



HARTCLIFFE NURSERY SCHOOL

COMPLAINTS POLICY and PROCEDURES

Approved by:	Governing Body	Date: 26.10.23
Last reviewed on:	26.10.2023	
Next review due by:	10.06.2024	

Rationale

Hartcliffe Nursery School is committed to ensuring that all our users have a voice and continually improving on the services and experiences we offer our children, families and visitors. We take all complaints very seriously and commit to investigating them to the best of our ability. In order to investigate your complaint as fully as possible the governing body of Hartcliffe Nursery School has implemented a staged approach. We are fully committed to dealing with all complaints fairly and impartially, in a friendly, respectful and professional way as it is in everyone's best interest to help ensure the matter can be resolved as quickly and informally as possible.

We anticipate that almost all complaints that arise will be resolved at Stage 1 or Stage 2 below, and that Stage 3 and 4 and Part 2 will only need to be followed on very rare occasions.

Complaints policy and procedures

Stage 1: Informal

1.1. You are always welcome to discuss any concerns with the appropriate member of staff, who will clarify with the you the nature of the concern and reassure you that we take all complaints seriously and wants to hear about it. The member of staff may explain to you how the situation happened. It can be helpful at this point to identify what sort of outcome you are looking for.

1.2. If the member of staff first contacted cannot immediately deal with the matter, they will make a clear note of the date, name and contact address or phone number.

1.3. All members of staff will know how to refer, if necessary, to the person with responsibility for the particular issue raised by you. They will check later to make sure the referral has been dealt with.

1.4. If the matter is brought to the attention of the Leadership Team they may decide to deal with concerns directly at this stage. If the complaint is against the Leadership Team you will be advised to contact the Headteacher. If the complaint is about the Headteacher you will be advised to contact the Chair of the Governing Body.

1.5. The member of staff dealing with the concern will make sure you are clear what action (if any) or monitoring of the situation has been agreed, putting it in writing if appropriate.

1.6. Where no satisfactory solution has been found within ten days, you will be advised, that if you wish your concern to be considered further you should write to the Headteacher. (See complaints form)

Stage 2: Referral to the Headteacher for investigation (formal)

2.1 The Headteacher (or designated person) will acknowledge the complaint in writing within one week of receiving the written complaint. The acknowledgement will give a brief explanation of the school's complaints procedure and a target date for providing a response to the complaint. This should normally be within 3 weeks. If this proves impossible, a letter will be sent explaining the reason for the delay and giving a revised target date.

2.2 The Headteacher will provide an opportunity for you to meet them to supplement any information provided previously. It will be made clear to you that if you wish you might be accompanied to any meeting by a friend, relative, representative or advocate who can speak on your behalf.

2.3 If necessary the Headteacher will interview witnesses and take statements from those involved. If a member of staff is complained against, they must have the opportunity to present their case (see General Principles).

2.4 The Headteacher will keep written records of meetings, telephone conversations and other documentation.

2.5 Once all the relevant facts have been established as far as possible, the Headteacher will then produce a written response, by letter or email, to you, including a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the setting will take to resolve the complaint. You will be advised that should you wish to take the complaint further you should notify the Chair of Governors within four weeks of the date of the letter/email.

2.6 If, in the course of an investigation, a fault is identified, the Headteacher should take immediate action to put matters right so that any potential injustice does not continue or risk happening to somebody else.

What if the complaint is about the Headteacher?

If the complaint is against the Headteacher, or if the Headteacher has been closely involved at Stage 1, the Chair of the Governing Body will carry out all the Stage 2 procedures.

What if the complaint is about a Governor?

You should still contact the Chair of Governors who will investigate the concerns. If the complaint is about the Chair of Governors you should be referred to the Vice Chair. If the complaint is about the Governing Body as a whole, you should be referred to the Strategic Director, Children, Young People and Skills, Bristol City Council.

Stage 3: Review by the Governing Body

3.1 The Chair of the Governing Body will write to/email you to acknowledge receipt of the written request for the Governing Body to review the complaint. The acknowledgement will inform you that three members of the Nursery's Governing Body will hear the complaint within 1 month of receiving the complaint. The letter/email will also explain that you have the right to submit any further documents relevant to the complaint. These must be received in time for the documents to be sent to the three members.

3.2 A meeting of the Governors' Complaints Panel will be convened by the Chair of Governors and a Clerk to the panel will be appointed.

The Complaints Panel can be drawn from the whole Governing Body. Governors with prior involvement must not be included on the panel. If they have not previously been involved the Chair of Governors can chair the panel. However, this does not need to be the case. It is up to the Complaints Panel to decide who should be its chair. When deciding on the make-up of the panel, bear in mind the advantages of including a Parent Governor and if possible

having a balance of race and gender. It is not appropriate for the Headteacher to sit on the panel. Careful consideration will need to be given whether it is appropriate for staff governors to be appointed as panel members; in many instances this may lead to a conflict of interest.

3.3 The Chair of the Complaints Panel will ensure the panel hears the complaint within 1 month of receiving the letter/email. All relevant correspondence relating to the complaint will be given to each panel member as soon as the composition of the panel is confirmed. If the correspondence is extensive, the Chair may prepare a thorough summary for sending to panel members.

3.4 The Clerk will write and inform you, Headteacher, any relevant witnesses and members of the Panel at least five working days in advance of the date, time and place of the meeting. The notification will also inform you of your right to be accompanied to the meeting by a friend/advocate/interpreter and explain how the meeting will be conducted.

3.5 The Headteacher will be invited to attend the panel meeting and will be asked to prepare a written report for the panel in response to the complaint. All concerned, including you, should receive any relevant documents including the Headteacher's report, at least five school days prior to the meeting. The Headteacher may also invite members of staff directly involved in matters raised by you (the complainant) to respond in writing or person.

3.6 The meeting should allow for:

- You, (the complainant) to explain your complaint and the Headteacher to explain the school's response
- The opportunity for both parties to ask questions of each other about the complaint.
- Panel members to have an opportunity to question both the complainant and the Headteacher
- Any party to have the right to call witnesses (subject to approval of the Chair) and all parties having the right to question all the witnesses
- Final statements by both you and the Headteacher.

It is the responsibility of the Clerk of the panel to ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken or actions agreed. The notes do not need to be verbatim but should be sufficient to remind the panel of the evidence that has been presented and the reason for the decision.

3.7 The Chair of the Panel will explain to you, the complainant and Headteacher that the panel will consider its decision and that a written decision will be sent to both parties within five school days. You, the Headteacher, other members of staff and witnesses will then leave.

3.8 The panel will then consider the complaint and all the evidence presented and:

- Reach a majority decision on the complaint;
- Decide upon the appropriate action to be taken to resolve the complaint; and, where appropriate, suggest recommended changes to the school's systems or procedures to ensure that problems of a similar nature do not happen again.

3.9 A written statement outlining the decision of the panel must be sent to you and Headteacher. The letter to the you should also explain how a further appeal can be made (See Stage 4).

3.10 The school should ensure that a copy of all correspondence and notes are kept on file in the school's records. These records should be kept separately from the pupil's personal records.

Stage 4 Review of the Governing Body Complaints Panel Decision

We hope that you feel your complaint has been taken and handled correctly and resolved to your satisfaction. However, once the Centre's complaints procedure has been exhausted, if you remain unhappy with the outcome you can write to the Bristol Local Authority Early Years Lead.

If you feel your response from the Strategic Lead from Early Years in Bristol has not been satisfactory, a complaint can be made to Ofsted, <https://www.gov.uk/government/organisations/ofsted/about/complaints-procedure> or the Secretary of State if you believe the Governing Body or LA is acting unreasonably or is failing to carry out its statutory duties properly. You should set out in full your concerns, and the reasons why the complaint is being submitted, enclosing all previous correspondence relevant to the complaint.

This is the final stage in the complaint handling process.

Part 2; Unreasonably persistent complainants and unreasonable complainant behaviour.

We are fully committed to dealing with all complaints fairly and impartially, in a friendly, respectful and professional way. We are sure that you will understand the need to behave in a similar way as it is in everyone's best interest to help ensure the matter can be resolved as quickly and informally as possible.

However, the Nursery does not expect its staff or Governors to tolerate behaviour by complainants which is unacceptable, for example, which is abusive, offensive or threatening, and they will take action to protect staff and governors from any such behaviour if it occurs.

Also, there may be complainants who, because of the frequency of their contact with the Nursery, hinder our consideration of their, or other people's, complaints and potentially the running of the Nursery.

We anticipate that such behaviour will be a very rare occurrence, but if we consider a complainant's behaviour is unacceptable or unreasonably persistent, we will tell them why and ask them to change it. If the behaviour continues, we may take action to restrict the complainant's contact with the Nursery.

The decision to restrict access to the nursery will be taken by the Headteacher and Chair of Governors. Any restrictions imposed will be appropriate and proportionate. They may include:

- requesting contact in a particular form (for example, letters only);
- requiring contact to take place with a named member of staff or governor;
- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their conduct.

In all cases we will write to tell the complainant why we believe their behaviour is unacceptable or unreasonably persistent, what action we are taking and the duration of that action. We will also tell them how they can challenge the decision if they disagree with it.

Where a complainant continues to behave in a way which is unacceptable or unreasonably persistent, we may decide to terminate contact with that complainant and discontinue any investigation into their complaint. If we decide to carry on treating someone as an unreasonably persistent complainant and we are still investigating their complaint six months later, we will carry out a review and decide if restrictions will continue.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of the school's staff or Governors, we will consider other options, for example reporting the matter to the Local Authority, the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

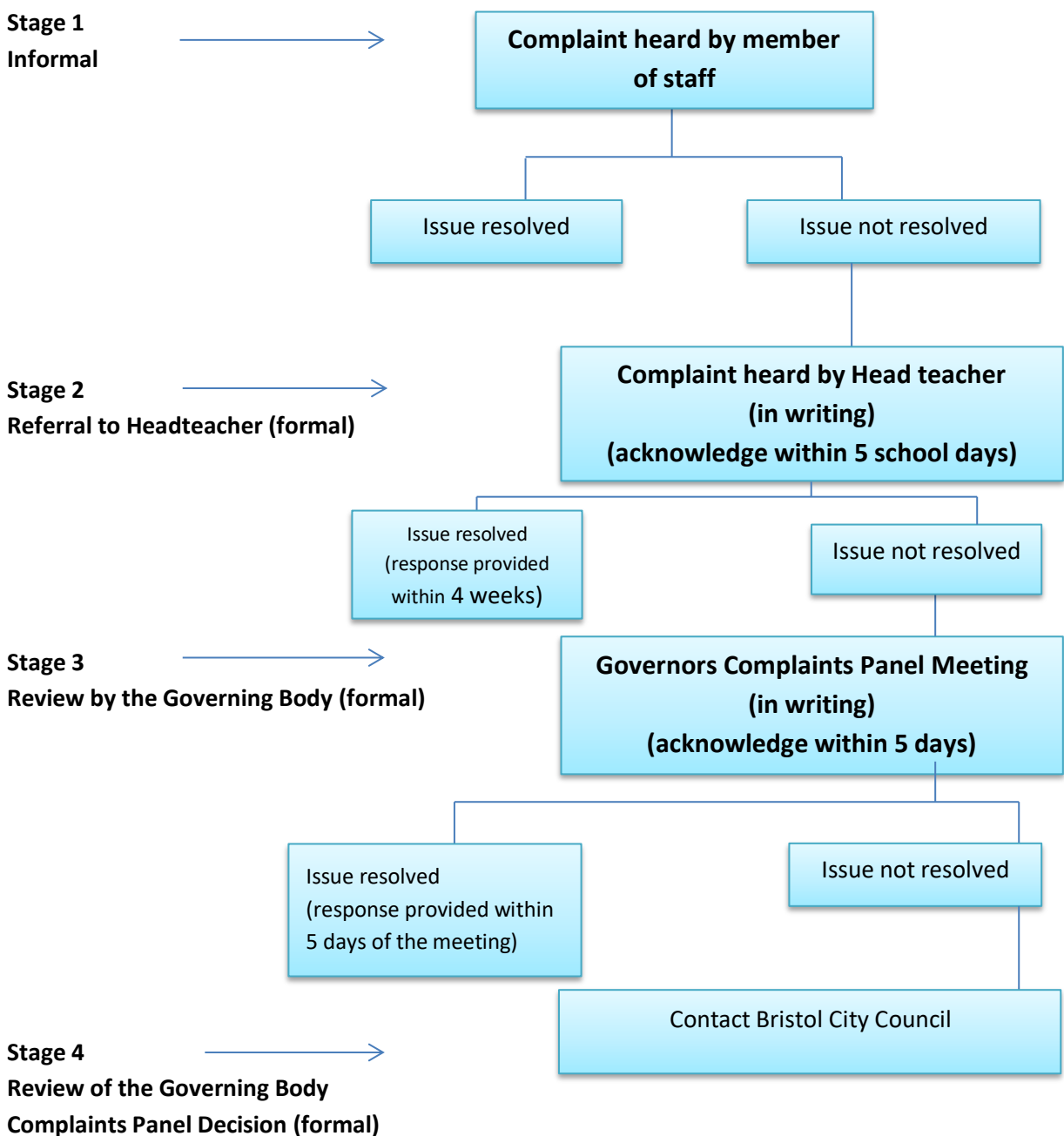
Where a complainant whose case is closed persists in communicating with us about it, we may decide to terminate contact with that complainant. In such cases, we will read all correspondence from that complainant, but unless there is fresh evidence which affects our decision on the complaint we will simply acknowledge it or place it on the file with no acknowledgement.

New complaints from people who have come under the unreasonably persistent complainants' policy will be treated on their merits.



Hartcliffe Nursery School Complaints Procedure Flowchart

Summary of Dealing with Complaints



Hartcliffe Nursery School and Children's Centre
Complaints Policy and Procedures



Date of complaint:	
Name:	
Address:	
Contact number:	
Please explain your complaint:	
What outcome are you looking for? What would you like to happen?	
Signature:	Date:

Please complete and send to Hartcliffe Nursery School, Hareclive Road, Hartcliffe, Bristol BS13 OJW
Email: hartcliffenursery@bristol-schools.uk Telephone number: 01179038633