

Curzon Crescent & Fawood Children's Centres Partnership



Complaints Policy & Procedure

Reviewed – Summer 2017

Next Review – Spring 2019

Policy Lead – Executive Head

Approving Committee - Personnel

1. General Principle

The staff and governing board of Curzon Crescent and Fawood Children's Centre incorporating Challenge House Children's Centre are committed to providing high quality services to everyone using the Centres and to resolving any concerns or complaints at the earliest possible stage. The complaint procedure is intended to enable us to ensure that problems can be dealt with appropriately and amicably so far as possible.

We would urge families and other service users to let us know of any concerns as they occur so that we can resolve them before anyone else is affected. However, we do understand that there will be occasions when a parent or service user may not be satisfied by the response they receive and may want to take the matter further.

2. Where and when to use the complaint procedure.

Curzon Crescent, Fawood Children's Centre and Challenge House offer a wide range of activities and services, some of which are managed by other departments within Brent. The following list is intended as a guide to ensure that complaints are made to the right place so that they can be resolved at the earliest opportunity. An information leaflet explaining the procedure and complaint forms will be available in the reception area and by e-mail on request.

- Nursery Provision, Rainbows Provision & NEG 2 Provision

Any complaints relating to incidents that happen during the school day should be made initially to the member of staff concerned or to the Deputy Head.

Complaints about school policies, general management issues such as staffing levels or school session times and so on, should be made to the Executive Headteacher or in her absence the Deputy Head.

- Administrative Issues

Complaints or concerns about correspondence, information from the Centre, room bookings, payments and so on should be made initially to the person concerned or to the Business Manager.

- Services for Adults

Complaints about drop-in sessions, the crèche, activities for parents or child-minders and so on which are run by Curzon Crescent, Fawood and Challenge House should be made initially to the person concerned or to the Family Services Manager.

However, health services, adult education, Citizens' Advice and some other services are not managed by Curzon Crescent, Fawood and Challenge House. They are contracted to provide services through their own agency and any complaints should be raised initially to the member of staff concerned or to the manager of the relevant organisation following their own complaint procedure. Any senior leaders within the Partnership of Curzon Crescent, Fawood and Challenge House will signpost families effectively.

For matters relating to the Exclusion of Pupils, Admission Appeals and Special Educational Needs Assessments or Education Health Care plans, there are statutory procedures. Parents wishing to lodge an appeal against decisions made in any of these circumstances should follow the relevant procedure to which they can be referred by a member of the Senior Leadership Team.

Please note that members of staff, students on placement or volunteer helpers should use the 'Fairness at Work' policy if they wish to raise any concerns relating to their terms, conditions or treatment at work.

3. The Procedure.

Stage One

Complaint is made to the member of staff concerned.

- The complainant should ask to speak with the relevant member of staff and explain the complaint.
- The complaint should include an explanation of what the concern is and how it might be resolved.
- If the complaint is about the member of staff, complainants should ask to speak to them quietly and away from the children.
- Incidents that will need to be investigated might take several days before everyone involved can be contacted. Complainants should be made aware that an immediate answer will not be possible.
- If, for any reason, the complainant does not feel able to speak to the member of staff directly, they should approach another member of staff who would understand the nature of the complaint. This might be the line manager, Family Services Manager or Deputy Head.

If the complaint is not dealt with or if they do not receive a satisfactory response within 5 working days, complainants should go to the second stage of the process.

Stage Two

Complaint is made to the Executive Headteacher.

- The Executive Headteacher will receive and address complaints about general issues affecting the Centre such as policy decisions, standards, health and safety issues and so on.
- The Executive Headteacher will also investigate any stage two complaints where stage one has not had a satisfactory outcome.
- Complainants should provide details of the original complaint, preferably with any evidence available, in order for the Executive Headteacher to assess the situation and take appropriate action. Also the dates of the incident and when the complaint was made.
- It would be helpful, at this stage, to use a complaint form. Complaints may be made in the home language but complainants should be advised that it might take some

time to have it translated.

- If a stage 2 complaint is made verbally a member of staff should make a written summary of the detail and ask the complainant to sign it.
- The Executive Headteacher will respond in writing as soon as possible but within 10 working days (this may be longer if a translation is required). An acknowledgement of receipt of the complaint will be issued within 2 working days.

Please note that it will not be possible for the Executive Headteacher to give information about any disciplinary action taken against members of staff or children as a result of a complaint. This is confidential information and may not be shared with anybody. We would ask that you accept the Executive Headteacher's professional judgement in such circumstances.

Stage three

Complaint is made to the Chair of the Governing Board.

Complaints to the Chair of Governors should be made in writing in a sealed envelope marked 'Confidential' and addressed to the Chair, care of Curzon Crescent Children's Centre. Letters will be forwarded to the Chair which might take two or three days so complainants should be made aware that there may be a delay in the response time.

The letter should include a copy of the original complaint form to enable the Chair to investigate thoroughly. Also an indication of what outcome is wanted.

The Chair of Governors will investigate what has been done to resolve the complaint so far and will respond in writing within 10 working days of receiving the letter. They may find it helpful to discuss the matter in person so if that would be acceptable to the complainant, they should include a contact number in the letter.

Stage four

A panel of governors hears the case.

This is the final Centre based stage. It is hoped that it will not be necessary to reach stage four.

In the event that a complainant still feels that the complaint has not been resolved, they should write to the Clerk to the Governing Board, care of Curzon Crescent Children's Centre, asking them to set up a panel of three governors who would hear the case. Again, any evidence, all paperwork to date and all relevant details should be included with the request.

The clerk will contact the complainant within 3 working days of receiving the letter to discuss arrangements for the meeting. The panel will be made up of three governors who have not had any previous involvement in the issue. The meeting will take place as soon as possible, allowing time for all parties to study the papers.

The Executive Headteacher, Chair of Governors and the complainant will be asked to

attend to explain what has happened to date. The complainant may bring a friend or partner and may request an interpreter but legal representatives are not permitted to attend as this is not a court of law. The clerk will attend to take notes for the panel's information and will be instructed to write the final response.

The panel will make a decision based on the information they are given, both in writing and at the meeting. Both parties will be informed of the panel's decision in writing within 5 working days of the meeting. Outcomes may include

- Issuing a formal apology
- Recommending a change of policy or procedure
- Deciding on the appropriate action to be taken to resolve the complaint
- Requiring the Centre to refund any expenditure resulting from the original complaint – e.g. replacement of a lost coat / shoes
- Dismiss the complaint

4. Right to Appeal beyond the Centre.

Complaints to the Local Authority

If a complaint is of a sufficiently serious nature which, if unresolved, might pose a risk to other children or users of the Centre services, it may be taken to the appropriate office of Brent Council e.g. Health and Safety or Child Protection.

This would not normally be taken forward in the case of an individual incident, but would be considered if the complaint were about the general provision, the well-being of the Centre users as whole or of a specific group of users.

Brent Council switchboard is 020 8937 1234.

If the complaint is about a service run at the Centre but managed by Brent Council, complaints should first be raised with the person concerned or the Family Services Manager. If a satisfactory response is not received at this point, the complaint may be taken to Brent via the following link complaints.service@brent.gov.uk.

Complaints to the Local Government Ombudsman

From January 2010 parents of a child with an EHCP may refer a complaint about Special Educational Needs provision (other than issues relating to statutory assessment or statements/EHC plans which should be made to SENAS) to the Local Government Ombudsman, if they have not been resolved through the Centre's complaint procedure. The Local Government Ombudsman will consider complaints if an EHC Plans specifications are not being met, they will look at the Councils responsibilities in the first instance and then consider the school's part. Details of how to contact the LGO can be found on the website www.lgo.org.uk/makingacomplaint.

From September 2011 it is proposed that all unresolved school complaints may be referred to the Local Government Ombudsman.

What actions do you feel might resolve the problem at this stage?

Is there any paperwork or other evidence that you would like taken into consideration? If so what is this?

Signature:

Date:

Official use only.

Date received:

Date acknowledgement sent:

Name of person responding to the complaint:

Appendix B : Checklist for a Panel Hearing

The panel needs to take the following points into account:

- The clerk circulates all relevant paperwork to all parties in advance of the meeting
- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- The Chair of the Panel should ensure that everyone present understands the process, the possible outcomes and that they have received and understood all relevant paperwork
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The Executive Headteacher may question both the complainant and the witnesses after each has spoken.
- The Executive Headteacher and / or Chair of Governors are then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the Executive Headteacher and / or the Chair of Governors, and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The Executive Headteacher is then invited to sum up the Centre's actions and response to the complaint.
- The chair explains that both parties will hear from the panel within a set time scale.
- Both parties leave together while the panel decides on the issues.

Appendix 3: General Principles of complaints

Dealing with Complaints – Initial concerns

1. These key messages deal with complaints but the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally. In most cases the class teacher or the individual delivering the service in the case of family services or Centre provision, will receive the first approach. It would be helpful if staff were able to resolve issues on the spot, including apologising where necessary.

Dealing with Complaints – Formal procedures

2. The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.

Framework of Principles

3. An effective Complaints Procedure will:
 - encourage resolution of problems by informal means wherever possible;
 - be easily accessible and publicised;
 - be simple to understand and use;
 - be impartial;
 - be non-adversarial;
 - allow swift handling with established time-limits for action and keeping people informed of the progress;
 - ensure a full and fair investigation by an independent person where necessary;
 - respect people's desire for confidentiality;
 - address all the points at issue and provide an effective response and appropriate redress, where necessary;
 - provide information to the senior leadership team so that services can be improved.

Investigating Complaints

4. It is suggested that at each stage, the person investigating the complaint (the complaints co-ordinator), makes sure that they:
 - establish what has happened so far, and who has been involved;
 - clarify the nature of the complaint and what remains unresolved;
 - meet with the complainant or contact them (if unsure or further information is necessary);
 - clarify what the complainant feels would put things right;
 - interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
 - conduct the interview with an open mind and be prepared to persist in the questioning;
 - keep notes of the interview.

Resolving Complaints

5. At each stage in the procedure Curzon Crescent, Fawood and Challenge House staff or governors 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:
 - an apology;
 - an explanation;
 - an admission that the situation could have been handled differently or better;
 - an assurance that the event complained of will not recur;
 - an explanation of the steps taken to ensure that it will not happen again;
 - an undertaking to review school policies in light of the complaint.
6. It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the school or Centre could have handled the situation better is not the same as an admission of negligence.
7. An effective procedure will identify areas of agreement between the parties. It is equally important to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Recording of Complaints and Outcomes

8. The complaints coordinator will maintain a record/log of all complaints with the dates on which they were made and resolved.

The final outcome of all complaints made to Curzon Crescent Children's Centre and Fawood Children's Centre incorporating Challenge House will be recorded in the complaints log and will be made available to Ofsted or the Local Authority on request.

Vexatious Complaints

9. If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the Chair of the Governing Board is able to inform them in writing that the Centre's procedure has been exhausted and that the matter is now closed.

Time-Limits

10. Complaints need to be considered, and resolved, as quickly and efficiently as possible. Time limits for initial responses have been included in the procedure. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline with an explanation for the delay.

11. In accordance with statutory responsibilities exemplified in The Statutory Framework for the Early Years Foundation Stage (March 2017), all providers must investigate written complaints relating to their fulfilment of the EYFS requirements and notify complainants of the outcome of the investigation within 28 days of having received the complaint. The record of complaints must be made available to Ofsted.
12. Complaints will be accepted up to twelve months after the incident or issue occurred. If a complaint is raised beyond that time, it may be accepted at the discretion of the Executive Headteacher or Chair of governors according to the individual circumstances.