



## COMPLAINTS POLICY

Bloomsbury Nursery School wants to deal with any issues, concerns and complaints that you have as promptly and effectively as we can, and if you have any concerns we encourage you in the first instance, to go directly to the person who is most appropriate - this will usually be the key worker.

If you are **not a parent or a guardian of a child attending the centre** you should contact the Head teacher.

The Nursery School is required by law to have a complaints procedure that aims to ensure that concerns and complaints are handled in a fair and non-adversarial manner.

The procedure is intended to deal with complaints relating to the actions of staff and the application of Nursery procedures where they affect individuals children **except** in matters relating to:

- School Admissions;
- Statutory Assessments of Special Educational Needs (SEN);
- Child Protection and Safeguarding procedures;
- Pupil exclusions;
- Staff grievances, capability or disciplinary procedures;
- Complaints about services provided from the School's premises by other organisations;
- Whistleblowing; or
- Subject Access Requests and Freedom of Information Requests.

You can access policies relating to the above matters on the School's website or ask for a copy from the School, or by contacting the other organisation which operates a service on the School premises.

**Bloomsbury Nursery School will make every effort to resolve any concerns informally - please help us to resolve any concerns or complaints that you may have by following these steps.**

**Please note:**

- Any concern or complaint should be brought to the attention of the Nursery School at the earliest opportunity; any matter raised more than 3 months after the event will only be considered in exceptional circumstances.
- An anonymous complaint will not be dealt with unless there are exceptional circumstances

**Resolving Concerns Informally**

It is in everyone's interest that concerns are resolved at the earliest possible stage, before they become formal complaints. Many issues can be resolved informally, without the need to invoke formal procedures.

**Step one - Raising your concern.**

It is expected that in most cases the class teacher/ Key worker or member of staff concerned will be able to resolve your concerns without the need to go any further. You can help them to resolve your concerns by arranging to meet him or her at a convenient time, discussing your concerns in a positive atmosphere and allowing them any time that they require in order to investigate the matter further themselves.

Please note that an unreasonable refusal to allow your concern or complaint to be addressed informally **may** result in the nursery being unwilling to take the issue any further.

If, having raised your concern with the class teacher / keyworker or member of staff concerned, you are still dissatisfied, or if the class teacher or member of staff concerned is the subject of your complaint, then you should move on to step two, contacting the Headteacher.

### **Step Two - Involving the Headteacher**

The Headteacher may ask you to put your concerns in writing but will usually be able to deal with your concerns face to face. The Headteacher will attempt to resolve your concerns using any reasonable means that she / he feels are appropriate: this may involve meeting with you to discuss the matter further, or delegating another senior member of staff to investigate.

The Headteacher should be allowed reasonable time to investigate the concern or complaint and gather any information the she / he requires. On this basis you should expect to receive feedback no later than 10 nursery days after giving the details to the Headteacher.

If you are dissatisfied with the feedback from the Headteacher, or if the Headteacher is the subject of your complaint, then you should move on to step three, contacting the Chair of Governors.

### **Step Three - Formally Notifying the Governing Body**

The Governing Body has responsibility to investigate for ensuring that any complaints formally notified to them are addressed. If you have not raised your concern or complaint with the Headteacher, the Chair may advise you to do so, but otherwise, if you have a complaint and have not already put the details in writing, the chair will ask you to do so.

In cases that require urgent consideration the Chair may deal with the matter exclusively and without delay but usually a designated panel of 3 Governors will be convened to hear your complaint.

The designated governors will hear your complaint on an impartial basis via a **panel hearing** that must be held in private, and will aim to resolve the complaint and reconcile any differences between you and the Centre.

The conduct and procedure of the hearing is detailed in the Nursery Complaints Procedure and you will be given the opportunity to have a friend or representative, and / or a translator present at the hearing if you wish.

The panel will:

- Dismiss the complaint in whole or in part, or
- Uphold the complaint in whole or in part, or
- Where appropriate decide the action to be taken, or
- Recommend changes to the nursery systems or procedures to seek to ensure that problems of a similar nature do not recur.

However, it is recognised that you might not be satisfied with the outcome if the hearing does not find in your favour, and therefore it may only be possible for the hearing to establish the facts and make recommendations.

Following the investigation you will receive written feedback from the clerk including any decisions, recommendations and the reasons for them and, if appropriate next steps. This should be issued within ten nursery days after the investigation has concluded.

**Please note:**

If the outcome might lead to action under another procedure or is an internal management issue for the nursery and therefore the responsibility of the Headteacher, you may only be told that appropriate action will be taken.

**This is the final step of the process for the nursery** (except for carrying - out agreed actions) and there is no more that the nursery can do - trying to raise the issue further through the centre - may force us to treat your complaint as **vexatious**.

If, despite all stages of the procedure having been followed, you remain dissatisfied, you may take your complaint to the LA who have a remit to review due process - there is no onus on them to re - open an investigation, etc. If they are satisfied that the nursery has dealt with the complaint appropriately.

### **Observing Confidentiality**

Where possible complaints will be dealt with confidentially and, where the Governing Board is involved, we will avoid sharing details of the complaint with the whole Governing Board except in very general terms. We would also ask you to observe confidentiality and not discuss complaints publically, or via social media.

### **Safeguarding**

Wherever a complaint indicates that a child's wellbeing or safety is at risk, the School is under a duty to report this immediately in accordance with the School's Safeguarding Policy which is available on the School's website.

### **Queries that relate to this Complaints Procedure**

If you have any questions about this complaints procedure, please contact the School.

#### **1. Relevant legislation and guidance**

- The Equality Act 2010 [www.legislation.gov.uk/ukpga/2010/15/contents](http://www.legislation.gov.uk/ukpga/2010/15/contents)
- *Best Practice advice for school complaints procedures*  
[www.gov.uk/government/publications/school-complaints-procedures](http://www.gov.uk/government/publications/school-complaints-procedures)
- *Section 29 of the Education Act 2002*  
[www.legislation.gov.uk/ukpga/2002/32/contents](http://www.legislation.gov.uk/ukpga/2002/32/contents)

**This policy was reviewed and ratified at the Full Governing Body Meeting July 2018.**