



COMPLAINTS and CONCERNS PROCEDURE - STATUTORY POLICY

A guide for expressing, resolving and recording concerns/complaints and their outcome

What is a concern?

In this policy the term '**concern**' is a type of complaint which does not usually involve a significant breach of Pathways policy or EYFS requirements. A concern is usually a less formal type of complaint and expressed verbally in the first instance. The parent is happy overall but raises a concern, query or suggestion. Usually, concerns or less formal complaints are relatively straightforward and can be resolved at the informal stage, within 14 days. A concern can be investigated and recorded in the same way as a complaint or if straightforward and quickly resolved, can be logged on the Overview of Concerns Sheet. Parents would not normally be asked to express a concern in writing unless it is unresolved, although they may decide to write in unprompted. Informal concerns may be managed/recorded by a Branch Manager, who has been trained to do so.

A '**complaint**' is used to refer to any concern that may involve a breach or possible breach of company policy, a role description or EYFS/legal requirements. It suggests some improvement to practice may be needed. It refers to *any* concern that is expressed in writing, *either* in the first instance, i.e. without making a verbal complaint to a member of staff *or* following a verbal concern that has not been resolved. A director must be informed and may manage the complaint alongside the branch manager. The written response will be sent from the central e mail.

A '**formal complaint**' is when the parent considers an aspect of practice is unacceptable, potentially puts a child at risk, and/or to the extent they are considering removing their child to another provider, or taking the matter further, if no resolution can be agreed. Formal complaints are unusual but are resolved as soon as practicable and in a maximum of 28 days. They must be managed by a director.

All written concerns, complaints or formal complaints, will be investigated, managed and all responses, meeting notes etc sent in writing from the office e mail address, by a Company Director, who will complete the complaints record form.

Likewise, all compliments expressed in writing or reviews on social media are responded to by a director from the office e mail.

A summary of this policy is provided for parents at Induction and on the website.

Intent/Rationale

Parental support is essential for the nurseries to flourish. The aim of this policy to ensure a positive and open-door relationship with parents and carers. Parents are entitled and welcome to express views on their children's childcare and education, in the form of compliments, concerns, complaints or suggestions for improvement. This policy aims to

support staff in their endeavour to work closely with parents/carers, to respect, listen and take account of their views and any suggestions for improvement.

It helps staff understand the context and company philosophy on receiving and resolving complaints. Serious or formal complaints are unusual, particularly if the partnership with parents is positive and policies are being implemented effectively by staff. Most concerns are usually the result of minor misunderstandings and can be addressed in the context of a positive parent partnership. However, where parents have a valid cause, they have the right to comfortably discuss or write in about their concern and/or make a formal complaint.

This policy aims to ensure informal concerns or complaints are managed sensitively and resolved prior to escalating to the formal written stage or, in exceptional cases, the point where the parent is not comfortable to leave their child in our care. It explains the procedure to be followed by parents in the event they wish to express a concern or complaint and how the company staff and directors will respond at each stage.

Implementation/Policy Statement

Parents are made aware of the policy and the *Staged Procedure*, prior to the child's start date and the policy is on display in each setting. A spare copy is available in the *Concerns, Complaints, and Compliments Record File*. This policy is also summarised online for current parents. Staff and directors do not view any complaint as a personal criticism or respond in a negative tone or manner. Discussion following complaints is viewed an opportunity to reflect and improve policy or practice. Concerns and complaints provide an opportunity to demonstrate that policies are robust, are not intentionally breached, or any unintended breach has been addressed, the appropriate record has been made and practice reflects the EYFS requirements. The company resolves verbal concerns/complaints informally wherever possible, and within a reasonable timescale.

Record keeping - Staff who are trained to manage complaints and complete a *Record of Written and Verbal Complaints* form are authorised to do so. Managers are accountable for deciding whether a parental comment needs to be recorded and followed up or can be resolved 'in the moment', therefore any negative view or suggestion for improvement must be passed on to the manager in the first instance, who can seek advice.

The number of comments, concerns, complaints (including nil) are logged each month on the *Branch and Concerns/Complaints Log* and the file is monitored three times a year. All concerns/complaints or potential complaints are referred to a director, and investigated, informally (if verbal) or formally (if written or if related to a legal requirement). Any confidential notes, e.g. e mails, incident forms or CCTV clips... referred to on the form are centrally stored by the Company Secretary and only made available to authorised persons. Anonymous or malicious complaints, or concerns on parent/visitor questionnaires, are also investigated and added to the record. All complaints records are kept for 3 years and then archived at the head office.

The directors may notify Ofsted and/or the Local Authority, if necessary, as part of an investigation into a formal complaint. Ofsted, the regulatory body, can also be contacted by a parent, if they are not satisfied with the responses of the directors. More specifically, if the complaint relates to breach of safeguarding policy, or a serious breach of statutory requirements, a parent or indeed anyone may inform Ofsted. The Ofsted contact details are made available to parents. All complaints are treated as confidential, notwithstanding our statutory obligations. Complaints should not be discussed with third parties.

Disciplinary action is likely to occur should a formal complaint be upheld, as a result of an employee breach of policy, job description or contract. A parent may be required to

provide a witness statement, and the complaint records will be used as evidence in any disciplinary hearing.

In the event of any **complaint or potentially formal complaint**, the branch manager must be made aware and will always inform a director as soon as possible, who will advise and/or respond at each stage in the procedure below. The stages are an indicative summary, as each case is unique in context.

In the unlikely event, that a phone, verbal or written complaint is expressed in an unreasonable manner e.g., aggressive, abusive, discriminatory, harassing, loud or threatening in any way, there is a zero-tolerance policy in place. If there is a face to face altercation, the discussion will cease, and the parent will be asked to leave the premises immediately and until contacted by a director. The police may be informed.

If, exceptionally, a complaint cannot be resolved, in spite of every effort, and to the point that there is an irretrievable breakdown of the partnership between staff and parent, which impacts on the child or staff wellbeing, the director reserves the right to suspend or cancel a child's place.

Further advice and information on this policy/ procedure can be provided by a director.

Impact

The impact of this policy is to develop an open relationship with parents, who will feel their views can be expressed and are respected. In addition, any misunderstandings can be clarified or resolved at an early stage, to prevent escalation. In some cases, the impact will be that the concern is used as a learning experience, and practice may be refined and improved, or a policy may be updated. The file will provide evidence towards a positive inspection outcome, as it demonstrates that our policy and procedures are robust, and we take account of parents' views. It demonstrates that we know we are not infallible but strive to reflect and improve. The impact will also be that directors are made aware of concerns and potential complaints prior to being contacted by a parent. All complaints and formal complaints will be managed and closed as soon as practicable, and within a maximum of 28 days.

Overview of Staged Complaints Procedure (subject to context)

Stage 1 - Verbal concern/complaint

- a) Parent may express an informal verbal concern or complaint about an aspect of provision to a member of staff, who refers the parent to speak to the most senior person on the premises at the time.
- b) The lead educator listens carefully, acknowledges the concern and informs the parent that the matter will be investigated, and they or someone will be in contact, as soon as possible or at least within the next 48 hours.
- c) The information is noted on the relevant overview form, and passed on to a director (Beth or Caroline if Beth is unavailable) who will advise the lead educator on how to proceed.
- d) A director will ensure the concern is informally investigated and resolved as soon as practicable,
- e) The parent will be spoken to informally in person or by phone, by a director or member of the senior leadership team.
- f) If the concern is based on a misunderstanding or minor and not related to any statutory policy, a note will be made on the overview of concerns sheet.
- g) Otherwise, the concern will be recorded on the Record of Concerns Form and resolved within 14 days.
- h) The parent may be given or e mailed a copy of the record on request.

- i) If the concern is complex, unresolved or involves a breach of policy, is likely to escalate, or the parent does not seem totally happy and the concern will move to Stage 2.

Stage 2 – Written Expression of Concern

- a) If the concern is unresolved at Stage 1, Beth (or a nominated person) will call the parent and may advise the parent to e mail the office office@pathwaysnurseries.co.uk with detail of the concern and how they would like it to be resolved **or** a parent may have already written unprompted to the office.
- b) Alternatively, a parent may write unprompted to the office to express a concern or complaint.
- c) A written acknowledgment will be made, within the first 48 hours, pending an initial informal or formal investigation.
- d) Caroline is sent a copy of *all* written concerns.
- e) All written concerns, including minor ones, will be responded to by telephone, fully investigated and responded to by phone and followed up in writing.
- f) Parents will be kept informed by telephone or e-mail and invited to attend an informal meeting with Beth, if necessary.
- g) When the investigation and any actions are completed, a follow up phone call will be made to check the parent is happy with the outcome.
- h) A director or trained member of the senior leadership team will complete the record of complaints form and close the file within 28 days.

If, following an informal meeting (e) the concern is more complex, unresolved or involves a breach of company policy, likely to escalate, or the parent does not seem totally satisfied the complaint will move to Stage 3.

Stage 3 - Written Complaint

- a) Parent writes to office@pathwaysnurseries.co.uk and expresses a significant concern or complaint, which indicates a policy or EYFS may have been breached
- b) A formal initial response will be sent by a director, stating the issue will be investigated and the quality director will be in touch.
- c) A director, normally Beth, will phone the parent to arrange a meeting.
- d) The formal meeting with parents will be confirmed, in writing, at any of the above stages if appropriate.
- e) A formal investigation will be conducted, a written action plan will be drawn up to resolve the issue (if necessary) and shared with the parent.
- f) Actions will be completed and formally recorded.
- g) The complaint will be upheld or not upheld within 28 days.
- h) The parent will receive a copy of the Record of Complaint form, summarising the actions and the outcome of the investigation.
- i) The Form will be closed by a Director.

If the concern is not upheld and cannot be internally resolved or the parent is not satisfied with the formal response, the matter will move to Stage 4

Stage 4 - Refer to regulatory body and seeking of legal advice

- a) A director will refer to OFSTED, or other sources of legal/external advice e.g. the Local Authority
- b) If the complaint involves an allegation of abuse against a member of staff, the provider will refer to the Local Authority Designated Officer
- c) A director will remind the parent that they can speak with or e mail Ofsted
- d) The complaint will be risk assessed and investigated in line with Ofsted procedures
- e) If there is a breach of requirements Ofsted Compliance Team will notify the director and any required actions will be taken.

- f) A director may meet with the parents and will ask the parents to sign and will close the complaint record within 28 days.

Any queries relating to this policy please e mail office@pathwaysnurseries.co.uk

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