



LEASOWES EXTRA Complaints Policy and Procedure



Date approved: January 2023	Written by: J.Caven Business Manager
Date to be Reviewed: January 2025	Approved by: G.Bettany Chair of Committee
Purpose	
<p>All settings are committed to providing high quality learning and childcare for all children. Unfortunately, on occasions you may have cause for concern, which may lead you to raise this with the setting. When this happens it is important that you raise these directly with the setting, as soon as possible. It is our aim to resolve all complaints quickly and efficiently. All complainants will be treated respectfully during and after the course of any complaints investigation and will receive a written response to their complaint, unless appropriate and reasonable measures have been put in place as a result of the 'Persistent and/or Vexatious Complainants' policy set out below.</p> <ul style="list-style-type: none"> • The Complaints Policy and Procedure has been created to deal with any complaint against a member of staff or the setting as a whole, relating to any aspects of the setting or the provision of facilities or services. • A complaint can be brought by a parent/carer/guardian of a registered child at the setting or any person who has been provided with a service/facility at the setting. This person is referred to as the complainant. • A complaint may also be brought by a member of the general public who feels that they have a grievance against the setting, its actions, practices, or employees in the pursuance of their duties. • The nominated member of staff with responsibility for the operation and management of the setting complaints procedure is the Business Manager. • For all parents/carers/guardians of a registered child at the setting, a member of staff will be the first point of contact. For other complainants, the first point of contact will be the Business Manager. • A concern becomes a complaint only when the complainant asserts that the setting has acted wrongly in some significant decision, action, or has failed to take action. • A complaint can be resolved or withdrawn at any stage. 	
Aims	
<p>Leasowes Extra will:</p> <ul style="list-style-type: none"> • Encourage the resolution of problems by informal means wherever possible. • Allow swift handling with established time-limits for action and keep people informed of any progress. • Ensure a full and fair investigation by an independent person where necessary. • Respect people's desire for confidentiality. • Address all the points at issue and provide an effective response and appropriate redress where necessary. • Provide information to the settings management team so that services can be improved. 	
Legal framework	
This policy has due regard to statutory legislation, including, but not limited to, the following:	

- The Education Act 2002
- The Freedom of Information Act 2000
- The Immigration Act 2016
- The Equality Act 2010
- The General Data Protection Regulation (GDPR)
- The Data Protection Act 2018

Making a Complaint

The setting will ensure that all aspects of the complaints procedure are:

- Easily accessible and publicised.
- Simple to understand and to put into practice.
- Impartial and fair to all parties involved.
- Respectful of confidentiality duties.
- Continuously under improvement, using information gathered during the procedure to inform the settings management team.
- Fairly investigated, by an independent person when necessary.
- Used to address all issues in order to provide appropriate and effective responses where necessary.

Complaints are expected to be made as soon as possible after an incident arises in order to amend the issue in an appropriate timescale.

- The setting upholds a **three-month** time limit in which a complaint can be lodged regarding an incident.
- In the case of any timescales changing, all parties involved will be informed of the changes in a timely manner.
- Complaints should be made using the appropriate channels of communication, including the use of the [Complaints Procedure Form](#).
- All complaints shall be considered whether made in person, by telephone, in writing or electronically via email. However, the complainant will be asked to put the complaint in writing.
- A complaint can progress to the next stage of the procedure even if it is not viewed as “justified”. All complainants are given the opportunity to fully complete the complaints procedure.

Any complaint made against the Business Manager shall initially be dealt with by the Chair of the Trustees.

Any complaint made against the Chair of the Trustees or any other member of the governing body should be made in writing to the Secretary of the Committee.

Special Circumstances

- If the complaint suggests that a child has been at risk of significant harm through violence, emotional abuse, sexual harassment or neglect, it may be referred without further notice to the children’s social care and/or to the social services authority for the area in which the child lives.
- If a social services authority decides to investigate a situation, this may postpone or supersede investigation by the Business Manager or governing body.

Stage 1 – Expressing Concerns (informal stage – Staff or member of Management)

- Parent/carer/guardian discusses their concern with a member of staff.
- If your complaint is more serious, you may prefer to speak to the Business Manager or a lead member of staff.
- Where the complaint concerns the Business Manager, the complainant will be referred to the Chair of the Trustees.

- If a resolution cannot be sought at this level, or the complainant is dissatisfied with the outcome of these initial discussions, then the parent/carer/guardian may wish to escalate the complaint to the next level of the procedure.

Stage 2 - Formal Complaint (Business Manager)

- A formal complaint must be put in writing explaining your concern in as much detail as possible. A form is available in appendix 1.
- It may be possible that the Business Manager has not been made aware of your concerns prior to this point. Therefore, an appointment should be made to discuss your concerns with the Business Manager, who will then seek to investigate your concerns, as well as attempting to resolve the matter to the satisfaction of all concerned. This should be as soon as reasonably practical to avoid any possible worsening of the issue.
- The Business Manager may delegate the task of collating the information to another staff member but not the decision on the action to be taken.
- The Business Manager or delegated member of staff should keep reasonable written records of meetings, telephone conversations and other documentation. If the complaint is against the Business Manager, the complainant will initially need to write, in confidence, to the Chair of the Trustees. The Chair will seek to resolve the issue informally before moving directly to stage three of the procedure.
- Where there are communication difficulties, the complaint may be made in person or via telephone.
- Stage two of the process will be completed within **15 school days**. Where the situation is recognised as complex, and it is deemed to be unable to be resolved within this timescale, the Business Manager will contact the complainant to inform them of the revised target date via a written notification.
- In terms of a complaint being made against a member of staff, the Business Manager will discuss the issue with the staff member in question. Where necessary, the Business Manager will conduct interviews with any relevant parties and take statements from those involved.
- All discussions shall be recorded by the Business Manager and findings and resolutions will be communicated to the complainant either verbally or in writing.
- Once all facts are established, the Business Manager shall contact the complainant in writing with an explanation of the decision and any further action being taken to resolve the issue.
- If the complainant is not satisfied with the outcome suggested, the procedure will progress to stage three.

Stage 3 – Formal Complaint (Chair of the Trustees)

- If your complaint is referred to the Chair of the Trustees, then the board of Trustees will meet to consider the complaint and you will be invited to attend the meeting to make representations in person. You may choose to be accompanied at the meeting with a person of your choice should you so wish. The meeting will be held at a time and a venue convenient for all parties.
- The Complaints Committee will consist of at least three people who are not directly involved in the matters detailed in the complaint, with one of the panel members being independent of the management and running of the setting.
- The Business Manager will not be a member of the Complaints Committee, although may be present at the meeting. In the event that the complaint is about the Business Manager at stage 2 then the Chair of Trustees will not be a member of the Complaints Committee.
- A written response will be sent to you within **20 school working days** from the date of the written complaint being received.

- The response will outline the outcome of the investigation and detailing how the conclusion has been reached. The letter will also tell you where to take the complaint next should you not be satisfied with the response provided.

Duplicate Complaints

- There may be some cases where at the end of the complaints' procedure, the setting receives a duplicate complaint from a complainant's spouse, partner, grandparent or child.
- Where the complaint is about the same subject, the new complainant will be informed that the setting has already considered that complaint and that the local process has been completed.
- The setting will take care not to overlook any new aspects to the complaint that may not have been previously considered. Any new elements of a complaint will be investigated and dealt with in line with the full complaints' procedure.

Persistent or Vexatious Complaints

- You may remain dissatisfied, despite all the procedures having been followed and reasonable responses being provided. It may be the case that it is not possible to resolve all of your concerns and meet all of your wishes. Sometimes it may be necessary to 'agree to disagree'.
- If you do continue to make representations to the setting on the same issues, the Trustees reserve the right to inform you, in writing, that the appropriate procedures have all been followed, that all reasonable actions have been taken to try to resolve the issue and that the matter is now closed. Should you then write to the setting again on the same issue(s), there is no obligation on the setting to respond to you in that case.
- Correspondence received from any complainant subsequent to closure will be kept on file, indefinitely, as will notes of telephone calls and any further personal calls referring to the matter.

Review

This Policy and Procedure will be reviewed every two years and also, as and when required, should legislation and/or guidance change.



Appendix 1: Stage 2 Formal Complaints form

Please complete and return to the Business Manager of the setting who will acknowledge receipt and explain what action will be taken.

Your name:			
Child's name:			
Your relationship to the pupil:			
Address:			
Postcode:			
Telephone number:			
Name(s) of staff who are already aware of the complaint:			
Date of when the verbal complaint was initially made and to whom:			
Details of your complaint: <i>Please include as much detail as possible and continue on a separate sheet if necessary. Please attach any relevant information to support your complaint.</i>			
What action, if any, have you already taken to try and resolve your complaint?			
What action do you feel might resolve the problem at this stage?			
Are you attaching any paperwork? If so, please give details.			
Signature:			
Date:			
Office use only:			
Date acknowledgement sent:			
Acknowledgement sent by:			
Complaint referred to:		Date:	