



COMPLAINTS and CONCERNS PROCEDURE - STATUTORY POLICY

A guide for expressing and resolving concerns/complaints

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 is investigated and recorded in the same way as a complaint.

A 'complaint' involves a breach or possible breach of policy or EYFS requirements. It is expressed in writing, in the first instance either without making a verbal complaint or following a verbal concern that has not been resolved. A complaint is when the parent considers an aspect of practice is unacceptable, potentially puts a child at risk, to the extent they are considering removing their child to another provider, if no resolution can be agreed. Formal complaints are resolved as soon as practicable and in a maximum of 28 days.

A summary of this policy is provided for parents at induction.

Rationale

Parental support is essential for the nurseries to flourish. The aim of this policy is to ensure a positive and open-door relationship with parents and carers. Parents are entitled to express views on their children's childcare and education, in the form of compliments, concerns, complaints or suggestions for improvement. The company and staff endeavour to work closely with parents/carers, to respect, listen and take account of their views and any suggestions for improvement. 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 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 staff will respond at each stage.

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. Only 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 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.

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.

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 or a child is at risk, a parent or indeed anyone may inform Ofsted. 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 will always inform a director, who will 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 information on this policy and procedure can be provided on request, by a director.

Stages in the Complaints Procedure

Stage 1 - Verbal concern

- a) Parent may express an informal verbal concern 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 and passed on to a director (Beth or Caroline if Beth is unavailable) who will advise the lead educator on how to proceed.
- d) The lead educator immediately makes a written note in the Complaints Log.
- e) A director will open an electronic *Record of Complaint* form.
- f) The concern will be informally investigated and resolved as soon as practicable
- g) The parent will be spoken to informally in person or by phone.
- h) The parent will see and sign the closed record within 14 days.

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 Concern

- a) Beth will call the parent and may advise the parent to e mail the office detailing the concern and how they would like it to be resolved or a parent may write unprompted to the office.
- b) Caroline is sent a copy of all written concerns
- c) A written acknowledgment will be made, within 48 hours, pending an initial investigation
- d) All written concerns will be responded to by telephone, fully investigated and responded to by phone and followed up in writing.
- e) Parents will be kept informed by telephone or e-mail and invited to attend an informal meeting with Beth.
- f) 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.
- g) A member of the senior team will complete the record 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) A formal meeting with parents will be arranged, in writing, at any of the above stages if appropriate.
- b) 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.
- c) Actions will be completed and formally recorded.
- d) The complaint will be upheld or not upheld within 28 days
- e) The parent will receive a copy of the Record of Complaint form, summarising the actions and the outcome of the investigation.
- f) 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 investigated and resolved

