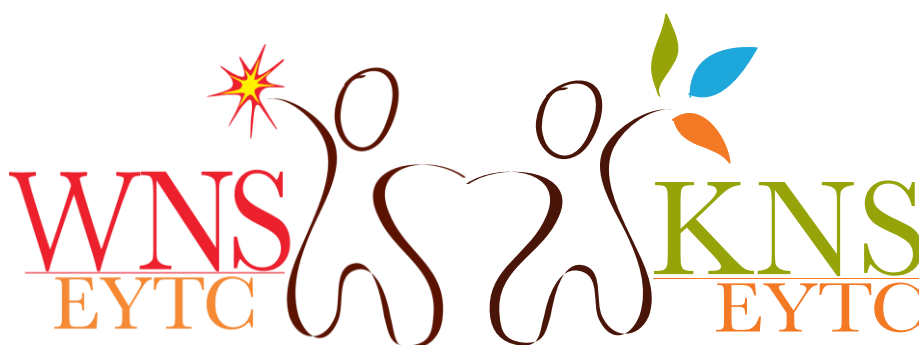


**Kenilworth Nursery school &  
Whitnash Nursery School  
And Early Years Teaching Centres**



**Complaints Procedure**

**ADVICE AND INFORMATION FOR  
PARENTS, CARERS & GUARDIANS**

Date Policy first written	November 2009	Ratified: Autumn 2009
Policy Reviewed:	July 2012	Ratified; Autumn 2012
<b>Review due:</b>	<b>Headteacher</b>	<b>Chair of Governors</b>
<b>January 2018</b>		

Written by Staff and Governors

As a result of current Centre and School practice.

# **KENILWORTH NURSERY SCHOOL & WHITNASH NURSERY SCHOOL**

## **Dealing with Concerns and Complaints**

### **Guidance from Warwickshire County Council: Complaints Policy for Schools**

#### **Introduction**

**It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the school can be crucial in determining whether the complaint will escalate. To that end, the school must be clear about the procedures they will apply when they receive a complaint.**

Legally, the Local Authority has no grounds to engage in issues that are school related, but we do all want to have 'satisfied customers'. One way we can support schools is by ensuring they have procedures that are clear and helpful.

***Schools need to be clear about the difference between a concern and a complaint.*** Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints.

The underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. ***The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally.***

**In most cases the class teacher will receive the first approach. It is helpful when staff are able to resolve issues on the spot. This may include offering a clear explanation; in some cases accepting that a situation could have been handled better; in other cases an apology may be appropriate.**

#### **The Responsibility of the School**

1. From 1 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.
2. The majority of schools already have a complaints procedure in place. This document is intended to help schools draw up a complaints procedure if they have not done so, or to review their existing procedure.
3. The governing body has overall responsibility for the school and for ensuring 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.

**The school should make it clear that parents and others should direct complaints to the school rather than the governing body in the first instance.**

4. Concerns about allegations of **child abuse and staff discipline must be dealt with through the separate agreed procedures that have been adopted for these purposes.**

(see Warwickshire County Council's Safeguarding Pupils Policy and the Model Disciplinary Procedure)

Separate procedures also exist for appeals about:

- special needs assessments
- school admissions /Admission Appeals Guide
- exclusions
- guidance on dealing with complaints linked to racism is contained in Warwickshire

County Council's Guidance to Schools on Tackling Racial Harassment

5. It is a requirement for schools to make all parents aware of the existence of their complaints procedure, Whitnash Nursery School keep a hard copy in the reception office for Parents to view on request and also publish a copy on the website.

### **Can parents take their complaint further?**

Parents cannot take their appeal further than the governing body. The Local Authority cannot investigate school matters on a parent's behalf nor can it review how the school has dealt with a complaint. If a parent feels that the school has acted unreasonably or not followed the correct procedures, they can write to the Secretary of State for Education and Skills, Department for Education and Skills, Sanctuary Buildings, Great Smith Street, London, SW1 P 3BT, if the full school complaint procedure has already been completed.

### **Using the Complaints Procedure**

The resolution of a complaint can be an opportunity for the school to improve its practice and develop further a strong partnership with parents.

The complaints procedure should be easily accessible and well publicised, so that parents know how to raise concerns.

It is desirable for any complaint to be addressed by a member of staff at a level closest to the cause of concern. Kenilworth Nursery school & Whitnash Nursery School will expect staff directly involved in incidents or difficulties to meet with Parents so that feedback is detailed and specific and the situation can be resolved quickly.

Procedures should be as speedy as possible and ensure fairness to all involved. Issues raised should be acknowledged within the working day and then a meeting established within the next working day or at Parents earliest convenience.

The Nursery School acknowledges that most complaints are 'genuinely felt' by the complainant.

Confidentiality is important in securing the confidence of all concerned. Conversations and correspondence must be treated with discretion and investigators should be sensitive to the feelings of those involved. Parents need to feel confident that a complaint will not disadvantage their child. However, the parties to a complaint need to be aware that some information may have to be shared in order to carry out a thorough investigation.

If the investigation of a complaint shows that it is justified, then the school should consider how to make amends in an appropriate way.

All complaints should be recorded and monitored to identify issues and allow any lessons to be learned by the school.

Staff and governors in schools should have the opportunity to take part in training or briefing to raise their awareness of the procedures and develop their skills in dealing with people who wish to complain.

## Dealing with Complaints — Formal Procedures

The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

The Nursery School recognises a complaint is distinct from any formal disciplinary procedure. Staff who may be questioned as part of a complaints procedure must be treated fairly and have an opportunity to respond to the issues raised by the complainant. They should be offered support if required to respond to any investigation into a complaint.

If it becomes apparent that the complaint has the potential to be a disciplinary issue it is for the Headteacher or designated senior member of staff or, in the case of the Headteacher, the Chair of Governors or designated governor, to determine whether the disciplinary or capability procedures should be followed. If this is the case, the matter will be dealt with by following the appropriate (disciplinary or capability) procedure and the complainant will be notified that this is the outcome of their complaint, i.e. "The matter has been referred to the appropriate procedure".

## Vexatious Complainants

There may be occasions when, despite all stages of procedures having been followed, the complainant remains dissatisfied. If the complaint becomes vexatious (e.g. the complainant tries to re-open the same issue), the Chair of the Governing Body can inform the complainant in writing that the procedure has been exhausted and that the matter is now closed. Whitnash Nursery School will contact Warwickshire County Council legal advisors for advice if this occurs.

## Complaints Process

- 1 The Headteacher, staff and governors of each Nursery School want to work with you to establish a good parent/school relationship. They will inform you about the school's policies and your child's progress. However, there may be times when you, as a parent, carer or guardian, will have comments, suggestions or complaints to make.
- 2 Your query may concern the curriculum for which the governors have important responsibilities. On the other hand, it may involve things for which the Local Education Authority is responsible. You may just have a concern about a particular incident which you understand has happened at the school.
- 3 Whatever the issue, the important thing is to talk to someone at the school as soon as you can. It may be all that you need to do to solve the problem. If you are still unhappy after that, this guidance tells you how you can take the matter further. It tells you what will happen and whom to contact.
- 4 Problems are more easily resolved if they are raised as soon as possible after something has happened. The formal procedure only covers complaints about incidents which have happened in the previous three months. This may not apply if there are obvious reasons why the incident could not have been taken up earlier.
- 5 There are some complaints that cannot be followed up through these procedures. Separate procedures exist for complaints, for instance, on staff conduct, admission or exclusion from school, statements of special educational need, and on religious education and collective worship. If you take your concern informally to the school

first, the headteacher can advise you if it is a matter which will be dealt with in a different way.

## **Informal Stage: Stage 1**

- 6 If you have a query discuss it with your child's Keyworker and then the Lead Teacher in School or another senior member of staff. They will either respond immediately or as soon as they have the necessary information. You will be given a date by which they will get back to you. Hopefully at this point the issue will be resolved.
- 7 However, if you continue to be concerned you may then wish to speak directly with the Headteacher.
- 8 If you contact a member of the school's governing body, they will ask you to contact the Headteacher or the appropriate member of staff. This is to help you start at the right place and leave the governors free to possibly be involved at a later stage.

## **Formal Stage: Stage 2**

- 9 Most complaints will have been resolved by this stage. If you are still unhappy the next step is to make a formal complaint to the governing body.
- 10 You can write a letter or use the form at the end of this booklet to record your complaint.
- 11 You should send your complaint to the Chair of Governors at your child's school. You may wish to keep a photocopy to use later.
- 12 The Chair of Governors or a nominated Governor will review the Complaint to be certain that the matter has been dealt with at Stage 1.
- 13 Your complaint will be acknowledged and you will be asked to suggest dates and times for a hearing. You will be given the opportunity to supply further information in writing at least 5 school days before the hearing.
- 14 The Clerk to the Governors will confirm in writing the time, date and venue for the hearing. You may take a friend or representative with you as well as an interpreter, should one be required.
- 15 Four school days before the hearing the Clerk will send you any papers submitted for the consideration of the Panel including the original complaint.
- 16 At the hearing the Chair of the Panel will introduce the Panel members to you and remind you of the following process for the hearing.
- 17 An opportunity for you to speak to the Panel about your complaint.
- 18 The Governors on the Panel may ask you questions about what you have said or written.

- 19 You will be invited to make a final comment and indicate how you might hope the matter would be resolved.
- 20 You will then be free to leave the school.
- 21 The Panel will invite the Headteacher to join them in order to outline the school's position.
- 22 The Governors on the Panel may ask the Headteacher to join them in order to outline the school's position.
- 23 The Headteacher will have an opportunity to make a final statement.
- 24 The Headteacher will leave the Hearing.
- 25 The Panel will discuss what they have heard and reach a decision.
- 26 The Chair of the Panel will write to you and the Headteacher within three school days of the hearing to let you know the outcome.
- 27 The letter from the Chair of the Panel will tell you how to proceed if you are not satisfied with the outcome.

# Complaint Form

When you have filled in this form take it or send it to the Chair of the Governing Body at your child's school marking the envelope PRIVATE AND CONFIDENTIAL.

Please use black ink if possible. Please continue on a separate sheet of paper if necessary.

1 Child's name .....

2 Address .....

.....

..... Post Code: .....

3 Telephone No: at home: .....

At work: .....

If you do not have a telephone but a friend or neighbour is prepared for their number to be used, please provide their name and number.

Friend/Neighbour's name: .....

Telephone No: .....

4 Name of school .....

5 Brief details of the problem .....

.....

.....

.....

6 To what date or period of time does your complaint relate?

.....

7 To whom have you already complained informally and when?

.....

8 Please give details of any more information you have to back up your complaint, such as letters and reports. If you cannot send photocopies, please send the original paper, which will be photocopied and returned to you.

.....

9 Do you have a solution that you wish to suggest?

.....

.....

Signed: ..... Date: .....