



Policy statement

We want to ensure that if a member of staff raises a complaint, we will deal with it fairly, independently and quickly and come to a conclusion.

Who is this policy for?

All members of staff.

When does this policy apply

- If you want to make a complaint
- If you are a manager who needs to understand, explain, promote and use the complaints procedure
- If you are involved in the complaints process in any other way

Included in this policy

- How we approach complaints
- The formal and informal procedures for resolving complaints
- The steps and timescales for dealing with complaints
- Confidentiality

What is the overall approach to complaints?

We always prefer to resolve complaints quickly, informally and without involving any more people than necessary. The best way to do this is if you talk to your Manager as soon as you have a problem. Your manager will encourage you to resolve your complaint informally before going down a more formal route.

Some complaints cannot be resolved in this way or are too serious for an informal approach. That is why we also have a formal complaints procedure too. You can choose to use the formal procedure if you do not want us to deal with your complaint informally for any reason that you choose.

How long can it take to resolve my complaint once I have spoken to my manager?

We will aim to process each stage of the complaint resolution procedure within 14 days from when you first tell us about your complaint, unless exceptional circumstances prevent us from doing so.

POLICY 34 – FAIR TREATMENT AND COMPLAINTS POLICY		Issue Date: Sept 2021	Page: 1 of 9
Document Owner: Lindsey Harvey (Principal)			Next Review Date: Sept 2022



Can someone make a complaint on my behalf?

If someone like a spouse, partner, parent of a member of staff is making the complaint, we will ask them to encourage the staff member themselves to talk to their manager. If they do not want to do this, we will try to find out more about the complaint from the person who raised it.

Will I be in trouble for making a complaint?

You should feel free to make valid complaints. You will not get into trouble for doing this or for being a witness for someone else who is complaining. We take it very seriously if anyone victimises a colleague for complaining or being a complaint witness and we may take disciplinary action against them.

Will you keep my complaint confidential?

We will only share information with people who are involved in resolving the complaint. If your complaint is about another member of staff, we will need to tell them what you are saying.

What happens if someone makes a false complaint?

We expect that complaints are made in good faith, but if we find this is not the case, we take it very seriously. It could lead to disciplinary action.

The Informal Complaints Procedure

In the first instant, speak to your Manager about the complaint. If this is not possible you can raise the complaint with another manager. This can be done verbally. The manager that you tell will do all that they can to sort the problem out quickly and directly with the minimum of fuss.

If your complaint is about another member of staff, it is sometimes helpful for the two of you to get together and discuss the problem, with a manager to help you resolve the situation. This is called **conciliation**. We will only do this if you 'both' agree to it. There is a form that we use for this conciliation meeting. Appendix 1.

Sometimes, if the complaint is about someone's behaviour, that person may not even realise the effect that they have been having. Once they have recognised the problem, they may be able and willing to change their behaviour straight away.

If the informal complaints procedure does not work or if you decide that it is not the best way to handle the complaint, we will take it up using the formal complaints procedure.

POLICY 34 – FAIR TREATMENT AND COMPLAINTS POLICY		Issue Date: Sept 2021	Page: 2 of 9
Document Owner: Lindsey Harvey (Principal)			Next Review Date: Sept 2022



The formal complaints procedure

The main thing is that we use it fairly and swiftly to get things sorted out properly. Not all complaints will need to go through every stage. We will try to find a solution as early on as we can.

You can choose to have another member of staff with you at every formal stage of the complaints process, including conciliation. If they cannot come to the meeting on a date that we have suggested, you can suggest another date that suits everyone involved. That date needs to be within a reasonable time frame and everyone needs to agree to it.

Stage 1: Raising a formal complaint

Ideally we would like you to complete a fair treatment complaints form as it helps us to monitor the progress of your complaint. Appendix 2. However this is not a requirement and any written complaint will be fully investigated by your manager, with HR advice, if required.

Stage 2: The formal complaints meeting

The manager hearing the complaint will arrange a formal meeting. At the meeting you explain your complaint and you can suggest how you think it should be resolved. There may be a gap of a few days between your formal complaint letter and the meeting. This gives time for the manager to gather any information they need to help resolve your complaint. During the meeting, they might say they need to adjourn the meeting if it turns out that there is still more information they need. Adjourning means pausing the meeting for an agreed length of time until it can resume.

If possible, the manager hearing the complaint will give you their conclusion in writing at the end of this meeting, using the 'outcome of formal complaints' form. If they need more time to think it over, they will do all that they can to give you their written conclusion within 7 days of the meeting.

If it takes longer than this, the manager will explain why and tell you when you can expect the conclusion.

Stage 3: Appealing against a conclusion

If you are not happy with the decision after the complaints meeting, you can appeal in writing within 7 days of receiving the conclusion. You will be given a 'decision by staff' form to sign along with the written conclusion. You can use this to explain why you are unhappy with the outcome and want to appeal.

A different manager will be nominated to hear the appeal. You will be invited to an appeal meeting in the same way as the initial complaints meeting. You will have the opportunity to

POLICY 34 – FAIR TREATMENT AND COMPLAINTS POLICY		Issue Date: Sept 2021	Page: 3 of 9
Document Owner: Lindsey Harvey (Principal)			Next Review Date: Sept 2022



explain why you are appealing. The manager will consider the facts and if possible give you the appeal conclusion at the end of the meeting, in writing. If they cannot do this, they will do so within 7 days or tell you why it is taking longer and let you know when you will have a conclusion.

Record keeping for formal complaints

We will keep a record of:

- What the complaint is
- The Manager's response
- Action taken, if any
- The reasons for the action taken
- Whether an appeal happens and what the outcome is

We will keep a copy on you file and give you a copy personally. Very occasionally, to protect a witness or for other exceptional reasons, they might withhold some information.

Ex – members of staff making formal complaints

If someone has left the nursery and they want to make a complaint after they have left, they need to put it in writing with an explanation and send it to the manager. They will investigate the complaint and respond accordingly.

Formal complaints about local working practices

If a number of staff members raise a complaint together, we would suggest that they elect one person to pursue the complaint on their behalf.

Overlapping grievance and disciplinary cases

Where an employee raises a grievance/complaint during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the complaint. Where the disciplinary and the complaint/grievance are related it may be appropriate to deal with both issues concurrently.

Complaints about bullying and harassment

Everyone working at Foxglove Violet Hill School has a responsibility to behave in ways which support a non hostile working environment for themselves and their colleagues. It is important that you play your part in making our policy on Fair Treatment and Equality and Inclusion a reality and be prepared to challenge inappropriate behaviour and take action if you observe or have evidence that someone is being harassed.

POLICY 34 – FAIR TREATMENT AND COMPLAINTS POLICY		Issue Date: Sept 2021	Page: 4 of 9
Document Owner: Lindsey Harvey (Principal)			Next Review Date: Sept 2022



We take complaints about bullying and harassment very seriously. Every member of staff has a right to work in an environment free from this kind of behaviour. If it happens, we want our complaints process to be used to stop it as soon as possible. Disciplinary action may be taken against someone who is harassing or bullying. If a member of the nursery is being bullied or harassed by a customer we will take steps to protect our employee. We value all our customers but we will not tolerate them behaving inappropriately towards our members of staff.

We are especially aware of cyber bullying. Detrimental texts sent via mobiles or images of work colleagues posted on external websites following work events could amount to bullying despite staff following our Social Networking and Mobile/Cameras and Electronic Devices Policies.

Here are some specific guidelines on what we regard as bullying and harassment. If the complaint is about any of these, it is a serious matter and we will handle it using the formal complaints process.

What is harassment?

It is conduct that is unwanted by the recipient. Every member of staff can decide what behaviour is acceptable to them. But what one person accepts may not be acceptable to another person, so they may regard it as harassment.

Harassment is often persistent behaviour that carries on after the recipient has said clearly that they want it to stop. One single serious incident could also be harassment.

What is bullying?

This is a type of harassment when someone who is usually in a position of authority or responsibility abuses their power in that position by intimidating, insulting or being malicious towards a member of staff.

POLICY 34 – FAIR TREATMENT AND COMPLAINTS POLICY		Issue Date: Sept 2021	Page: 5 of 9
Document Owner: Lindsey Harvey (Principal)			Next Review Date: Sept 2022



Appendix 1 Conciliation Meeting form

You should complete Part A of this form and return it to the Manager. If you have difficulty or are uncomfortable in completing this form, you can ask another member of staff to help you.

Part A
Staff member raising the complaint (name): Date:
Details of the complaint:
At any meeting you may be accompanied. If you would like to be, please tick below: - a work colleague
Part B
At the meeting held on _____ Attended by: It was agreed (and why): Signed _____ (Manager) Date:
Decision by staff member
I am satisfied with the outcome (tick) I am still unsatisfied with the outcome (tick) Any other comments (including other outcomes, such as dropping the complaint because it was resolved outside the process) Signed _____ (Staff member) Date:

POLICY 34 – FAIR TREATMENT AND COMPLAINTS POLICY	Issue Date: Sept 2021	Page: 6 of 9
Document Owner: Lindsey Harvey (Principal)	Next Review Date: Sept 2022	



Appendix 2- Fair Treatment Formal Complaints Form

If you wish to make a formal complaint please complete section A of this form and give it to your Manager.

If you are uncomfortable in completing this form, ask to see your manager or another member of staff.

The answer to your complaint will be written on this form and given to you.

If you are not satisfied with the initial outcome, you have the right to appeal against the decision.

To: From: Job Title: My Manager is: Date: My complaint is that:
At any meeting you may be accompanied. If you would like to be, please tick below: - a work colleague
Outcome of Formal Complaint Hearing (to be completed by the manager hearing the complaint) The outcome of the meeting held on _____ (date) was that: <ul style="list-style-type: none">• I have upheld the complaint (tick)• I have not upheld the complaint (tick) Some other conclusion, which is: Because:

POLICY 34 – FAIR TREATMENT AND COMPLAINTS POLICY	Issue Date: Sept 2021	Page: 7 of 9
Document Owner: Lindsey Harvey (Principal)	Next Review Date: Sept 2022	



The agreed actions were:

Decision by the member of staff:

- I am satisfied with the outcome (tick)
- I am still unsatisfied with the outcome and want to take this complaint to an appeal hearing (tick)

Reason why I am unhappy with the outcome:

Signed _____ (Staff member) Date:

Appeal

At the appeal meeting held on _____ (Date) the outcome was that:

Staff member informed of outcome: (tick) Date:

POLICY 34 – FAIR TREATMENT AND COMPLAINTS POLICY		Issue Date: Sept 2021	Page: 8 of 9
Document Owner: Lindsey Harvey (Principal)			Next Review Date: Sept 2022



Signed for and on behalf of Foxglove Violet Hill

Lindsey Harvey (Principal) :

Date :

POLICY 34 – FAIR TREATMENT AND COMPLAINTS POLICY		Issue Date: Sept 2021	Page: 9 of 9
Document Owner: Lindsey Harvey (Principal)			Next Review Date: Sept 2022