

## 10 Working in partnership with parents and other agencies procedures

### 10.2 Complaints procedure for parents and service users

There is a fair way of dealing with issues as they arise in an informal way, but parents may wish to exercise their right to make a formal complaint. They are informed of the procedure to do this and complaints are responded to in a timely way. The same procedures apply to agencies who may have a grievance or complaint.

#### Parents

##### Stage 1

- If a parent is unhappy about any aspect of their child's care, how they feel they have been treated, or any aspect of the setting's provision, this should be discussed with the child's key person. The key person will listen to the parent and acknowledge what they are unhappy about. The key person will offer an explanation and an apology if appropriate. The issue and how it was resolved is recorded in the child's file and Complaint Investigation Record. The recording will also make clear whether the issue being raised relates to a concern about quality of the service or practice, or a complaint. For allegations relating to serious harm to a child caused by a member of staff or volunteer procedure 6.2 Allegations against staff, volunteers or agency staff will be followed.
- **Stage 2**
- If the parent is not happy with the key person's response, if the problem recurs, or if the parent wishes to complain about the key person or any other member of staff, they will be directed to the setting manager. Some parents will want to make a written complaint; others will prefer to make it verbally, in which case the setting manager writes down the main issues of the complaint using the Complaint Investigation Record and keeps it in the child's file. This record should be signed by the parent. It should be made clear that this is a 'Formal Complaint'.
- Our setting stores all information relating to written complaints from parents in the child's personal file. However, if the complaint involves a detailed investigation, our manager may store all information relating to the investigation in a separate file designated for this complaint.
- The setting manager will confirm receipt of the Formal Complaint, in writing, and explain that an investigation will be carried out.
- The setting manager will investigate the complaint and provide time to feedback to the parent within 28 days. A confidential written report of the investigation is kept in the child's file if the complaint relates directly to a child. When the investigation is complete, the Manager meets with the parents to discuss the outcome.
- When the complaint is resolved at this stage, the summative points are logged on the Complaints Investigation Record, which is made available to Ofsted on request. A note is made on the child's file that a complaint has been made and logged.

### **Stage 3**

- If the parent is still not satisfied, or if the complaint is about the setting manager, the setting manager is asked to forward their complaint verbally or in writing to the Chair of the Management Committee.
- If a meeting is requested, a written record is made of any discussion, including what is agreed, as well as any decision or action to take as a result. All parties present at the meeting sign the record and receive a copy of it.
- This signed record signifies that the procedure has been concluded. When the complaint is resolved at this stage, the summative points are logged in the Complaints Investigation Record and a note made on the child's file that a complaint is stored in this file.

### **Stage 4**

- If the parent is still not satisfied, then they are entitled to appeal the outcome verbally or in writing to the Chair of the Management Committee, who will pass the matter on to the trustees for further investigation. They will respond to the parent within a further 14 days.

### **Stage 5**

- If the parent and the setting cannot reach agreement, an external mediator is invited to help to settle the complaint. This person should be acceptable to both parties, listen to both sides and offer advice. A mediator has no legal powers but can help to define the problem, review the action so far and suggest further ways in which it might be resolved.
- The mediator keeps all discussions confidential. They can hold separate meetings with the setting personnel ( eg. Manager or Chairperson ) and the parent, if this is decided to be helpful. The mediator keeps an agreed written record of any meetings that are held and of any advice they give.
- When the mediator has concluded her/his investigations, a final meeting between the parent, the Manager and the Chairperson of the Management Committee is held. The purpose of this meeting is to reach a decision on the action to be taken to deal with the complaint. The mediator's advice is used to reach this conclusion. The mediator is present at the meeting if all parties think this will help a decision to be reached.
- A record of this meeting, including the decision on the action to be taken, is made. Everyone present at the meeting signs the record and receives a copy of it. This signed record signifies that the procedure has concluded.

### **The role of the Office for Standards in Education, Children's Services and Skills ( OFSTED)**

- If the complainant believes that the matter has not been resolved and there has been a breach of the EYFS requirements, they are entitled to make a complaint to Ofsted. The manager will assist in any complaint investigation as well as in producing documentation that records the steps that were taken in response to the original complaint.

- The setting manager ensures that parents know they can complain to Ofsted by telephone or in writing at any time as follows:

Applications, Regulatory and Contact (ARC) Team, Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD or telephone: 0300 123 1231

- These details are displayed on our setting's notice board.
- If a child appears to be at risk, our setting follows the procedures of the Local Safeguarding Children Board or local safeguarding partners.
- In these cases, both the parent and setting are informed and the Manager works with Ofsted or the Local Safeguarding Children Board or local safeguarding partners to ensure a proper investigation of the complaint, followed by appropriate action.

## **Agencies**

- If an individual from another agency wishes to make a formal complaint about a member of staff or any practice of the setting, it should be made in writing to the setting manager.
- The complaint is acknowledged in writing within 10 days of receiving it.
- The setting manager investigates the matter and meets with the individual to discuss the matter further within 28 days of the complaint being received.
- An agreement needs to be reached to resolve the matter.
- If agreement is not reached, the complainant may write to the setting manager's line manager, who acknowledges the complaint within 5 days and reports back within 14 days.
- If the complainant is not satisfied with the outcome of the investigation, they are entitled to appeal and are referred to the trustees.

## **Ofsted complaints record**

- Legislation requires settings to keep a record of complaints and disclose these to Ofsted at inspection, or if requested by Ofsted at any other time.
- The record of complaints is a summative record only.

A record of complaints will be kept for at least 3 years.

- In all cases where a complaint is upheld a review will be undertaken by the trustees to look for ways to improve practice where it is required.

This procedure is displayed on Parent Notice Board.

## **Further guidance**

[Complaint Investigation Record](#) (Alliance Publication)