

2.9 Dealing with concerns and complaints

Policy

Our setting believes that children and parents are entitled to expect courtesy and prompt, careful attention to their needs and wishes. We welcome suggestions on how to improve our setting and will give prompt and serious attention to any concerns about the running of the setting. We anticipate that most concerns will be resolved quickly by an informal approach with the appropriate member of staff. If this does not achieve the desired result, we have a set of procedures for dealing with concerns. We aim to bring all concerns about the running of our setting to a satisfactory conclusion for all of the parties involved.

Procedures

- All settings are required to keep a written record of any complaints and their outcome.
- As a setting we must investigate written complaints relating to the fulfilment of the EYFS requirements and notify complainants of the outcome of the investigation within 28 days of having received the complaint.
- The recorded log of complaints is made available to Ofsted.
- Where any concern or complaint relates to child protection, we follow our Child Protection Policy.

The stages for dealing with concerns and complaints

Stage 1

- If any parent(s) should have cause for concern or any queries regarding:
 - the care
 - quality of education providedThey should in the first instance take it up with the child's key person or the supervisor of the classroom. This can be either verbally or written via notification on ParentAdmin (NIAB).
- If any parent(s) should have cause for concern or any queries regarding:
 - Terms & conditions
 - Childcare fees and invoicesThey should in the first instance take it up with the Customer Care Team. This can be written via notification on ParentAdmin (NIAB).
- If staff should have cause for concern or any queries regarding:
 - A parent(s) or carer
 - Social worker or visitor
 - Working colleagueThey should in the first instance take it up with their supervisor or deputy manager. This can be either verbally or written via notification on StaffAdmin (NIAB).
- Most concerns and queries should be resolved amicably and informally at this stage.

Stage 2

- If the concern or any queries in stage 1 does not have a satisfactory outcome, or if the problem recurs, the persons concern moves to stage 2 of the procedures by putting the concerns, queries or complaint in writing via notification on ParentAdmin or StaffAdmin (NIAB) to the manager.
- The manager will commence an investigation and report back to the person within a fair and reasonable time frame.
- Parents must be informed of the outcome of the investigation within 28 days of making the complaint.
- The case may result in organising an informal / formal meeting with the person (parent(s) / staff).
- The manager will document fully the actions taken in relation to the case and record all details/ data in the complaints and concerns folder. Details and data stored in this folder is private and confidential and can only be accessed by the settings management.
- We endeavour to resolve the majority of cases informally at stage 1 or 2.
- The manager may seek advice from our employment HR services for cases involving staff. For concerns and/or grievances raised by staff the employee will be directed to follow the grievance procedure at this stage outlined in our employee handbook.

Stage 3

- If at the stage 2 the outcome with the parent(s) and manager cannot reach agreement, an external mediator is invited to help settle the complaint.
- The setting will hold a formal meeting between the manager, parent(s) and the mediator to ensure that it is dealt with comprehensively. The parent(s) has the right to be accompanied if required.
- This mediator should be acceptable to both parties, listen to both sides and offer advice. A mediator can help to define the problem, review the action so far and suggest further ways in which it might be resolved.
- Representatives who we deem appropriate to act as mediators may be:
 - one of our managers from one of our company settings
 - our company area manager, and/or director /nominated person
 - a local council representative from the early years team
 - a social worker
- The mediator keeps all discussions confidential. They can hold separate meetings with the settings personnel and the parent(s), if this is decided to be helpful. When the mediator has concluded their investigations, a final meeting between the parent and the manager is held to reach a decision on the action to be taken to deal with the complaint.
- The setting will make a record of the meeting and document any minutes, decisions and/or actions. All of the parties present at the meeting should review the accuracy, sign the record and a copy will be sent to the parent(s). All parties should maintain confidentiality at all times.
- This will signify the conclusion of stage 3 of the procedure. Stage 3 is the final stage for concluding complaints relating to our Terms and conditions, childcare fees and/or invoices.

Stage 4

- If the matter cannot be resolved, then parents have the right to raise the matter with Ofsted. Parents can contact Ofsted at any time they have a concern, including at all stages of the complaint's procedure.
- In addition, where there seems to be a possible breach of the setting's registration requirements, it is essential to involve Ofsted as the registering and inspection authority for nurseries in England who have a duty to ensure the Safeguarding and Welfare Requirements of the Early Years Foundation Stage are adhered to. It risk assesses all complaints made and may visit the setting to carry out a full inspection where it believes requirements are not met.
- The details to contact Ofsted with regard to a complaint is:
0300 123 1231
open 08:00 to 18:00, Monday to Friday.
Alternatively, you can email them at:
enquiries@ofsted.gov.uk.
- Ofsted details are displayed on our setting's notice board in the entrance.
- If a child appears to be at risk, our setting follows the procedures of the Local Safeguarding Children Board in our local authority.
- In these cases, both the parent and setting are informed, and the settings manager works with Ofsted or the Local Safeguarding Children Board to ensure a proper investigation of the complaint is followed by appropriate action.

Records

- A record of complaints will be kept in the setting. The record will include the name of the complainant, the nature of the complaint, date and time complaint received, action(s) taken, result of any investigations and any information given to the complainant including a dated response/ outcome. The outcome of all complaints is recorded in the complaints folder.
- Parents will be able to access this record if they wish; however, all personal details relating to any complaint will be stored confidentially and will be only accessible by the parties involved. Requests must be made in writing. Ofsted inspectors will have access to this record at any time during visits to ensure actions have been met appropriately.
- For further information on how we handle records please refer to our Data Protection & Record keeping policy and procedure.

Conflict Resolution with Parents and Aggressive Behaviour policy

- We believe that we have a strong partnership with our parents and an open-door policy to discuss any matters arising (if applicable).
- If a parent has any concerns or queries they wish to raise with the setting then we direct them to follow the complaints procedure.
- In the case of a parent emailing, calling or using social media to complain (directly or indirectly) the setting will advise them by directing them to use the correct procedure for raising a complaint.
- We have a zero tolerance on abusive calls, emails, notifications, social media statements and face to face confrontation.

Abusive calls, emails and notifications

- The responder receiving any abuse will ask the person to follow the complaints policy. We will endeavour to resolve any issue raised.
- If the abuse continues the responder will end the conversation and seek advice.
- Any forms of abuse will be logged as an incident on NIAB with an outline of the conversation.
- If the abuse persists the manager may seek legal action by the company's representation. All evidence will be kept and recorded until the matter is resolved.
- If slanderous or abusive messages appear on any social media sites, we will address these immediately with a request to remove such content. If slanderous/ abusive messages continue we will seek legal action against the complainant.

Inappropriate and/or aggressive behaviour

In the event that any person inside the setting starts to act in an aggressive manner, our policy is to:

- Direct the person away from the children and into a private area, such as the office (where appropriate).
- Ensure that a second member of staff is in attendance, where possible, whilst continuing to ensure the safe supervision of the children.
- Remain calm and professional in order to calm the aggressive person, making it clear that we do not tolerate aggressive or abusive language or behaviour.
- If the aggressive behaviour continues or escalates, we will ask the person to leave the premises immediately. Contact the police in order to ensure the safety of our staff team, children and families. Record the incident number provided by the police when raising a case.
- If the person calms down and stops the aggressive behaviour a member of staff will listen to their concerns and try to resolve the issue following our complaints procedure.
- Following an aggressive confrontation an incident form will be completed detailing the time, reason and any action taken.

Termination of childcare place

- Any form of intimidation, harassment, aggressive or abusive behaviour from a parent or carer is not tolerated. This could result in the withdrawal and cancellation of all services for the child/ren with immediate effect. Upon cancellation the parent must collect their child immediately.
- In these circumstances we clarify that the childcare place was terminated on the basis of unacceptable behaviour by an adult. The safety and wellbeing of our staff is paramount. In all cases we endeavour to try and find a positive, fair and/or reasonable outcome.
- Parents will receive an outcome in writing by a member of the management team.
- Management will provide support and reassurance to any staff member involved in such an incident.
- Management will signpost parents to organisations/professionals that can offer support if applicable.

Anti-bribery Policy

Legislation

The Bribery Act 2010 covers any new offence which can be committed by an organisation which fails to prevent persons associated with them from committing bribery on its behalf but only if that person performs services for us in our business. It is unlikely that the organisation will be liable for the actions of someone who simply supplies goods.

- There is full defence if it can be shown that there are adequate procedures in place to prevent bribery.
- At our setting we have adopted this policy to ensure that we have adequate procedures in place that are proportionate to the bribery risks we face.
- It is our policy to conduct all of our business in an honest and ethical manner. We take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our dealings wherever we operate. We are also committed to implementing and enforcing effective systems to counter bribery.

What is a bribe?

- A bribe is a financial or other advantage offered or given:
 - To anyone to persuade them to or reward them for performing their duties improperly.
 - To any public official with the intention of influencing the official in the performance of his/her duties.

Gifts and hospitality

- A 'gift' is defined as any item, cash, goods, or any service which is offered for personal benefit at a cost, or no cost, that is less than its commercial value.
- You should consider the following if a gift is offered:
 - Whether it is appropriate to accept it:
 - Decline gifts unless to do so would cause serious embarrassment.
 - Discuss the position with the manager or owner if the gift clearly has a potential value in excess of £25.
- Parents may wish to thank our staff for looking after their children with gifts. Gifts at Christmas and graduation ceremonies are perfectly understandable. Managers are responsible for deciding if this gift is appropriate to accept and/or if it should be shared with the wider team. If in any doubt discuss this with the area-manager.
- The setting will not accept gifts from service providers. This may be deemed as a bribe to maintain a contract. The setting will remain transparent and open at all times.
- If a parent has any concerns and/ or queries they should follow our complaints procedure.