complaints

We will not normally investigate anonymous complaints. However, the manager or Chair of Trustees, if appropriate, will determine whether the complaint warrants an investigation.

### 4. Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

### 5. Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

### 6. Resolving complaints

At each stage in the procedure, Oldfield Pre- School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

### 7. Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

## **Procedures**

All settings are required to keep a 'summary log' of all complaints that reach stage two or beyond. This is to be made available to parents/carers as well as to Ofsted inspectors.

### *Making a complaint*

#### Stage 1

- Any parent/carer or individual from another agency who has a concern about an aspect of Oldfield Pre-School's provision talks over, first of all, his/her concerns with the manager or session leader.
- Most concerns or complaints should be resolved amicably and informally at this stage.

#### Stage 2

- If stage 1 does not have a satisfactory outcome, or if the problem reoccurs, the complainant moves to this stage of the procedure by putting the concerns or complaint in writing to the manager or if the complaint is about the manager to the chair of the trustees.
- The manager / chair of the trustees may seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The manager/chair of trustees can consider whether a face-to-face meeting is the most appropriate way of doing this.
- *Note the manager / chair of trustees may delegate the investigation to a senior member of staff, but not the decision to be taken.*
- During the investigation, the manager (or investigator) will:
  - if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
  - keep a written record of any meetings/interviews in relation to their investigation.
- At the conclusion of their investigation, the manager/chair of trustees will provide a formal written response within 20 school days of the date of receipt of the complaint.
- If the manager is unable to meet this deadline, they will provide the complainant with an update and revised response date.
- The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Oldfield Pre-School will take to resolve the complaint.
- The manager will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.
- If the complaint is about the manager, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 2. Oldfield Pre-School stores written complaints from parents/carers in the child's personal file. However, if the complaint involves a detailed investigation, Oldfield Pre-School's manager may wish to store all information relating to the investigation in a separate file designated for this complaint.
- When the complaint is resolved at this stage, the summative points are logged in the Complaints Summary Record.

#### Stage 3

- If the complainant is not satisfied with the outcome of the investigation, and wishes to take the matter further, they can escalate a complaint to Stage 3. The complainant requests a meeting with members

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of the trustees complaints committee, which will be formed of the first three, impartial, trustees available. This is the final stage of the complaints procedure.

- Any request to escalate to stage 3 must be made in writing and within 10 Pre-School days of receipt of the Stage 2 response. Requests received outside this timescale will only be considered if exceptional circumstances apply.
- The complainant will be written to, to inform them of the date of the meeting.
- They will aim to convene a meeting within 20 school days of receipt of the Stage 2 request. If this is not possible, then Pre-School will provide an anticipated date and keep the complainant informed.
- If the complainant rejects the offer of three proposed dates, without good reason, the trustee complaints committee will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.
- The complaints committee will consist of at least three trustees with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee.
- The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.
- The complainant can if they choose have a friend or partner present and the manager should have the chairperson of the management committee present. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. For instance, if a Pre-School employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.
- Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.
- Representatives from the media are not permitted to attend.
- At least 5 school days before the meeting, the Oldfield Pre-School will:
  - confirm and notify the complainant of the date, time and venue of the meeting, ensuring that,
  - if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
  - request copies of any further written material to be submitted to the committee at least 5 school days before the meeting.
- Any written material will be circulated to all parties at least 5 Pre-School days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.
- The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

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- The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.
- The committee will consider the complaint and all the evidence presented. The committee can:
  - uphold the complaint in whole or in part
  - dismiss the complaint in whole or in part.
- If the complaint is upheld in whole or in part, the committee will:
  - decide on the appropriate action to be taken to resolve the complaint
  - where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.
- The Chair of the Committee will provide the complainant and Oldfield Pre-School with a full explanation of their decision and the reason(s) for it, in writing, within 10 Pre-School days.
- The letter to the complainant will include details of how to contact Ofsted. When the complaint is resolved at this stage, the summative points are logged in the Complaints Summary Record.
- If the complainant believes that the matter has not been resolved and there has been a breach of the EYFS requirements they are entitled to make a complaint to Ofsted. The manager will assist in any complaint investigation as well as in producing documentation that records the steps that were taken in response to the original complaint.

### *Complaining to Ofsted*

- Parents/carers may approach Ofsted directly at any stage of this complaints procedure. In addition, where there seems to be a possible breach of Oldfield Pre-School's registration requirements, it is essential to involve Ofsted as the registering and inspection body with a duty to ensure the Welfare Requirements of the Early Years Foundation Stage are adhered to.
- Parents can complain to Ofsted by telephone on, or in writing at:
  - Tel: 0300 123 1231
  - Applications, Regulatory and Contact (ARC) Team Ofsted National Business Unit, Piccadilly Gate, Store Street, Manchester M1 2WD
- These details are displayed on our notice board. Or you can visit <https://contact.ofsted.gov.uk/online-complaints>

### *If a child appears to be at risk*

- Oldfield Pre-School follows the procedures of the Local Safeguarding Children Board or local safeguarding partners.
- In these cases, both the complainant and setting are informed and Oldfield Pre-School's manager works with Ofsted or the Local Safeguarding Children Board or local safeguarding partners to ensure a proper investigation of the complaint, followed by appropriate action.

### *Information Commissioner*

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- The Information Commissioner's Office (ICO) can be contacted if you have made a complaint about the way your data is being handled and remain dissatisfied after raising your concern with us. For further information about how we handle your data, please refer to the Privacy Notice given to you when you registered your child at our setting. The ICO can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or [ico.org.uk](http://ico.org.uk)

### Records

- A record of complaints against our setting and/or the children and/or the adults working in our setting is kept, including the date, the circumstances of the complaint and how the complaint was managed. The record of complaints is a summative record only.
- The record of complaints will be kept for at least 3 years.
- The outcome of all complaints is recorded in the Summary Complaints file which is available for parents/carers and Ofsted inspectors on request.

In all case where a complaint is upheld a review will be undertaken by the trustees to look for ways to improve practice and prevent further complaints.

### Change Log

Date	Version	Changes Made & Reason	Changes Made By
05/05/2022	1.0	Updated in line with new PLA policy numbering and includes complaints from external agencies.	CFB
14/02/2023	2.0	Significant update clarifying the difference between concern and complaint and the procedures for stages 2 and 3.	CFB

This policy was adopted at a meeting of Oldfield Pre-School name of setting

Held on 30/04/2025 (date)

Date to be reviewed April 2026 (date)

Signed on behalf of the management committee

Name of signatory Laura Paddock

Role of signatory (e.g. chair/owner) Trustee