

Safeguarding and Welfare Requirement: Information and Records

Providers must put in place a written procedure for dealing with concerns and complaints from parents and/or carers.

10.12 Making a complaint

Policy statement

Our setting believes 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 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.

If you wish to raise a concern or complain on someone else's behalf, the preschool will usually only deal with this if the person on whose behalf you are complaining is unable to do so for themselves. If this is the case, we may be able to assist you to obtain support from a local advocacy service, such as [Advocacy First](#).

Please note that any references below to a parent(s) equally applies to a guardian(s).

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 (2015) which acts as the 'summary log' for this purpose.

Making a complaint

Stage 1

- Any parent who has a concern about an aspect of the setting's provision talks over, first of all, his/her concerns with the setting leader.
- As parents may also work and be unable to talk directly to the setting leader easily, they can contact the preschool via other forms of communication (including email, telephone and/or in writing). In these instances they will receive an offer to meet informally with either the setting leader and/or Chair of the Management

Committee to discuss the issue (depending on availability). The preferred option is to talk with the setting leader. They may also receive a reply with an informal response to their concerns which can be used to help facilitate any discussions. If the informal reply resolves the concern than a meeting with the setting leader and/or Chair of the Management Committee is not necessary.

- Most complaints should be resolved amicably and informally at this stage.

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 to the setting leader and the Chair of the Management Committee. It should include the statement *“Please take this correspondence as the raising of a formal complaint”*, or words to that affect, and details of relevant names, dates, evidence and any other important information on the nature of the complaint should also be included
- 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 with the person in charge and signed by the parent.
- The pre-school will acknowledge receipt of the complaint as soon as possible, and within five working days.
- The setting stores written complaints from parents in the child's personal file. The setting leader 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, the setting leader or manager communicates with the parent to discuss the outcome.
- Parents must be informed of the outcome of the investigation within 28 days of making the formal complaint. This can be in writing, via email, telephone or in person.
- If the complaint is resolved at this stage, the summative points are logged in the Complaint Investigation Record.

Stage 3

- If the parent is not satisfied with the outcome of the investigation, he or she requests a meeting with the setting leader and the chair, director or owner. The parent may have a friend or partner present if they prefer and the leader should have the support of the management team. The leader/staff member or chair may also have a friend or union representation present.
- 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, the summative points are logged in the Complaint Investigation Record.

Stage 4

- If at the stage three meeting the parent and setting cannot reach agreement, an external mediator is invited to help to settle the complaint. This person should 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.
- 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. S/he can hold separate meetings with the setting personnel (setting leader and chair, director or owner) 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, they communicate their findings to the preschool and parent.
- A record of their findings, including any recommended actions are noted in Complaint Investigation Record. The mediator signs the record and the all parties receive a copy of it. This signed record signifies that the procedure has concluded.
- If the complaint is not upheld the parent is liable to pay for any external services used in resolving the complaint (For example, but not limited to, any costs that may be incurred when using a mediator)

At any point after Stage 2 of this process and in the event the Preschool Management Committee unanimously decide a complaint is groundless, vexatious or meritless, then no further internal action need be taken and the matter can be referred directly to Ofsted instead. This will be recorded in the Complaint Investigation Record.

In exceptional circumstances, the committee may alter who the representative of the preschool is at each stage. For example (but not limited to), if the complaint is about the setting leader and/or Chair of the Management Committee an alternative person from the Management Committee may be assigned to handle the complaint. This is solely at the discretion of the Management Committee.

Once a complaint has been resolved it will not be re-opened unless significant new evidence has come to light that could alter the decision as to whether the original complaint should be upheld.

Unreasonable Complaints

The preschool is 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. St. James Preschool (Petts Wood) 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 investigation(s) or response(s) 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/or 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 setting leader or Chair of the Management Committee will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. Once a complaint is marked as unreasonable then no further internal action need be taken and the matter can be referred directly to Ofsted instead. This will be recorded in the Complaint Investigation Record. If the behaviour continues the setting leader will write to the complainant explaining that their behaviour is unreasonable and asking them to change it. For complainants who excessively contact St. James Preschool (Petts Wood) 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 6 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 St. James Preschool (Petts Wood).

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.
- The number to call Ofsted with regard to a complaint is:

- These details are displayed on our setting's notice board.
- If a child appears to be at risk, our setting follows the procedures of the Local Safeguarding Children Board.
- In these cases, both the parent and setting are informed and the setting leader works 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; including the date, the circumstances of the complaint and how the complaint was managed.
- The outcome of all complaints is recorded in the Complaint Investigation Record, which is available for parents and Ofsted inspectors on request.

Policy Management

This policy must be reviewed by the date shown below. Amendments to the policy can be made at any time by the Preschool Management Committee.

Manager of the Preschool	Jean Smith
Signed & Dated by Manager of the Preschool	
Chair of the Preschool Management Committee	Rebecca Flynn
Signed & Dated by the Chair of the Preschool Management Committee	
Frequency of policy review	Annual
Date next review due	1 st January 2021