Lanterns

Nursery School and Extended Services

COMPLAINTS PROCEDURE & GUIDELINES	
Date ratified: October 2024	
Period: October 2024 - October 2027	
Headteacher Signature:	Lynsay Falkingham
Chair of Governors Signature:	Briony Allder
Review: October 2027	

The majority of problems or concerns parents/carers may have can be resolved quickly and successfully by using the following guidelines:

In the first instance minor issues or concerns should be discussed with your child's key person or group leader.

If you wish to discuss your concerns further the Senior Early Years Practitioner in Butterflies Ladybirds, Grasshoppers and Bumblebees should be able to help resolve most problems.

If you feel, however, your concerns have not been addressed in this way you should arrange to meet with the Headteacher who will look into the issues and make every effort to resolve them. You will be invited to discuss the issues, and your complaint will be recorded in the Centre's Complaint File.

If you are unhappy with the response from the Headteacher you should put your concerns in writing to the Chair of Governors. Any letters to the Chair of Governors should be given in to the Admin Office who will forward them on. If the problem still cannot be resolved, you may make an appeal to the Governing Body Complaints Panel. The Panel consists of three governors who will have no prior knowledge of your complaint and will consider written and verbal submissions from you and the Headteacher.

Further advice regarding making a complaint about any aspect of the Centre, including a list of helpful contacts, is detailed in the document "Lanterns Complaints Procedure Guidelines." This document is available upon request and is attached as part of the whole complaints procedure document.

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Staged Approach to handling complaints

Complainant's Actions	School's Actions
Speak with relevant member of staff	Informal Discussion • Listen • Discuss • Consider who should deal with the matter • Record concern • Resolve
PRELIMINARY STAGE	
Parent satisfied	
Not satisfied	Explain procedures and next stage
STAGE ONE	
Write to headteacher	• Acknowledge within 5 working days • Investigate • Agree to meet • Confirm the outcome in writing within 20 working days • Offer a resolution
Parent satisfied	
Not resolved	Explain procedures and next stage
STAGE TWO	
Write to Chair of Governors	• Acknowledge within 7 working days • Agree to investigate • Speak with the Headteacher • Meet with both parties • Try to resolve • Confirm the outcome in writing within 20 working days
Parent satisfied	
Not satisfied with the outcome	Explain procedures and next stage

STAGE THREE

Ask for a hearing by the Governors' Complaints Panel

Parent satisfied

Not satisfied with the outcome – Seek advice from HCC https://www.hants.gov.uk/educationandlearning/complaints/toschools

- No statutory timescale
- Good practice for the clerk to set up the hearing within 20 days
- Three governors on the panel
- Panel to consider written and verbal submissions from all parties
- Decision preferably within two days

Lanterns Nursery School & Extended Services
Complaints Procedure Guidelines

Staff and Governors hope that any difficulties or concerns will be resolved through informal discussions with the Nursery Teacher or Headteacher. However, in the event that a parent, carer, or user of the centre is not satisfied with the outcomes of these discussions and wishes to make a complaint, the procedures are as follows:

Stage 1

- The parent should write to the Headteacher, giving details of the concern and enclosing any appropriate paperwork. This includes complaints concerning the support provided to pupils with medical conditions. The complaint form at Appendix 1 may be used if preferred.
- The complaint will be acknowledged within 5 working days.
- The Headteacher will arrange a meeting with parents to try to resolve the matter.
- The Headteacher will summarise the outcome of this meeting in writing to the parents within 20 working days and offer a resolution.

Stage 2

- If a parent remains dissatisfied, they should write to the Chair of Governors, care of the school. The envelope should be date stamped, marked "urgent" and sent on to the Chair of Governors. They should explain their reasons for pursuing the complaint and enclose any relevant paperwork.
- Parents should note that the governing body has a largely strategic role. This means it is responsible for the school's strategic framework, including its aims and objectives, priorities and targets, and policies to achieve those aims and objectives. The Headteacher is responsible for the internal organisation, management, and control of the school and for advising on and implementing the governors' policies. The Headteacher is solely responsible for making day to day decisions.
- The Chair of Governors will acknowledge receipt of the complaint within 7 working days of receipt at the Nursery.
- The Chair of Governors will need to decide who is responsible for dealing with the issues involved, and therefore what powers are available to governors with respect to the particular complaint. Are the issues related to responsibilities that:

i. Are delegated to the Headteacher by the governing body; or
ii. Fall within with governing body's remit only; or
iii. Are within the Headteacher's terms and conditions of employment and relate to the internal organisation, management, and control of the school?

- For delegated responsibilities and matters within the remit of the governing body, the Chair may look at the whole issue afresh (see Stage 3 **Reconsideration** for details).
- If the matter relates to the Headteacher's conduct, the Chair of Governors will need to decide whether the matter should be dealt with through the complaints procedure or staff disciplinary procedure. Advice can be sought from the Local Authority complaints adviser or Education Personnel Services. (see Helpful Contacts section)
- For matters that are the Headteacher's responsibility, the Chair of Governors is only empowered to look at whether the Headteacher's decision or action was reasonable in the light of the information available at the time. (See Stage 3 **Review** for details).
- In the rare circumstance that a parent is unhappy with the outcome, the Chair of Governors may offer a right of appeal to the governing body's complaints panel.

Stage 3

- Parents who wish to appeal to the governors should request this in writing to the clerk of the governing body. Parents should describe the issues in detail and say why they are dissatisfied with the outcomes of the previous stages.
- Parents should not write to all governors individually as this may make it difficult to set up a panel of three governors who have had no prior involvement in the case.
- Parents should be aware of the governor's powers outlined in Stage 2. This appeal would be a **Reconsideration** or a **Review**.

Reconsideration

When the issues relate to delegated responsibilities, the panel can reconsider the matter, that is, look at the matter afresh, with any new information that the Headteacher may not have been aware of at the time of the original response or action. In the light of the additional information, the panel may decide to write and ask the Headteacher to give the matter further consideration.

Complaints about a governor should also be subject to a reconsideration of the issues.

Review

If the matter falls within the Headteacher's decision making remit by virtue of his or her terms and conditions of employment, then the panel will only have the power to review the decision and not to consider the matter afresh. It may look at whether the decision or action was unreasonable. An unreasonable decision might be one that is irrational: a decision that no reasonable Headteacher, properly aware of his or her duties and properly taking into account the facts of the case before him or her, would make.

The panel will need to consider the facts as they were known to the Headteacher at the time and then consider whether the Headteacher:

i. Failed to take account of a relevant consideration
ii. Took into account an irrelevant consideration; and / or
iii. Made a 'perverse' decision in the light of the evidence available at the time

If new evidence does come to light, the panel should refer it back to the Headteacher, who may consider amending the decision in the light of that new information.

In deciding whether the Headteacher's decision was perverse, the panel will need to judge whether the decision was one that, on the facts, was open to the Headteacher to make; that is, within a reasonable range of responses in the light of the evidence available.

The clerk should arrange and facilitate the meeting.

The panel should consist of three governors with no prior involvement in the matter and the chair should be designated before the meeting. The meeting should be held in an informal atmosphere but should follow a formal agenda.

The clerk should inform the complainant in writing of the panel's decision, preferably within two school days following the meeting. The letter should include:

- A summary of the issues
- An outline of the main points of the discussion
- The reasons for the decision
- Proposed actions or outcomes

The panel's letter may suggest that the parents meet the Headteacher again to agree a way forward.

For general complaints: this is the final stage of the school's complaints procedure. If a parent believes that the Headteacher's and governors' actions have been unreasonable or the correct process has not been adhered to, parents should consult the Hampshire County Council guide
https://www.hants.gov.uk/educationandlearning/complaints/toschools

APPENDIX 1

Complaints Form

When we receive a complaint, we aim to acknowledge its receipt within 5 days and send a full interim response within 20 days.

Name of parent / carer:
Child's Name:
Address: Postcode: Daytime Telephone: Evening Telephone:
What is your concern and how has it affected you?
Are you attaching any paperwork? If so, please list below:

Have you discussed this matter with a member of staff before filling in this form? If so, who did you speak to and what was the response?	
What would you like to happen as a result of making this complaint?	
Signature	Date
Official Use only Initial response and Acknowledgement: By whom:	Complaints reference no: Action taken:

Date:	Date:
Data Protection Act 2018 – we will only process your personal data to respond to your complaint. In general, this data will be used for administration and statistical purposes.	

APPENDIX 2

GOOD PRACTICE

Handling Complaints

Handling complaints effectively will ensure that parents feel confident that staff will respond to any future complaint in a sensitive, non-defensive and sympathetic manner. Parents need to feel assured of confidentiality and that their child will not be adversely affected.

Schools may consider designating a specific member of staff or governor to co-ordinate any concerns that have developed into complaints. The co-ordinator could advise on the progress, keep track of the developments, and keep the complainant informed of progress.

An individual governor should not respond to or investigate a complaint unless designated to do so.

When a parent approaches a member of staff about a concern that has not been resolved at the informal stage, it is good practice to:

- Listen sympathetically without comment
- Explain the procedures; that is what will happen next and who will deal with the issue
- Offer to help complete a complaints form if the school has one and if the help is appropriate

The appropriate member of staff will need to create a file and record the relevant details. It is advisable to keep records in the file of any meetings or conversations, with a chronological record of events.

It is good practice to acknowledge written complaints or forms within 5 days and respond in full within 20 days.

It is particularly helpful to establish the desired outcomes at an early stage. Responses might include an apology, a review of a decision, an explanation, an assurance that the incident will not be repeated, a meeting with a member of staff or an official investigation.

If the complaint is complex and lengthy, the school should keep parents informed of progress either by telephone or letter.

At the conclusion, the complainant should receive:

- A specific response rather than a standard reply
- Feedback on any outcomes such as an improvement in service or an agreement to review or amend a policy
- Advice on any further recourse or the telephone number of the LEA's complaints adviser

Difficult Complainants

Vexatious complaints

In rare circumstances a complainant might, having exhausted the complaints procedure, persist with the complaint

Complaints become vexatious when they are:

- Repeatedly and obsessively pursued; or
- Unreasonable or seeking unrealistic outcomes; or
- Reasonable but pursued in an unreasonable manner

Governors may need to decide whether all future contacts should be:

- Directed to, and only dealt with by a named individual
- Restricted, for example, to letter only

If a conclusion has been reached about a complainant but the complainant continues to pursue it, the school may wish to consider writing:

- To reiterate that the matter is concluded and there will be no further correspondence
- To say that, if correspondence continues, it will be read and filed but will receive no acknowledgement
- To give a short response referring to previous documents that have already dealt with the matter

Abusive Complaints

Verbal aggression can be as intimidating as physical aggression. All parties have a right to be treated courteously and with respect. If staff feel threatened they should report their fears to the Headteacher who will consider:

- Writing to the complainant requesting that the behaviour cease
- Setting restrictions for further contact with staff
- Reporting the incident to the police

Guidance on handling violent incidents can be found in "A Manager's guide to preventing and managing violence and aggression at work" (a corporate publication May 1996) and "Violent incident report form" (Volume 3 of manual of personnel practice) and Health and Safety Manual.

If a telephone caller becomes aggressive or offensive, the person taking the call should explain that they will end the call if the behaviour persists. If they need to hang up, they should record this action and any further incidents on a Violent Incident Report Form.

Repeated abusive or aggressive contacts can be considered as harassment and Headteachers will need to consider reporting them to the police.

Schools can seek further advice from Legal Services in our Chief Executive's Department.

Anonymous Complaints

Generally, schools should not respond to anonymous complaints. Nevertheless, the Headteacher or chair of governors will been to consider whether:

- The issue and the fear of identification are genuine
- The issue is one of child protection

Helpful Contacts
For further advice contact:
Children's Services Complaints Team
Tel: 01962 847256
Or write to:
Children's Services Complaints and Customer Care Team
H C C Children's Services
The Castle
WINCHESTER
SO23 8UG

Allegations against people in a position of trust:
If your child has been harmed by a person in a position of trust, for example, a teacher, a member of the County Council staff, a GP, a volunteer or a worker in school, see H C C Allegations Page -
http://www3.hants.gov.uk/childrens-services/contact-cs/childrens-services-allegations.htm

Contacts for Individual Services:

Special educational needs (SEN)
Parent Partnership Service 01962 845780

Admissions Team 01962 846234

Services for Young Children: 01962 813887

General Advice and information for parents
Advisory Centre for Education (ACE)
an independent charity 0808 8005793
Parents Centre
an advice service from the Department for Education (DfE)

References:
Complaints in Schools – a Report and Model General Complaints Procedures
RISE (The Research and Information on State Education Trust)
www.risetrust.org.uk/model.pdf

Roles of Governing Bodies and Head Teachers DFE Guidance – Governing Bodies' Statutory Powers and Duties, September 2000 (DfE 168/2000)
www.dfes.gov.uk/governor/infodocs/information_11.doc

A Guide to the Law for School Governors (January 2000)
www.dfes.gov.uk/governor/info/cfm

Working Together – Guidance relating to General Parent Complaints
The Diocese of London

'School Complaints Procedure' DfE – copy attached.

Signed: Date: October 24

Date of Review: October 2024 Next Review Date: October 2027