



*Enriching children's lives through practical learning and outdoor activities*

## **Complaints procedure**

### **Introduction**

Your views are welcomed. In the spirit of true partnership between home, provision and the community, you are encouraged to say what you think should go on within the provision. Provisions aim for high standards but sometimes things can go wrong or expectations are not met.

### **What is a complaint?**

A complaint is an expression of dissatisfaction or disquiet which may be about an event that has happened, failed to happen or the way in which something was handled.

The vast majority of concerns can be resolved informally. It is in everyone's best interests that complaints are resolved at the earliest possible stage. This can usually be achieved through discussion and good communication. However, if you are not satisfied with the outcome, a formal procedure (as outlined in this policy) would then need to be followed when attempts to resolve the issue are unsuccessful.

The procedure described does not include complaints covered by a separate statutory procedure, for example: complaints about the National Curriculum; provision admission decisions; statutory assessments of Special Educational Needs (SEN); provision re-organisation procedures; matters likely to require a Child Protection investigation; pupil exclusions decisions; whistleblowing; staff grievances and procedures; complaints about services provided by other providers who may use provision premises or facilities.

Provisions have their own policies that have been agreed by their governing body. You should check which policy is relevant to your concern before proceeding with a complaint.

For complaints to be investigated fully you need to give full information and not make them anonymously.

## What can you expect?

- There are set response times for each stage of the complaint's procedure.
- A complaint register should be maintained for formal complaints (see below).
- Conversations and correspondence should be handled with discretion, but you need to be aware that some information may have to be shared with others involved in the complaint procedure.
- Raising a concern or making a complaint should not affect the relationship between the provision and you or your child.
- When investigating your complaint, the provision should talk to your child, witnesses and others involved quickly.
- The provision and the directors have a duty to act properly and investigate complaints impartially. Once investigations are complete the person making the complaint should receive a written response from the provision **within 20 working days**.

### Advice

- Many concerns can be resolved quickly with goodwill, often by making early contact with the directors.
- Remember the more information you have the better able you will be to discuss the matter. Fact find by asking the provision for information. Obtain copies of relevant policies from the provision e.g. behaviour policy (including anti-bullying and exclusion), home provision agreement, SEND policy, health and safety policy etc.
- Seek further information by visiting:  
<https://www.croydon.gov.uk/education/parentalsupport/complaints>
- You can seek support from independent bodies such as Citizens Advice (<https://www.citizensadvice.org.uk/>), community relations centres and Advisory Centre for Education (<http://www.ace-ed.org.uk/>) etc.
- Provisions are very busy so please make an appointment for discussion through the provision office. It helps to outline the purpose and how long you think you may need with the staff member/ directors. Cover all the relevant points but be as brief as you can. Avoid writing long letters or emails. Make it easy to read by using bullet points or by listing. Include dates, times, names etc and explain clearly what your complaint is, what effect the issue is having on your child or you and what you would like to see happen. Keep it factual

and avoid making judgements or hearsay. If more information is needed from you the person investigating your complaint will contact you.

- Sometimes it helps to take a friend with you. You may forget something if you are doing all the talking, they can do the listening for you and record main points and agreed action.
- Try to keep calm! Avoid confrontation – it will cloud the issue.
- Remember to ask, “what happens next?”.

#### Complaint against a member of staff

- The complaint procedure is distinct from any formal disciplinary proceedings for staff. If a complaint did result in a disciplinary procedure, then the complaint would be put on hold and you should be advised of the delay and updated every three weeks.
- If a complaint is made against a member of staff or governor they will be informed and have the opportunity to respond.

#### **The governing body will form a complaints panel as described below:**

- Parents, carers or pupils who wish to pursue a complaint regarding a provision issue can refer the complaint to a review committee of directors, known as a complaints panel. This should be formed from at least three people who have had no prior involvement with the complaint.
- A majority of the committee must be directors, at least one member must be a parent of a pupil at the provision, and in addition a person must be selected from a panel of non-directors of the provision.
- The directors should not be a member of the panel.
- Directors should be mindful of equality issues when looking at the composition of a complaints panel.
- The directors review hearing is the last provision based stage of the complaints process.

#### Complaint Procedure

##### **Stage 1. Informal**

Your expression of concern should be made to the provision at the earliest opportunity.

First talk to the directors most closely concerned to clarify the facts and resolve through discussion. A request for discussion with the directors or senior staff member may also be desirable before making a formal complaint.

## **Stage 2: Complaint**

If you are not satisfied with the outcome at Stage 1 you may wish to make a formal complaint. This should be done in writing to the directors. Your complaint should be acknowledged within three provision days.

The investigation should be carried out and the outcome communicated to you **within 20 working days**. The written response should include a full explanation of the decision and the reasons for it (if additional time is required to formulate a response this should be explained to you). Where appropriate the response should include what action the provision will take to resolve it.

The directors may delegate the task of collating the information to another member of staff but not the decision on the action to be taken.

Once a decision has been reached, the directors should ensure that you are clear about the action taken and what to do if you remain dissatisfied (see below).

When the directors receive your written complaint, they may decide to refer the matter immediately to a governing body complaint panel.

If the complaint is about the directors, the matter should be referred to the Chair of directors of the provision.

If the complaint is about the chair of directors or any individual governor, the matter should be referred to the Clerk of the governing body.

## **Stage 3: Governing body**

Complaints rarely reach this formal level but should you need to, you should make a formal complaint to the chair of directors within 10 provision days of the decision from the provision. This needs to be sent in a sealed envelope via the provision office; for the attention of the chair of directors.

Your letter to the chair needs to set out details of your complaint including why you remain dissatisfied and what outcomes you are seeking. The chair will then set up a panel of directors to consider the complaint.

A governing body complaints panel should normally consist of three people, none of whom should have been previously involved in your complaint. They should let you know when your complaint is to be considered. If a meeting with you and others involved is considered

appropriate, you should be given **seven days notice**. The complaints panel should make their decision in private and write to you with their findings and any recommendations within seven provision days.

#### **Stage 4: Final complaint stage**

If all attempts to resolve the complaint have been unsuccessful, for most provisions you may refer your complaint to the Secretary of State for Education at the Department for Education (DfE), Sanctuary Buildings, Great Smith Street, London, SW1P 3BT. For more information, please visit: <https://www.gov.uk/government/organisations/department-for-education>

The Secretary of State is unlikely to investigate individual issues but can inspect the provision's policies and procedures and make sure these have been followed.