

Name of Policy:	COMPLAINTS AND COMPLIMENTS
Name of Setting:	Oatlands Pre-school
Overall Aim of Statement:	It is in the best interest of the children, families, Pre-school and charity that complaints are taken seriously and dealt with fairly and in a way which respects confidentiality.
Specific Objectives/ Statements and Procedures:	<p>At Oatlands Pre-school it is important that the service is deemed to be of a high standard. We welcome family partnership within our Pre-school and strive to consider the individual needs and wishes of all our parents/carers and children. If parents/carers are unhappy with any aspect of Pre-school provision, we encourage them to:</p> <p><u>Complaints procedure</u></p> <p>Stage 1 If any parent should have cause for complaint or any queries regarding the care or early learning provided by the setting they should in the first instance take it up with the child's key person or the pre school manager.</p> <p>Stage 2 If the issue remains unresolved or parents feel they have received an unsatisfactory outcome, these concerns must be presented in writing to the pre school manager/chair of the committee who will then investigate the complaint and report back to the parent within five working days. This will be fully documented in the complaints file and will detail the nature of the complaint and any actions arising from it. (Most complaints are usually resolved informally at stage 1 or 2.)</p> <p>Stage 3 If the matter is still not resolved, a formal meeting will be held between the manager, parent and the senior staff member to ensure that it is dealt with comprehensively. A record of the meeting will be made along with documented actions. All parties present at the meeting will review the accuracy of the record, sign to agree and receive a copy, which will signify the conclusion of the procedure.</p> <p>Stage 4 If the matter cannot be resolved to their satisfaction, then parents have the right to raise the matter with Ofsted.</p> <p>Parents are made aware that they can contact the above in all stages of complaints and are given information on how to contact them.</p> <p>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.</p> <p>Parents will be able to access this record if they wish to, however all personal details relating to any complaint will be stored confidentially and will be only accessible by the parties involved. Ofsted will have access to this record at any time during visits to ensure actions have been met appropriately.</p>

	<p>Contact details for the regulator:</p> <p>OFSTED National Business Unit Piccadilly Gate Store Street Manchester M1 2WD Telephone number: 0300 123 1231 www.ofsted.gov.uk</p> <p>Parents will also be informed if the setting becomes aware that they are going to be inspected and after inspection will provide a copy of the report to parents and/or carers of children attending on a regular basis.</p> <ul style="list-style-type: none"> • In circumstances where we feel that discussions with parents/carers may be detrimental to a child’s well-being, we will seek advice from Childrens Social Care (01609 780780) as per our Safeguarding Children Policy. • All complaints will be investigated and we will respond to all complaints in writing within 28 days • Copies of records of complaints will be kept within the complaints file in a locked cabinet and held for a minimum of 3 years. • If the complaint is against a member of staff, procedures will be followed as laid out in the Discipline and Grievance Policies, If the matter is subject to child protection concerns and the staffs suitability to supervise children the LADO (local authority designated officer) will be informed immediately <p>COMPLIMENTS</p> <p>We would like to encourage parents/carers to let us know if they have been particularly happy with any aspect of the service we provide, and a yearly questionnaire is produced in order to ask opinions of the service provided. Parents/carers can pass on their compliments at any other time verbally or in writing to their key person, the committee, or the Manager/Deputy. Any compliments received will be passed on to the staff team involved in recognition of the contribution they have made to the Pre School and are very much appreciated and boost staff moral, confidence and performance.</p>
<p>Volunteer Complaints / Compliments</p>	<p>Complaints received about or from OPS charity volunteers will be dealt with separately. Volunteer complaints will be addressed through our Volunteer Problem Solving Policy. (Appended to this Policy for Reference).</p> <p>Compliments received will be cascaded to the volunteer and wider setting. Recognition of volunteer contributions are valuable and appreciated boosting confidence and performance.</p> <p>Full documentary records will be held in the ‘Complaints and Compliments’ File located in the Pre-school Admin office.</p>

<p>Trustee Complaints / Compliments</p>	<p>Complaints received about or from Trustees will in the first instance try to be resolved through early verbal discussions. The Pre-school Manager and/or the Chairperson will initially investigate the complaint. If the complaint is about the Pre-school Manager the Deputy will work with the Chair. If the complaint is about the Chair, the Committee Secretary will work with the Pre-school Manager. If the complaint remains unresolved it will be documented and processed using the Volunteer Problem Solving Policy appended to this policy. Complaints about Trustees and complaints from Trustees will be investigated to establish whether the complaint is credible. Complaints from or about Trustees will consider 'Trustee Disenfranchisement' as a possible source of the complaint. The charity requires that all Trustees conduct themselves with honesty and integrity whilst carrying out their duties on its behalf, disenfranchisement and disengagement on the Trustee Board is discouraged and trustees are dissuaded from following any path which <u>does not put first</u> the charity's aims and safeguard its beneficiaries.</p> <p>The charity's governing document (Pre-school Learning Alliance Constitution 2011) will be referenced in the event that any complaint about or from a Trustee cannot be resolved. The Charity Aims in the Governing Document and Rules for Committee Proceedings will be reviewed and used as a guide for the charity decisions about complaints. All decisions will be taken only in the best interest of the charity and ensuring that the charity beneficiaries are at the forefront of decision-making.</p> <p>If resolution is still unclear the charity may, if it decides it is in the best interests of its beneficiaries and the charity itself, consult specialist legal and constitutional experts either through the umbrella of its membership with the Pre-school Learning Alliance and its legal service; Lawcall, or through its membership of Harrogate and Ripon CVS to resolve the complaint. Trustees have a 'Duty of Care' to act only in the best interests of the charity and its beneficiaries whilst undertaking their duties.</p> <p>It should be noted that Volunteers & Trustees are not covered by employment legislation and do not have the right to appeal the charity's decision.</p> <p>For volunteers and trustees who remain dissatisfied the charity will signpost the complainant to any relevant external regulatory agencies which cover the complaint</p> <p>Compliments received from or about Trustees will be cascaded to the relevant parties and held on record.</p> <p>Full documentary records will be held in the 'Complaints and Compliments' File located in the Pre-school Admin office.</p>
<p>References to other relevant policies:</p>	<p>Confidentiality, Discipline, Grievance, Partnerships with Parents, Safeguarding Children, Child Protection Policy, Whistle blowing, Volunteer Problem Solving Policy, Trustee Induction</p>
<p>Policy Monitoring and Evaluation Information:</p>	<p>This policy will be monitored and evaluated as per our rolling programme at staff meetings. It will be reviewed every six months by the Pre-school Manager and/or Committee unless new legislation or an incident occurs which requires an immediate review of the policy</p>

Signature	
Review Date:	October 2016 –
Date adopted by Committee:	
Next review due date:	October 2017

Name of Policy:	VOLUNTEER PROBLEM SOLVING
Name of Setting:	Oatlands Pre-school
Overall Aim of Statement:	<p>At Oatlands Pre-school we value our volunteers and the depth and breadth of knowledge that they offer our charity. We recognise that the involvement of volunteers is, by and large, a positive experience for everyone involved, but it is also important to bear in mind that sometimes things can go wrong. From time to time there may be instances where a volunteer has a complaint about another volunteer, a member of staff or the Pre-school itself. Similarly, the charity may find that a volunteer's performance has declined, or that someone else has complained about a volunteer's contribution, attitude or conduct.</p> <p>OPS neither employs any volunteers nor has a contractual relationship with them therefore there are no legal duties towards them. This Problem Solving Procedure has been written to ensure that volunteers and staff know how to deal with problems consistently should they arise. Volunteers have no legal rights unless they can prove that they are in fact employees, or that the OPS has been negligent in its duty of care towards them.</p> <p>Guidance has shown that it is good practice to avoid using the same grievance and disciplinary policy for both staff and volunteers, and the term 'Problem Solving Procedures' helps to differentiate between the two.</p> <p>Every effort is made to resolve volunteer complaints, or complaints about volunteers, through early discussions before resorting to a formal process, if it is necessary and in the best interests of Pre-school, the following process will be used:</p> <p>This procedure is split into two sections, the first being if the volunteer wants to complain, and the latter if a complaint is made against the volunteer.</p>

Specific Objectives/
Statements

A Volunteer complains about someone in the organisation

The first part of the procedure gives the volunteer the opportunity to complain if they feel that they may have been unfairly treated or if they have an issue which they feel may be a cause for concern within the organisation.

Stage 1 - Oral complaint

Initial complaints, whether against a member of staff, the organisation or another volunteer, will be discussed verbally with the volunteer and their line manager. If the issue cannot be resolved at this stage then the volunteer will be informed that they can proceed to stage 2.

Stage 2 - In writing

If the volunteer is not satisfied with the outcome of the oral complaint, they may make a formal complaint in writing to the 'Complaints Committee'. This sub-committee will be made up of not less than 2 and not more than 3 committee members who were not involved in handling the oral complaint. One member of the sub-committee will be a committee 'Officer'. OPS will respond, in writing, to the complaint within 5 business days.

Stage 3 - Opportunity to appeal

Volunteers do not have the right to appeal a decision made by the charity. If the volunteer is not satisfied with the outcome, then they will be sign-posted to the relevant (if any) external agency should they wish to pursue their complaint. Volunteers are not covered by employment legislation but, as members of the public, they are covered by legislation covering health and safety law and data protection.

Concerns relating to the governance of the organisation, health and safety or data protection can be referred to external agencies as follows :-

Governance - The Charity Commission is the independent regulator of charities in England and Wales. Its website explains that its primary focus as regulator 'is to work closely with charities to ensure that they are accountable, well run and meet their legal obligations in order to promote public trust and confidence'.

The Charity Commission is not able to act on complaints related to disagreements between individuals, but it will investigate if a volunteer's concerns relate to the organisation's wider work or the fulfilment of its charitable aims.

Health and safety - Concerns regarding health and safety issues that volunteers feel are not being addressed by the organisation, can contact the Health and Safety Executive .

Data protection - The Data Protection Act sets rules about the way

organisations collect and use information about you (your personal information). If you have a complaint about the way an organisation has handled your personal information, you can contact the Information Commissioner's Office, who may be able to help.

If someone complains about a volunteer

This part of the problem solving procedure gives the volunteer the opportunity to be told why a complaint has arisen and the opportunity to state their case, if appropriate. Volunteers do not have contracts with the charity. This means that volunteers do not have the same legal status and protections that paid workers have in the UK. Volunteers do not (usually) have legal rights to have an organisation follow proper investigative procedures when things go wrong. They also do not have the right to appeal a decision made by the organisation

Stage 1 – Oral discussion

The complaint will be discussed with the volunteer in the first instance with their line manager. This discussion should identify if there could be any external factors influencing the volunteer's ability to carry out tasks, their behaviour or their attitude. The discussion will focus on identifying goals to help the volunteer to fulfil their role and will also offer extra support, supervision and training if/where necessary. A mutually agreed deadline (of up to 1 month) will be put into effect for reviewing the situation with the volunteer.

In the event of a complaint about a charity volunteer is raised externally (ie by a member of the public), receipt of the complaint will be confirmed in writing by the committee secretary, following the investigation the complainant will be notified of charity conclusions and its decision if relevant notification may include sign-posting to any relevant external agency should the member of the public wish to pursue their complaint.

In the event that a complaint is made by a parent/carer of Pre-school – these are dealt with separately using the 'Complaints and Compliments Policy'.

Stage 2 – Written warning

In the event that situation hasn't been resolved by the oral discussion or the review, then the management trustees will issue the volunteer with a written warning outlining the reason for the complaint. The volunteer will be given the opportunity to state their case, to an independent 'Complaints Committee'. If possible, this sub-committee will be made up of not less than 2 and not more than 3 different committee members to those involved in Stage 1 and will include an 'Officer' of the charity.

Stage 3 - Opportunity to appeal

Volunteers do not have the right to appeal a decision made by the

charity. If the volunteer is not satisfied with the outcome, then they will be sign-posted to the relevant (if any) external agency should they wish to pursue their complaint. Volunteers are not covered by employment legislation but, as members of the public, they are covered by legislation covering health and safety law and data protection.

Conducting the 'volunteer exit' meeting

In the event that the volunteer is asked to leave, the following best practice will be followed :

- The meeting will take place in a confidential setting, without disturbance.
- The meeting will be short and to the point - the decision to ask the volunteer to leave has already been made.
- The charity will not attempt to counsel the volunteer, this will send confusing signals to them.
- The volunteer may be emotional but it is important to draw the meeting to a timely close
- A letter will be sent to the volunteer after the meeting reiterating the decision to ask the volunteer to leave, as well as outlining the reasons for doing so.
- Information will be included relating to their departure, ie key handover, paperwork return, uniform return etc.
- OPS will inform staff, p/c's and other volunteers of the outcome, but will not give reasons for the volunteer's departure.

Exceptions

There are some occasions when volunteers will be suspended immediately while an investigation is carried out. These include, but are not limited to, acts that constitute gross misconduct, eg theft, assault, act of violence, malicious damage, deliberate falsification of documents, harassment or being under the influence of drugs or alcohol. The decision to suspend a volunteer will be confirmed to the volunteer in writing by the Committee Secretary. In some cases, legal proceedings may need to be concluded before the next step of the problem solving procedure can take place.

Some points to remember

- All complaints will be treated confidentially in accordance with our Confidentiality Policy and will only be discussed amongst those who are directly involved in trying to resolve the issue.
- The Charity will retain a record of all complaints and warnings on a volunteers file. This record will be kept for

	<p>5years after the departure of the volunteer.</p> <ul style="list-style-type: none"> • OPS will ensure that we allow enough time for all meetings, and that they will be conducted somewhere discrete and where there will be no interruptions. • OPS will keep complainants informed at every step of the procedure. <p>Volunteers are not covered by employment legislation but, as members of the public, they are covered by legislation covering health and safety law and data protection.</p> <p>Concern relating to the governance of the organisation, health and safety or data protection can be referred to external agencies.</p> <p>Governance - The Charity Commission is the independent regulator of charities in England and Wales. Its website explains that its primary focus as regulator ‘is to work closely with charities to ensure that they are accountable, well run and meet their legal obligations in order to promote public trust and confidence’.</p> <p>The Charity Commission will not act on complaints related to disagreements between individuals, but it will investigate if a volunteer’s concerns relate to the organisation's wider work or the fulfilment of its charitable aims.</p> <p>Health and safety - If you have concerns regarding health and safety issues that you feel are not being addressed by the organisation, you can contact the Health and Safety Executive .</p> <p>Data protection - The Data Protection Act sets rules about the way organisations collect and use information about you (your personal information). If you have a complaint about the way an organisation has handled your personal information, you can contact the Information Commissioner’s Office, who may be able to help.</p> <p>Reference : <i>Volunteering England Problem Solving Information Sheet, NCVO ‘Volunteering - what to do when things go wrong’</i></p>
References to other relevant policies:	Induction/Training Policy, Student, Recruiting Volunteers Policy, Complaints and Compliments Policy
Policy Monitoring and Evaluation Information:	This Policy will be evaluated as per our rolling programme at staff meetings and will be reviewed annually by the Chairperson, unless new legislation or an incident occurs which requires an immediate review of the policy.

Signature	
Review Date:	
Next review due date: July 2017	