



Thornton Heath Nursery School
Complaints policy

Signed:

Chair of Governors

Date: ____16/06/2021

Head of Nursery

Date:16/06/2021|

Review date: As required

Complaints Policy

1 Introduction

- 1.1** Thornton Heath Nursery School (THNS) strives to provide a good education for all our children. The Executive Principals, Heads of School and staff work very hard to build positive relationships with all parents and carers. However, THNS is obliged to have procedures in place in case there are complaints by parents, guardians or carers. The following policy sets out the procedures that THNS follows in such cases.
- 1.2** If any parents are unhappy with the education that their child is receiving, or have any concerns relating to the school, we encourage them to talk to the child's keyworker immediately. We stress that there is a clear difference between a **concern** and a **complaint**. We take informal concerns seriously and as a result few develop into formal complaints.
- 1.3** Parents should be assured that making a complaint will not adversely affect their child's experience at school.
- 1.4** This policy is available on our website as well as referred to in our prospectus. If a hard copy is required parents may ask for one at the school office.
- 1.5** This policy complies with the requirements of the [Education \(Independent School Standards \[England\]\) Regulations 2014](#) Schedule 1, Part 7 as well as new [guidance issued by the DfE in January 2019](#) on best practice for school complaints.

2. Aims

- 2.1** The THNS under the leadership of Pegasus Academy Trust aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints, and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding. Our complaints procedure is accessible and simple to use and understand. It aims to be non-adversarial. In all cases we put the interests of the child above all else. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved, within established time limits.

3. Types of complaints

- 3.1** The majority of complaints received by THNS are likely to fall into the following categories:
- a)** financial and administrative;
 - b)** academic (course programme, unsatisfactory teaching, too much/too little homework, progress in a particular subject, etc.);
 - c)** pastoral (discipline/indiscipline, inappropriate sanctions, bullying, overall progress of the student, unhappiness of child, etc.);
 - d)** child protection (allegations against staff, handling of sensitive issues) and
 - e)** health and safety.

4. Complaints not dealt with in this policy

4.1 Many common complaints fall outside of this policy namely:

- a) admission to our schools. These are dealt with according to the THNS admission policy;
- b) complaints about how THNS provides for children with special needs. There is an appeal process for this in the THNS SEND policy;
- c) whistleblowing;
- d) staff conduct. Complaints about staff are dealt with under the school’s internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, we will notify complainants that the matter is being addressed.
- e) Matters likely to require a child protection investigation. Complaints about child protection matters are handled under the school’s child protection and safeguarding policy in accordance with relevant statutory guidance. These matters may also be raised directly with the local authority designated officer (LADO) or the multi-agency safeguarding hub (MASH).

5. The complaints process

<p>Stage 1. Informal. Expression of concern made to the school.</p>	<p>If a parent is concerned about anything to do with the education that we are providing at any of our schools, they should, in the first instance, arrange to discuss the matter with their child’s key worker. Members of the school’s senior leadership team (SLT) may be also be involved at this stage. In our experience most matters of concern can be resolved positively in this way. All teaching staff work very hard to ensure that each child is happy at school, and is making good progress; they naturally want to know if there is a problem, so that they can take action before it seriously affects the child’s progress. Most issues can be resolved very quickly and effectively at this stage.</p>
<p>Stage 2. Formal complaint. Concerns raised formally with the relevant Head of School or Principal. Investigator appointed if required.</p> <p>* Please note that properly collecting details always takes time.</p>	<p>Formal complaints need to be put <u>in writing</u> to the Head of School. E-mails are accepted and contact e-mails for each school can be found through the ‘contact’ tab on each schools’ website. Complainants might find it helpful to use the form in this policy found at Appendix A. The Head of School (HoS) will consider complaints seriously and investigate each case thoroughly, either by investigating them personally or by appointing an investigator to do so – for instance in cases where the complaint is about the HoS themselves. This investigator will normally be a senior member of staff from within Pegasus Academy Trust – e.g. a HoS or DHoS from another school. Investigations may take the form of a review of the paperwork and policy or the complainant may be invited to an interview if further information is required. The outcome of the investigation will be communicated to the complainant within 15 school days with an explanation as to what will be done as a result as described in section 6 below.</p> <p>* Please note there is no opportunity for the complainant to complain further about <u>the investigator</u>. If the process moves on to Stage 3 the panel hearing will be solely about the content of the <u>original</u> written complaint.</p>

<p>Stage 3. Panel hearing. Complaints rarely reach this level but following stage 2 if you are still not satisfied you may request a panel hearing through the Trust's business office. You should request a panel hearing within 6 weeks of receiving the stage 2 outcome letter.</p>	<p>If the complaint is not resolved, and the two previous stages have been explored, a complainant may request a panel hearing. They should do this <u>in writing</u> through Thornton Heath Nursery's Head of Nursery– Jenette Indarsingh (head@THNS.org) stating why they believe the investigator's decision was incorrect. Jenette Indarsingh can be also be contacted by a letter delivered to THNS, addressed to her and marked "Private and confidential". Panels convened by Thornton Heath Nursery will comprise of:</p> <ul style="list-style-type: none"> • Chair of Governors • An Executive Principal; • A member independent of the management and running of THNS. This may be a Governor from another school. <p>The panel consider the letter of complaint and the investigator's findings. Complainants are given at least seven working days notice of the panel hearing date and may be accompanied by a companion of their choice. If the first date offered is not acceptable to the complainant another date will be offered and that meeting will then go ahead as scheduled in order to complete the process in a timely manner. Decisions of the panel are made in private and the complainant is provided with the outcome in writing within 15 school days where possible.</p>
<p>Stage 4. Further representation. If you still remain dissatisfied you may make further representations</p>	<p>If you are still not satisfied about the handling of your complaint you may contact the Educational & Skills Funding Agency (ESFA) via the schools complaints form. This will only normally be appropriate once stages 1-3 have been exhausted or if you believe that the school and/or the Pegasus Academy Trust have acted illegally or arbitrarily.</p> <p>* Please note the ESFA will not overturn a school's decision about a complaint. However, if they find that the school did not deal with a complaint properly they may ask that the complaint is looked at again by the school.</p>

4.1 Should a complaint pertain to the Executive Principals, the complainant should first make an approach to the Chair of the Governors (again via the Head of Nursery) who is obliged to investigate it or may decide to appoint an independent investigator to do so. The Chair will do all s/he can to resolve the issue through a dialogue with the Executive Principals and the complainant, but if the complainant is still unhappy with the outcome, they can appeal the decision of the Chair by taking the complaint to a Stage 3 panel hearing.

4.2 An anonymous complaint will not be investigated under this procedure unless there are exceptional circumstances. These would include serious concerns such as child protection issues or bullying allegations, where the school might consider it appropriate to contact outside agencies.

5. Investigating complaints

5.1 It is suggested that at each stage the person investigating the complaint makes sure that they:

- a) Establish what has happened so far and who has been involved;
- b) Clarify the nature of the complaint and what remains unresolved;
- c) Meet with the complainant or contact them if further information is required;

- d) Clarify what the complainant feels would put things right;
- e) Conduct any interviews with an open mind and be prepared to persist in the questioning;
- f) Complete all necessary notes.

5.2 If an investigation at stage 2 has been arranged, with a date and time mutually agreed between the complainant and the investigating officer, and the complainant fails to attend the meeting without explanation (for instance by calling the school where the meeting is to be held) then the complaint is deescalated to a Stage 1 complaint.

6. Serial, persistent, frivolous or vexatious complaints

6.1 Despite the best endeavours of staff working for THNS there will be occasions when, despite all stages of the complaint procedure having been followed, a complainant remains dissatisfied. If a complainant tries to re-open the same issue we will inform them that the procedure has been completed and that the matter is now closed.

6.2 If the complainant contacts us again on the same or very similar issue, the correspondence may then be viewed as 'serial' or 'persistent' and THNS is within its rights to choose not to respond. However, we would not mark a complaint as 'serial' before the complainant has completed the procedure for the first time.

6.3 The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- a) complaints which are obsessive, persistent, harassing, prolific, repetitious;
- b) insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;
- c) insistence upon pursuing meritorious complaints in an unreasonable manner;
- d) complaints which are designed to cause disruption or annoyance;
- e) demands for redress that lack any serious purpose or value.

6.4 THNS reserves the right to deal with complaints as described at [6.3] in a time limited manner

7. Resolving complaints

7.1 At each stage in the complaint process the school and the complainant will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition it may be appropriate to offer one or more of the following:

- a) An apology;
- b) An explanation;
- c) An admission that the situation could have been handled differently or better;
- d) An assurance that the event that was the basis of the complaint will not recur;
- e) An explanation of the steps that have been taken to ensure it does not happen again. Details of any disciplinary procedures that have taken place as a result of the complaint are not released;
- f) An undertaking to review school policy or procedure in light of the complaint;
- g) An explanation that there is insufficient evidence and thus the complaint cannot be upheld;
- h) An explanation that, following investigation, the concern is not substantiated by the evidence.

7.2 An admission that the school/Trust could have handled things better is not the same as an admission of negligence.

8. Monitoring and review

8.1 Governors and Executive Headteachers monitor the complaints procedure, in order to ensure that all complaints are handled properly. Members of the Senior Leadership team (SLT) log complaints received by the school at Stage 2 or above and record how they were resolved. These logs are presented to the Governing body as part of the Head of School's/Principal's report.

8.2 Directors take into account any local or national decisions that affect the complaints process, and make any modifications necessary to this policy. This policy is made available to all parents and carers via the website, so that they can be properly informed about the complaints process.

8.3 This policy is reviewed as necessary by the Heads of Nursery at meetings of the Governors for Thornton Heath Nursery.

8.4 Major revisions log

Version	Date/minor revision dates	Summary of changes
V2	February 2018	Revised in line with updated EFA guidance to include panel hearing rather than individual hearing by Exec Principals. Streamlined to four part procedure rather than five (stages 3 & 4 combined)
V3	May 2018	Clarifications added about procedure if the complaint pertains to HoS or EHT
V4	June 2018	Added right for complainant to be accompanied
V5	September 2018	Right to complain via e-mail added
V6	January 2019	Updated in line with new guidance.
V7	May 2021	Removal of named Head of Nursery

Appendix A: Complaints form

(Complainants may use this if they wish but it is not a requirement)

Your name:	
Child's name:	
Your relationship to the child:	
Address:	
Postcode:	
Mobile number:	
Please give details of your complaint:	
Before a written complaint can be considered you must have tried to resolve this at an informal stage. What actions have you already taken to try to resolve the complaint with staff at Thornton Heath Nursery School?	
From section 6 above what actions do you think may resolve the complaint?	
Are you attaching any other paperwork for the investigator's consideration? If so how many pages?	
Signature:	
Date:	