



Complaints Policy

Review date: July 2026

Next review: July 2027

Statement of intent

Hirst Wood Nursery School aims to provide high quality education with care for all children at all times. The school aims to offer a welcome to each individual child and family and to provide a warm and caring environment within which all children can learn and develop as they play and explore. The school believes that children and parents/carers are entitled to expect courtesy and prompt careful attention to their needs and wishes. The school staff aim to work in partnership with parents and the community and welcome suggestions on how to improve the school provision at any time. We encourage regular exchanges of information between staff and users of our services. The staff team welcome suggestions that may improve the service we are able to provide to our families and the wider community.

We recognise that with the best will in the world, sometimes things go wrong. If you are not satisfied with the service you have received, we need to hear from you. This will help us to fix something that has gone wrong, and it will help us to improve what we do. We recognise that different types of complaint have to be dealt with in different ways and that while some may be of a serious nature; others are minor matters which are easily rectified quickly and informally. Usually, your best starting point is to speak to a member of staff. We hope to be able to resolve most problems quickly, by talking them through like this. You are welcome to speak directly to a member of our management team about any issue that is concerning you – just ask at reception. You can also email us or phone us about your complaint – our contact details are office@hirstwoodnsc.co.uk.

Legal framework

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Freedom of Information Act 2000
- Education Act 2002
- The Education (Pupil Information) (England) Regulations 2005
- Equality Act 2010
- Immigration Act 2016
- The School Information (England) (Amendment) Regulations 2016
- UK General Data Protection Regulation (GDPR)
- Data Protection Act 2018

This policy has also due regard to guidance including, but not limited to, the following:

- HM Government (2016) 'Code of Practice on the English language requirement for public sector workers'
- DfE (2021) 'Best practice guidance for school complaints procedures 2020'

Dealing with concerns / complaints

Every well governed and managed school will from time to time have to deal with complaints relating to aspects of its operation. Any person, including members of the public, may make a complaint to the school about any provision of facilities or services that it provides. There is a difference between a concern and a complaint. It is in everyone's interest that concerns, and complaints are taken seriously at the earliest stage to make every effort to resolve the matter informally by the staff concerned; where they cannot be, these formal procedures can be followed.

Timescales

Complaints must be presented within three months of the incident or where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this timeframe only if exceptional circumstances apply.

Objectives

1. To allow for swift handling of complaints within established time-limits and keeping people informed of the progress.
2. To ensure any complaint is handled within the law.
3. To ensure this policy and procedure is understood by staff and governors.
4. To ensure that any complainant is given fair treatment and a chance to state their case either in writing or person.
5. To address all the points at issue and provide an effective response and appropriate redress where necessary.
6. To ensure sensitivity in handling potentially stressful situations.
7. To respect people's desire for confidentiality.
8. To ensure this Complaints Policy is published on the school website.

Guidelines

Wherever possible, complaints will be dealt with at the informal stage in an attempt to resolve them as quickly as possible with the most appropriate member of staff or senior leader. Only if the complainant is dissatisfied with the outcome, or the matter cannot be resolved by the individual, should the matter be referred to the formal stage, with a more senior member of staff.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at the formal stage of the procedure should this be required.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or the Chair of Governors, as appropriate will determine whether the complaint warrants an investigation.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Scope of this procedure

This procedure covers all complaints about any provision of community facilities or services by the school other than complaints that are dealt with under either statutory procedure, including those listed on Page 4.

Exceptions	Who to contact
Admission to Schools Statutory assessments of special educational needs School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs or school reorganisation proposals should be raised with the City of Bradford Metropolitan District Council
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection & safeguarding policy and in accordance with statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding.
Exclusion of children from School	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions .
Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Department for Education is the prescribed person for matters relating to education for whistle-blowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus . Volunteer staff who have concerns about our school should complain through this complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
Staff grievances	Complaints from staff will be dealt with under our internal grievance procedures.
Staff conduct	Complaints about staff will be dealt with under the internal disciplinary procedures, as appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against the School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Complaints about safeguarding

We are committed to the safeguarding and welfare of all children at the school. As detailed above, some elements of safeguarding and child protection are not covered by this complaints process as they are dealt with under other statutory procedures. Safeguarding is the proactive approach taken by the school to prevent harm and ensure wellbeing. Child protection focuses on how the school responds to harm. Safeguarding children refers to the collective efforts and measures taken to protect children from harm, abuse, or neglect. It involves creating a safe and secure environment for children, promoting their well-being, and ensuring their rights are upheld. Safeguarding children includes actions such as implementing policies and procedures, providing education and training, identifying and addressing risks, and working collaboratively with various agencies and professionals to ensure the safety and welfare of children.

Child protection refers to the specific actions and measures taken to prevent and respond to child abuse, neglect, or exploitation. It focuses on ensuring the safety, well-being, and rights of children who may be at risk of harm. Child protection involves identifying and assessing cases of abuse or neglect, intervening to protect the child from further harm, and providing support and services to promote their recovery and well-being. It also includes raising awareness, advocating for children's rights, and working collaboratively with various agencies and professionals to safeguard children from any form of harm. As detailed above, not all safeguarding concerns/complaints can be managed through this policy.

How Hirst Wood Nursery School will respond to concerns and complaints about safeguarding:

1. Matters likely to require a Child Protection Investigation

Concerns or complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.

2. Concerns about a staff member, supply teacher, volunteer or contractor

If you have concerns about a member of staff (including a supply teacher, volunteer or contractor), or an allegation is made about a member of staff (including a supply teacher, volunteer or contractor) posing a risk of harm to children, the headteacher should be contacted as soon as possible. The School will need to determine if the concern meets the harm threshold and may consult with the Local Authority Designated Officer (LADO) before deciding on the next steps. If the concerns/allegations are about the headteacher, the chair of governors should be contacted via the school office. The school's policies for Managing Investigations and Staff Discipline will also inform decisions made relating to child protection allegations. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.

Resolving complaints

At each stage in the procedure, Hirst Wood Nursery School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

Withdrawal of a complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Stage 1

Formal complaints must be made to the headteacher (unless they are about the headteacher). The headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within three school days, wherever possible. Within this response, the headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the headteacher will provide a formal written response within ten school days of the date of receipt of the complaint. If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Hirst Wood Nursery School will take to resolve the complaint.

The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1. Complaints about the headteacher or member of the governing body must be made to the Clerk of Governors, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 1 will be considered by an independent investigator appointed by the governing body. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 2

This is the final stage of the complaints procedure. The request to escalate to stage 2 must be made to the Clerk of Governors within 10 days of receipt of the stage 1 response. At this stage (the appeal) no further matters can be added to the original complaint. The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs. The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 10 school days. Requests received outside this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting (if applicable). They will aim to convene a meeting within twenty school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed. If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from Hirst Wood Nursery School available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. The complainant must inform the clerk if they intend to bring a person to provide support, providing the name of the person accompanying them. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate, for instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation. *Note: Complaints about staff conduct will not generally be handled under this complaints procedure.*

Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them. Representatives from the media are not permitted to attend.

At least twelve school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible. A timetable for the meeting will be provided, including the times at which each party should attend and the intended length of time for each interview.
- request copies of any further written material to be submitted to the committee at least seven school days before the meeting.

Any written material will be circulated to all parties at least five school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will only take into consideration the original complaint as detailed in Stage 1 - the basis of the complaint cannot be changed from Stage 1 to Stage 2. The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure. The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and Hirst Wood Nursery School with a full explanation of their decision and the reason(s) for it, in writing, within five school days. The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by Hirst Wood Nursery School.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 2 will be heard by a committee of independent governors. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Hirst Wood Nursery School will take to resolve the complaint. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2. The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by Hirst Wood Nursery School. They will consider whether Hirst Wood Nursery School has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD

Managing serial and unreasonable complaints

Hirst Wood Nursery School is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with our school. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Hirst Wood Nursery School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance
- refuses to cooperate with the complaints investigation process

- refuses to accept that certain issues are not within the scope of the complaints procedure
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice
- introduces trivial or irrelevant information which they expect to be considered and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced
- changes the basis of the complaint as the investigation proceeds
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed)
- refuses to accept the findings of the investigation into that complaint where the school's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education
- seeks an unrealistic outcome
- makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with
- uses threats to intimidate
- uses abusive, offensive or discriminatory language or violence
- knowingly provides falsified information
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the school that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached. Whenever possible, the headteacher or Chair of Governors will discuss any concerns with the complainant informally before applying an 'unreasonable' marking. If the behaviour continues, the headteacher will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact Hirst Wood Nursery School causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months. In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from Hirst Wood Nursery School.

Availability - A copy of this policy will be published on the school website in accordance with the School Information (England) (Amendment) Regulations 2016.