



Academy for Character and Excellence

Enhanced Services

Complaints Policy

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Next Review Date	March 2021	Review cycle every 2 years
Preschools	Redhills Pre-School Shaldon Pre-School	

Who should use this policy?

This policy should be used by parents, carers and members of the wider public to raise a concern or complaint with the Pre-School. Staff wishing to raise a concern should use the Staff Grievance policy.

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The Management of Complaints

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. Each of the Pre-Schools within The Academy for Character and Excellence takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

How to raise a concern or make a complaint

At our Pre-Schools within The Academy for Character and Excellence we encourage all parents and carers to approach any member of staff in the first instance if they have a concern or 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 on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the Pre-School Manager or child's key person and initially dealt with informally. If the issue remains unresolved, the next step is to make a formal complaint.

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

Complaints that involve or are about the Pre-School Manager should be addressed to the Trust HR Officer c/o Shaldon Primary School, Bridge Road, Shaldon, TQ14 0DD. 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 Pre-School Manager. 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.

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.

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.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by each of the Pre-Schools within the Academy for Character and Excellence, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"> Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).</p> <p>For Early Help, Consultation and Enquiries please contact:</p> <p>Telephone: 0345 155 1071 Email: mashsecure@devon.gcsx.gov.uk Fax: 01392 448951 Enquiry Form available at: https://new.devon.gov.uk/making-a-mash-enquiry</p> <p>Post: Multi-Agency Safeguarding Hub, P.O. Box 723, Exeter EX1 9QS Emergency Duty Team out of hours 0845 6000 388 Police non-emergency 101</p> <p>For all LADO enquiries Exeter (01392) 384964 https://new.devon.gov.uk</p> <p>Early Help Team</p> <p>Senior Manager: TBC Manager Exeter and South: TBC Manager Mid & East: Ian Flett 07815 562 370 Manager South & West: Karen Hayes 07854 253424 Manager Northern: Sarah Simpson 07854 304 512</p> <p>Locality Early Help Mailbox North: earlyhelpnorthsecuremailbox@devon.gcsx.gov.uk Mid & East: earlyhelpmidwestsecuremailbox@devon.gcsx.gov.uk South & West: earlyhelpsouthsecuremailbox@devon.gcsx.gov.uk Exeter: earlyhelpexetersecuremailbox@devon.gcsx.gov.uk</p> <p>For emergencies outside of office hours please call: 0345 600 0388 or 0845 600 0388</p>
<ul style="list-style-type: none"> Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors.</p> <p>The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be</p>

	<p>made at: www.education.gov.uk/contactus.</p> <p>Volunteer staff who have concerns about our Pre-School's should complain through the Pre-School's complaints procedure. You may also be able to complain direct to Ofsted, depending on the substance of your complaint.</p> <p>Address for Ofsted: Ofsted, National Business Unit, Piccadilly Gate, Store Street, Manchester M1 2WD Tel: 0300 1231231.</p>
<ul style="list-style-type: none"> • Staff grievances 	<p>Complaints from staff will be dealt with under the Pre-School's internal grievance procedures.</p>
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the Pre-School's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> • Complaints about services provided by other providers who may use Pre-School premises or facilities 	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against a Pre-School within our Trust in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, every Pre-School within our Trust 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 Pre-School policies in light of the complaint

- an apology.

Withdrawal of a Complaint

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

Records of Complaints

A confidential written record will be kept of all complaints and any action taken by the Pre-School as a result of the complaint, regardless of whether they were upheld, resolved at the preliminary stage or proceeded to a panel hearing.

Correspondence, statements and records relating to individual complaints are kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Education and Skills Act requests access to them.

Review of Complaints

The Academy for Character and Excellence will monitor the level and nature of complaints and report the outcomes on a regular basis to the Strategic Board to ensure the effectiveness of the procedure and make changes where necessary.

As well as addressing an individual's complaint, the process of listening to and resolving complaints will contribute to Pre-School improvement. When individual complaints are heard the Academy for Character and Excellence may identify underlying issues that need to be addressed. The monitoring and review of complaints by the Pre-School and The Academy for Character and Excellence will be a useful tool in evaluating the Pre-School's performance.

Acceptable Behaviour

Whilst The Academy for Character and Excellence recognises that the process of raising a concern or complaint can be very stressful The Academy for Character and Excellence will not tolerate aggressive, violent, abusive or anti-social behaviour towards anyone on the Pre-School site. Parents and members of the public are required to behave in a polite and courteous manner and to abide by the guidance set out in the "*Expected Behaviour of Parents and Visitors to a Pre-School*" policy which is available on the Pre-School website. Pre-School staff are expected to behave in a courteous and professional manner when dealing with parents and member of the public at all times.

Vexatious Complaints

It is the aim of The Academy for Character and Excellence to resolve all complaints to the satisfaction of all parties. However, if there is an occasion when, despite all stages of the complaints procedures having been followed, the complainant remains dissatisfied and tries to reopen the same issue, the Chair of the Complaints Committee is able to inform them in writing that the procedure has been exhausted and that the matter is now closed.

Procedure in making a Complaint

In the event that these initial approaches fail to resolve a complaint this policy lays out the procedures that should be followed to allay any concerns about a particular issue.

There are two Pre-School-based stages to the complaints procedure:

Stage 1 – complaint heard by Pre-School Manager

Stage 2 – complaint heard by the complaints panel

Anonymous concerns or complaints will not be investigated under this procedure, unless there are exceptional circumstances. To enable proper investigations, concerns or complaints should be brought to the attention of the Pre-School as soon as possible.

Stage 1

Formal complaints must be made to the Pre-School Manager (unless they are about the Pre-School Manager), via the setting. This may be done in person, in writing (preferably on the Complaint Form – Appendix I), or by telephone.

The Pre-School Manager will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 Pre-School days.

Within this response, the Pre-School Manager will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Pre-School Manager can consider whether a face to face meeting is the most appropriate way of doing this.

During the investigation, the Pre-School 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 Pre-School Manager will provide a formal written response within 10 Pre-School days of the date of the investigation.

If the Pre-School 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 the Pre-School will take to resolve the complaint.

The Pre-School Manager will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the Pre-School Manager, a suitably skilled committee member will be appointed to

complete all the actions at Stage 1.

Complaints about the Pre-School Manager must be made to the Trust HR Officer, via The Academy for Character and Excellence, Bridge Road, Shaldon, TQ14 0DD.

Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the Trust’s complaints committee. This is the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made to the Trust Business Manager, via The Academy for Character and Excellence, Bridge Road, Shaldon, TQ14 0DD, within 15 Pre-School days of receipt of the Stage 1 response.

The Trust Business Manager will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 Pre-School days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Trust’s complaint clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 15 Pre-School days of receipt of the Stage 2 request. If this is not possible, the Trust’s complaints Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk 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 local committee members which may be from any of the schools within our Trust 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. If there are fewer than three committee members from the school available, the Clerk will source any additional, independent committee members through other schools within the Trust, in order to make up the committee.

Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

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.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. 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 10 Pre-School days before the meeting, the Clerk 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.

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 Pre-School's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and the Pre-School with a full explanation of their decision and the reason(s) for it, in writing, within 5 Pre-School days.

The letter to the complainant will include details of how to contact Ofsted if they are dissatisfied with the way their complaint has been handled by the Pre-School.

School Logo

Appendix 1 - Complaint Form

Please complete and return to <...Name> (*either Pre-School Manager / HR Business Manager / Clerk / to delete as appropriate*) who will acknowledge receipt and explain what action will be taken.

Your name:
Child's name (if relevant):
Your relationship to the child (if relevant):
Address: Postcode: Day time telephone number: Evening telephone number:
Please give details of your complaint, including whether you have spoken to anybody at the Pre-School about it.
What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Date:

Appendix 2 - Summary of Dealing with Complaints



