



*Rebecca Cheetham Nursery  
and Children's Centre*

## **Complaints Policy**

Compiled by: RC SLT using guidance  
Amended: RC Senior Leadership Team  
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Ratified by governors: March 24

# Complaints Policy

## Concerns and Complaints Procedure

### **1. Background**

This policy is based upon the DfE document “Best Practice Advice for School Complaints Procedures 2016” The law requires schools and nurseries to have a publicised procedure.

The complaints policy for Rebecca Cheetham Nursery and Children’s Centre is the responsibility of the Governing Body and the school will adopt this policy.

### **2. Raising a concern or 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 generally defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’. It is in everyone’s interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. Schools should take informal concerns seriously and make every effort to resolve the matter as quickly as possible. There are occasions when complainants would like to raise their concerns formally. In those cases, the school’s formal procedure should be invoked through the stages outlined in this policy.

Any person, including members of the general public, may make a complaint about any provision of facilities or services that a school provides, unless separate statutory procedures apply (such as exclusions or admissions). This includes complaints from parents/carers of SEND and Looked after children.

#### **a) Investigating complaints**

Schools must ensure that at each stage, the person investigating the complaint:-

- Establishes what has happened so far
  
- Identifies who has been involved
- Understands the nature of the concern or complaint
- Knows what issues remain unresolved
  
- Has contacted the complainant to establish and clarify information
- Has spoken to or interviewed those involved as required
- Conducts meetings with an open mind and be prepared to persist with questioning and finding the answer, and if necessary to arrange for a minute/note taker.
- Complaints must be kept centrally and on file by the Head Teacher or a member of staff who is designated the Complaints Coordinator.
- Keeps accurate records of the complaint including notes of any meetings,

## **b) Resolving complaints**

Schools must acknowledge and register complaints from complainants. The possible outcomes of a complaint will be one or more of the following (this list is not exhaustive):-

- An apology
- An explanation of what actually happened with clarification of the facts
- An admission that the situation could have been handled differently or more appropriately
- An assurance that the event complained about will not reoccur
- An explanation of the steps that have been taken to ensure that it will not happen again
- An undertaking to review school policies in light of the complaint.

## **c) Dealing with vexatious complaints**

On occasions, despite all stages of the procedures having been followed, the complainant continues to be dissatisfied. If the complainant tries to reopen the same issue, the Chair of Governors, as detailed in Stage 4, is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. If the complainant writes again on the same issue, then the correspondence may be recognised as vexatious and there will be no obligation on the part of the school to respond.

It is important to note, however, that should a complainant raise a new, separate complaint, it must be responded to in accordance with the school complaints procedure.

## **3. The Four Stage Complaints Procedure**

### **Stage 1a – Talk to the Class Teacher (informal) or SENDCO**

First of all make an appointment to see the key worker. The key worker will know your child well and may already know the details of any incident about which you may have a concern. Please do not try to see the key worker during the school day when lessons are occurring. We are able to accommodate appointments to meet with the key worker but this needs to be arranged in advance so cover may be organized appropriately.

It is hoped that you can reach an agreement that satisfies you but on some occasions the concern raised may require investigation, or discussion with others, in which case the complainant should allow at least 5 days for a response. The majority of concerns are dealt with in this way, however, if this is not the case, please see Stage 1b.

### **Stage 1b – Meet the Class Teacher or SLT (if the class teacher is the key worker) (informal)**

Please contact the school office to arrange to meet with Class Teacher or SLT who will investigate the complaint and reply within 5 working school days. If you are not happy with the outcome at this stage, please see Stage 2.

### **Stage 2 - Complaint goes to Head Teacher (including Head of School) or Executive Head Teacher (Formal)**

If the complainant is dissatisfied with the response from the member of staff at Stage 1 they should be advised to put their complaint in writing to the Head Teacher/Executive Head Teacher who will deal with it formally at Stage 2. Where the Head Teacher is the subject of the complaint, the complainant should address the complaint to the Chair of the Governing Body. If the complaint is being dealt with by the Chair of the Governing Body this will bypass Stage 2 and go to Stage 3 of the formal procedure and be heard by the Chair of the Governing Body. The complainant must ensure that they include details of why they are still dissatisfied and what action they would like taken in order to resolve the complaint. They can also attach any evidence to support their concerns.

The Head Teacher must acknowledge the complaint within 5 days by writing to the complainant. The acknowledgement should state that a further communication will follow within 20 school days that will set out the actions taken to investigate the complaint and the findings.

The Head Teacher can delegate another senior member of staff to carry out the investigation and report their findings to them. The Head Teacher will then reach a conclusion based on the investigation. All notes relating to the investigation should be kept on file. The investigating officer may feel it necessary to meet with the complainant. If this happens, then notes should be taken at this meeting.

The investigating officer will then compile a report detailing their findings. Any recommendations or actions proposed must be considered by the Head Teacher.

Once satisfied that the investigation has been concluded and a decision has been reached, the Head Teacher must notify the complainant in writing of the conclusion and any actions that will be taken as a result. The decision can be communicated by the Head Teacher to the complainant in writing or, if they may feel it appropriate, meet with them first to communicate their findings and then confirm in writing afterwards.

Useful model letters are attached in Appendices C and D.

The complainant must also be informed that, should they continue to be dissatisfied with the outcome, they can write to the Chair of the Governing Body outlining why they are still unhappy.

### c) **Stage 3 – Formal (if not resolved at Stage 2)**

The complaint is heard by the Chair of the Governing Body (this will be delegated to the vice-chair or other nominated member of the Governing Body if appropriate).

If the complainant is dissatisfied with the response from the Head Teacher at Stage 2 they should be advised to put their complaint in writing to the Chair of the Governing Body for consideration at Stage 3 of the procedure.

The complainant must ensure that they include details of why they are still dissatisfied with the decision, the recommendations and actions of the Stage 2 complaint and what they require to resolve the matter. They may also attach any evidence to support their concerns that can be additional to that submitted at Stages 1 and 2.

The Chair must write to the complainant within 5 days of receipt of the complaint to acknowledge this. The letter should state that another letter will follow within 20 school days setting out the actions taken to investigate the complaint and the findings.

The Chair of the Governing Body will look at all the information pertaining to the complaint submitted by the complainant and the investigatory evidence by the school at Stages 1 and 2. The Chair may want to talk with the complainant or investigating staff members to establish facts and obtain further information.

Useful model letters are attached in Appendices C and D.

Once satisfied that the investigation has been concluded and a decision has been reached on the complaint, the Chair will notify the complainant in writing of the conclusion.

The conclusion could be:

- The evidence indicates that the complaint was substantiated and therefore upheld
- The complaint was substantiated in part and then state what action will be taken
- The complaint is not substantiated by the evidence and therefore not upheld

The complainant will also be informed that should they still be dissatisfied that they may write to the Trustees of the Trust.

d) **Stage 4 – Formal (if not resolved at Stage 3)**

The complaint is heard by the Governing Body. This is the final stage of the process.

If the complainant is dissatisfied with the response from the Chair of Governing Body (or Vice-Chair) at Stage 3 they should be advised that the next stage is to put their complaint in writing to the Governing Body at Stage 4.

The complainant must ensure that they include details of why they are still dissatisfied with the decision of the Chair, recommendations and actions of the Stage 3 complaint and what they feel would resolve the matter. They can also attach any evidence to support their concerns in addition to that submitted at Stages 1, 2 and 3.

The complaint will be acknowledged within 10 school days.

The complaint will then be considered by a panel of members of the Governing Body. The panel must be independent and impartial. No governor may sit on the panel if they have had prior involvement in the complaint or in the circumstances surrounding it. The panel must have a cross-section of categories of governors who are sensitive to the issues of race, gender and religious affiliation.

The panel must convene a meeting to discuss the complaint and to look at all of the investigation evidence to make a final decision on how to progress. A clerk should be appointed to take notes of the meeting and records must be kept. A useful checklist for a panel hearing is attached in Appendix 2.

The Head Teacher has a statutory duty for the internal organisation and management of the school, which they must carry out in accordance with any rules, regulations or policies laid down by the Governing Body. The remit for this panel is to consider the complaint with regard to whether the Head Teacher has followed the relevant school policies; it is not to substitute its own operational judgement for that of the Head Teacher.

The panel can decide:

- To convene a meeting with the complainant. If a meeting is to be convened, the person chairing the meeting will write to the complainant to acknowledge the complaint within 10 school days. The letter would also include the date, time and venue of the convened meeting to hear the complaint.
- Decide on the appropriate action to be taken to resolve the complaint
- For non-complex complaints, not to meet with the complainant, but to use all the information available to them and make a decision on the complaint as there is enough information to allow for a decision to be made.
- Possible outcomes for the Panel
  - Dismiss the complaint in whole or in part
  - Uphold the complaint in whole or in part
  - Recommend changes to school systems or procedures to ensure that similar incidents do not occur.
  - An outcome letter will be sent to the complainant within 20 school days of the meeting. A model response letter is attached in Appendix F.

#### **4. Further information**

The outcome letter from the School Complaints Panel exhausts the 4 Stage procedure. If the complainant is dissatisfied with the process, they are able to contact:-

The Department for Education  
The School Complaints Unit (SCU) Department for Education

2<sup>nd</sup> Floor, Piccadilly Gate  
Manchester  
M1 2WD

The SCU will examine if the school complaints policy and any other relevant processes were followed. The SCU will also examine policies to determine if they adhere to education legislation. However, the SCU will not re-investigate the substance of the complaint.



What actions do you feel might resolve the problem as this stage?

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

Signature:

Date:

Date acknowledgement sent:

By who:

Complaint referred to:

Date: