Little Learners
NURSERY GROUP

# COMPLAINTS POLICY

**Reviewed: January 2018**

**Next review: Summer 2019**

## Introduction

This document establishes the framework within which complaints will be addressed and the philosophy underpinning the framework. It is not intended to cover those aspects of nursery life for which there are specific statutory requirements, e.g. allegations of child abuse, financial improprieties or other criminal activities.

## 1 General Principles

The following principals will be observed whenever a complaint is made.

- **Speed.** Procedures should be as speedy as possible. Where there are delays, information about progress will be given to the complainant.
- **Confidentiality.** We will treat conversations and correspondence with discretion. However, from the outset all parties to a complaint need to be aware that some information may have to be shared with others involved in the operation of the complaints procedure.
- **Anonymous complaints.** When an anonymous complaint is made it will be left to the Principal discretion to decide whether the gravity of the complaint warrants any further action.
- **Record keeping.** A record of formal complaints will be kept in a complaints file.

## 2 Definition of a complaint

- A complaint is an expression of significant dissatisfaction, however made, by a person or persons with a legitimate interest in the nursery, but not employed in the nursery, about the conduct, actions or omissions of members of staff employed at the nursery or about the standard of staff members .
- Complaints may be written or verbal. It is not always appropriate to ask for complaints to be put in writing as this might formalise the situation unnecessarily, resulting in the involved parties taking more defensive or entrenched positions thus making the conflict more difficult to resolve.

## 3 Responsibility of the Nursery

- The Principal is responsible for investigating complaints in the first instance and, if appropriate, referring complaints to members of staff to deal with.
- While emphasis is placed upon the informal resolution of complaints, the Board of Directors may be called upon to consider, resolve or adjudicate

if complaints are referred to them by the Principal or by a complainant who is not satisfied with the result of the informal process.

## 4 Values underpinning the process

Children learn best if there is an effective partnership between nursery staff and parents.

- All members of the nursery community are entitled to have their points of view heard.
- Unresolved complaints might result in unhealthy conflict.

## 5 Aims

- To enhance the nursery mission by giving due consideration to the complaints of parents.
- To ensure that all complaints are considered fully, fairly, carefully and confidentially.
- To resolve complaints to the satisfaction of the complainant or to issue a clear decision this will enable the complainant, the Principal or the Board of Directors to consider how, if at all, the matter should be taken further.

## 6 The Process

It is important to remember that every expression of concern is not a complaint. Discretion needs to be applied in determining whether action, over and above the normal day by day discussions on parental concerns, is needed. All senior members of staff are expected to exercise such discretion before referring matters to the Principal.

Problems and expressions of concern should be dealt with, as far as it is possible, at the point of first contact. Continued dissatisfaction on the part of the parent/carer indicates a need for upward referral.

## 7 Referral structure

The referral structure is as follows:

Nursery Practitioner →Nursery Manager →Principal →Directors

Office staff → Office manager → Principal → Directors

On occasions it will be appropriate to by-pass levels in the referral structure – this will be at the discretion of nursery staff.

When a complaint is made to the Principal, (s)he may decide to deal with it or to refer it to an appropriate level in the structure. Where they have asked a colleague to deal with a complaint, feedback should be given to them.

Where a staff member other than the Principal receives a complaint (as opposed to an expression of concern) and deals with it, the Principal should be notified of the complaint and how it was resolved.

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.

## 8 Stage 1: The First Contact: Guidelines for Dealing with Concerns and Complaints Informally

Complaints will be dealt with promptly, thoroughly and, in the first instance, on an informal basis.

- The majority of concerns and complaints should be able to be resolved informally. There are many occasions where concerns are resolved straight away through the practitioner or senior staff member.
- If contacting the nursery to request a meeting about an area of concern, parents and carers should always indicate the general area of concern to the member of staff they are speaking to. This will enable them to be referred to the right person and enable this person to gather any appropriate information enabling them to respond to the concern quickly.
- Complaints should be dealt with at the most appropriate level. This will be determined by the nature and seriousness of the complaint. Under no circumstances should staff members become involved in discussions about the professional performance of a colleague. Where a member of staff feels that there should be upward referral of complaints, the referral structure is given above. In the event of a complaint being made to a member of the Board of Directors, the complainant should be advised to speak to the Managers to resolve the matter informally. Directors must not prejudice themselves by discussing the complaint as this would prevent them participating in a panel at a later stage.
- When parents raise their concern with the appropriate member of staff they will clarify with the parent the nature of the concern. It can be helpful to identify at this point what outcome the parent is looking for.
- The staff member will seek to resolve the complaint at this stage. The

staff member will ensure that the parent is clear what action (if any) or monitoring of the situation has been agreed, putting this in writing where this seems the best way of making things clear. The staff member will keep a record of the complaint and the action taken. The staff member will notify the Managers that a complaint has been made.

- If the member of staff first contacted cannot immediately deal with the matter, s/he will refer the complaint upwards. On certain issues, the Managers may decide to deal with concerns directly at this stage.
- If the concern relates to the Manager, the parent should contact the Board of Directors through the nursery office. The available director will investigate the complaint.

## 9 Stage 2: Referral to the Principal for Investigation

- If the parent is not satisfied that their complaint has been adequately dealt with, they may put their complaint in writing to the Principal and ask them to investigate. The Principal may delegate the investigation to the Principal or Nursery Manager
- If the Principal has been involved at Stage 1, the Stage 2 investigation will be carried out by another senior staff member or a director.
- As necessary, the Principal (or designate) will interview witnesses and take statements from those involved.
- Once all the relevant facts have been established, the Principal (or designate) will produce a written response to the complainant.

## 10 Possible Outcomes at Stage 2

- When informal procedures have been exhausted, complainants should be informed clearly by the Principal that:
    a) the matter about which they complained has been dealt with appropriately by staff within the context of nursery policies and procedures, OR
    b) the complaint has been found by the Principal to be valid and that the Principal within his/her responsibility for overall internal management of the Nursery will take appropriate action, OR
    c) The Principal will refer the matter to the Board of Directors for their consideration.

- The written response will include an explanation of the decision and the reasons for it. Where appropriate, this will include what action the nursery will take to resolve the complaint
- The complainant will be advised in the written response that should s/he feels that their complaint has not been investigated in line with these procedures, they should write to the Board of Directors within two weeks of receiving the written response to request a review. This request for a

review will need to set out the reasons for the request, clearly stating which aspects of this procedure they feel have not been followed correctly.

## 12. Stage 3: Review by the Board of Directors

- The Board of Directors will not take any role in a complaints investigation, other than to review a case to determine whether the complaints procedure was followed correctly. The only exception will be if the complaint relates to Principal, the Board of Directors or a member of the Board of Directors. In these cases the Board of Directors will appoint an Investigating Officer.
- Upon receipt of a written request by the complainant for the complaint to proceed to stage 3 the Board of Directors will write to the complainant to acknowledge receipt of the written request for review.
- The acknowledgement will inform the complainant that the complaint will to be heard a member of the Nursery's Board of Directors. The letter will reiterate that the role of the Director is to review whether the correct procedure has been followed by the school in addressing the original complaint and that the Director will not review the decisions taken at Stage 1 and Stage 2, nor will the Director hear any new evidence.
- The Investigating Director will be a director who have had no prior involvement with the complaint.
- The Investigating Director will write and inform the complainant, Principal at least five working days in advance, of the date, time and place of the meeting. The request for review, setting out why the complainant believes the complaints procedure has not been correctly followed will be enclosed with this letter. The notification to the complainant will also inform him/her of the right to be accompanied to the meeting by a friend/advocate/interpreter.
- It is the responsibility of the Investigating Director to ensure that the meeting is properly minuted by a Clerk.
- The meeting will allow for:
  a) the complainant to explain why they believe their complaint has not been handled in accordance with this procedure
  b) the Principal to explain the procedure followed by the nursery
  c) The Investigating Director to have an opportunity to question both the complainant and the Principal
  d) Final statements by the complainant and the Principal.
- The Investigating Director will explain to the complainant and the Principal that they will now consider their decision, and a written decision will be sent to both parties within 15 working days. The complainant and Principal will then leave.
- The Investigating Director will then reach a decision on whether this procedure has been correctly followed.
- A written statement outlining the decision of the Investigating Director will be sent to the complainant and Principal within 15 working days.
- The nursery will ensure that a copy of all correspondence and notes are

kept on file in the nursery's records. These records will be kept separately from a child's personal records.