Complaints Policy and Procedures

1. Statement of Intent

St Augustine's Nursery believes that children and their parents and/or carers are entitled to expect high-quality care, education, safety, courtesy and prompt attention to their needs and concerns.

We welcome suggestions, comments and complaints because they provide an opportunity for the nursery to reflect on its practice and improve the service provided to children and families.

We aim to resolve concerns promptly and informally wherever possible. However, where a concern cannot be resolved informally, or where a parent/carer wishes to make a formal complaint, the nursery will provide a fair, transparent and accessible complaints procedure.

Complaints will be taken seriously, investigated appropriately and dealt with without unnecessary delay.

No child or family will be disadvantaged because a parent/carer has raised a genuine concern or complaint.

2. Purpose of This Policy

This policy explains:

- how parents and/or carers can raise a concern or complaint;
- how the nursery will investigate complaints;
- who will be responsible for dealing with a complaint;
- the timescales for responding;
- how complaints will be recorded;
- how safeguarding concerns will be dealt with;
- when Ofsted or other agencies may need to be involved;
- how confidentiality and personal information will be protected;
- how learning from complaints will be used to improve practice.

3. Legislative and Statutory Framework

This policy is designed for St Augustine's Nursery as an early years provider in England and should be read alongside the nursery's other policies and procedures.

The nursery will operate this procedure in accordance with the current:

- Early Years Foundation Stage (EYFS) statutory framework for group and school-based provided
- Working Together to Safeguard Children 2026;
- Childcare Act 2006;
- Children Act 1989;
- Children Act 2004;
- Equality Act 2010;
- Data Protection Act 2018 and UK GDPR;
- relevant safeguarding legislation and statutory guidance;
- relevant local safeguarding partnership procedures;
- current Ofsted requirements and guidance.

The EYFS requires providers to have a written procedure for concerns and complaints, keep written records of complaints and their outcomes, investigate written complaints concerning fulfilment of EYFS requirements and notify the complainant of the outcome within 28 days.

4. Who can make a complaint?

A complaint may be made by:

- a parent or carer of a child attending the nursery;
- a person with parental responsibility;
- another person who has a legitimate interest in the welfare or care of a child;
- another person where the complaint concerns the nursery's provision or compliance with the EYFS.

Where a complaint is made by someone other than a parent/carer, the nursery may need to establish whether the person has a legitimate reason for receiving confidential information.

The nursery will make reasonable adjustments to enable people with disabilities, communication difficulties or additional needs to raise concerns or complaints.

Complaints may be made verbally or in writing. Where a formal investigation is required, the nursery may ask for the complaint to be put in writing, but will provide reasonable assistance where a parent/carer has difficulty doing so.

5. Informal Concerns

Parents/carers are encouraged to raise concerns as soon as possible with the Nursery Manager or appropriate member of staff.

Many concerns can be resolved quickly through discussion.

The member of staff receiving the concern will:

1. listen carefully;
2. clarify what the parent/carer is concerned about;
3. consider what action may be appropriate;
4. provide an explanation where possible;
5. refer the matter to the Nursery Manager where necessary;
6. record the concern where it is significant or requires follow-up.

A parent/carer is not required to attempt informal resolution before making a formal complaint.

6. Formal Complaints

A formal complaint may be made in writing to the Nursery Manager (veronique@st-augustines-islington.org.uk) or, if the complaint involves the Nursery Manager, to the Chair of Trustees (chair@st-augustines-islington.org.uk).

A complaint should, where possible, include:

- the name and contact details of the person making the complaint;
- the nature of the complaint;
- the date(s) or period concerned;
- the name of any person involved, where known;
- any relevant information or evidence;
- the outcome the complainant is seeking, where appropriate.

Where a parent/carer is unable or unwilling to write the complaint themselves, the nursery will provide reasonable assistance, including recording the complaint on their behalf.

7. Stage 1 – Informal Resolution

Where appropriate, the Nursery Manager or designated member of staff will attempt to resolve the matter informally.

The manager will:

- listen to the parent/carer’s concerns;
- establish the facts;
- speak to relevant staff where appropriate;
- explain the nursery’s position;
- identify any action that can reasonably be taken;
- communicate the outcome to the parent/carer.

Where the matter is resolved, the nursery may make a brief record of the concern and outcome.

8. Stage 2 – Formal Written Complaint

If the concern is not resolved, or if the parent/carer wishes to make a formal complaint, the complaint will be investigated.

The Nursery Manager or another appropriate person will be appointed to investigate.

Where the complaint concerns the Nursery Manager, the complaint will be referred to the Chair of Trustees or another person who is sufficiently independent of the matter.

The person investigating the complaint should not have a conflict of interest.

The investigation may include:

- reviewing relevant records;
- speaking with staff;
- speaking with the complainant;
- considering policies and procedures;
- considering relevant risk assessments;
- reviewing CCTV or other records where appropriate and lawful;
- obtaining written statements;
- considering information supplied by other relevant people;
- taking account of safeguarding and confidentiality requirements.

The investigator will remain impartial and will not prejudge the outcome.

9. Timescale for Investigating Complaints

The nursery will investigate written complaints relating to how it is fulfilling the EYFS requirements.

The complainant will be notified of the outcome **within 28 days of the complaint being received**.

The nursery will aim to respond sooner wherever reasonably possible.

If exceptional circumstances mean that the investigation cannot be completed within 28 days, the nursery will communicate with the complainant, explain the reason for the delay and provide an indication of when the investigation is expected to be completed.

The statutory EYFS requirement remains that the complainant is notified of the outcome within 28 days.

10. Investigation outcome

The written response will, where appropriate:

- summarise the complaint;

- explain the investigation undertaken;
- state the findings;
- explain whether the complaint is upheld, partially upheld or not upheld;
- identify any action already taken;
- identify any further action to be taken;
- explain how the nursery will monitor any required improvements;
- provide information about contacting Ofsted where appropriate.

The response will not disclose confidential information about other children, families or staff.

11. Stage 3 – review

If the complainant remains dissatisfied with the outcome, they may request that the matter is reviewed by the Chair of Trustees or another suitably independent person.

The request should explain why the complainant remains dissatisfied and should normally be made within a reasonable period following the Stage 2 response.

The review will consider:

- whether the original complaint was properly investigated;
- whether relevant evidence was considered;
- whether the procedure was followed;
- whether the conclusions were reasonable;
- whether further action is necessary.

The reviewer may:

- uphold the original decision;
- partially uphold the complaint;
- overturn the original decision;
- request further investigation;
- recommend further action or improvements.

The outcome of the review will be provided in writing where appropriate.

12. Mediation

Where appropriate and where both parties agree, the nursery may offer or consider independent mediation.

Mediation is voluntary and does not replace the nursery's legal responsibilities concerning complaints, safeguarding or statutory reporting.

A mediator does not determine whether a complaint is legally substantiated. Their role is to assist the parties in reaching an agreed resolution.

The nursery is not required to use mediation in every complaint.

13. Safeguarding Complaints

A complaint that raises a concern about a child's safety or welfare will **not** be dealt with solely through the ordinary complaints process.

If information suggests that a child may be at risk of harm, the nursery will immediately follow its Safeguarding and Child Protection Policy.

The nursery will make appropriate contact with:

- the local authority children's social care team;
- the police in an emergency;
- the Designated Safeguarding Lead;
- the Local Authority Designated Officer (LADO), where an allegation concerns an adult working with or providing services to children and meets the relevant threshold;
- Ofsted where required;
- other safeguarding partners, as appropriate.

The current EYFS states that where providers have concerns about children's safety or welfare, they must immediately notify their local authority children's social care team in line with local reporting procedures and contact the police in emergencies.

A safeguarding concern must not be delayed while the ordinary complaints procedure is followed.V

14. Allegations Against Staff, Volunteers or Other Adults

Where a complaint includes an allegation concerning the behaviour or conduct of a member of staff, volunteer, student, proprietor, committee member or another adult who works with children:

- the nursery's safeguarding allegations procedure will be followed;
- the Designated Safeguarding Lead will be informed;
- the appropriate senior person will be informed;
- the Local Authority Designated Officer will be contacted where required;
- the police and/or children's social care will be contacted where appropriate;
- Ofsted will be notified where the current EYFS notification requirements apply.

The nursery will not conduct an investigation that could compromise a police or safeguarding investigation.

The person against whom an allegation is made will be treated fairly and appropriately while safeguarding remains the priority.

The current 2026 EYFS requires registered providers to notify Ofsted of allegations of harm or abuse by anyone living, working or looking after children at the premises

and to notify Ofsted of the action taken. This must be done as soon as reasonably practicable and within 14 days.

15. Complaints Involving The Nursery Manager

If a complaint concerns the Nursery Manager, the complainant should submit the complaint to the Chair of Trustees or another person designated by the nursery.

The Nursery Manager should not investigate a complaint about themselves.

If a complaint concerns the Chair of Trustees, another suitably independent person should be appointed to oversee the investigation.

16. Complaints Involving The Management Committee

Where a complaint concerns the Management Committee or a member of the governing body, the nursery will identify an appropriately independent person to investigate or review the matter.

Where the complaint raises safeguarding concerns, the nursery will follow its safeguarding procedures regardless of who is the subject of the complaint.

17. Complaints Concerning Special Educational Needs or Disability

The nursery is committed to treating children and families fairly and without unlawful discrimination.

Complaints involving special educational needs or disability will be considered alongside the nursery's:

- SEND policy;
- Equality and Inclusion policy;
- accessibility arrangements;
- reasonable adjustment duties.

The nursery will consider whether reasonable adjustments are needed to enable the child or parent/carer to participate fully in the complaints process.

18. Complaints Concerning Discrimination

Complaints alleging discrimination, including racial discrimination, disability discrimination, discrimination because of religion or belief, sex, sexual orientation, gender reassignment, pregnancy or maternity, or other protected characteristics under the Equality Act 2010 will be taken seriously.

The nursery will investigate such complaints appropriately and consider whether additional safeguarding, equality or staff-management action is required.

Where the complaint raises a safeguarding concern, the safeguarding procedure will take priority.

19. Complaints and Confidentiality

Complaint information will be handled confidentially and shared only with people who have a legitimate need to know.

Complaint records may contain information concerning:

- the complainant;
- the child;
- staff;
- other children;
- other families;
- safeguarding matters.

The nursery will therefore avoid placing complete complaint investigation files routinely in a child's personal file where this would unnecessarily expose confidential information about other people.

Relevant information may be added to an individual child's record where necessary and appropriate.

The nursery will comply with data protection requirements when collecting, storing, using and sharing complaint information.

20. Complaints Records

The nursery will keep a written record of complaints and their outcomes.

The record will normally include:

- date the complaint was received;
- name of complainant, where provided;
- nature of the complaint;
- person responsible for investigation;
- action taken;
- investigation findings;
- outcome;
- any actions or improvements required;
- date the complainant was informed of the outcome;
- date the complaint was closed.

The nursery will keep written records of complaints, investigation outcomes and actions taken for **3 years**.

Current Ofsted requirements specify this three-year retention period and require providers to be able to provide, if requested, a summary of complaints from the previous 12 months and action taken, or a list of complaints from the previous 3 years.

Records will be securely stored and disposed of appropriately when the retention period expires, unless another legal reason requires longer retention.

21. Complaints Summary

The nursery will maintain an appropriate complaints log so that it can identify:

- the number and nature of complaints;
- recurring themes;
- areas requiring improvement;
- actions taken;
- whether actions have been effective.

The nursery will make complaint records available to Ofsted on request, in accordance with the EYFS requirements.

22. Ofsted

Parents and/or carers will be informed how they can contact Ofsted if they believe the nursery is not meeting the EYFS requirements.

The current EYFS specifically requires providers to make details about contacting Ofsted available to parents/carers.

Parents/carers do not have to wait for the nursery's internal procedure to finish where there is an immediate safeguarding concern or where they believe a statutory requirement is not being met.

Ofsted may consider information about the nursery and decide what regulatory action, if any, is appropriate.

Ofsted does not normally act as an appeal body to determine private disputes between parents/carers and providers.

23. Local Safeguarding Partnership

The nursery will work in accordance with the safeguarding arrangements for its local authority area.

The nursery will follow the current procedures issued by the relevant local safeguarding partners.

24. Information Sharing

Information may be shared with appropriate agencies where necessary to:

- protect a child;
- prevent harm;
- investigate safeguarding concerns;
- comply with a legal obligation;

- support a statutory investigation;
- meet the nursery's safeguarding responsibilities.

Safeguarding concerns will not be withheld from relevant agencies simply because a parent/carer has made a complaint or because the nursery's internal complaints procedure is ongoing.

The nursery will apply data protection principles while recognising that information may lawfully need to be shared to protect children.

25. Anonymous Complaints

Anonymous complaints will be considered where they contain sufficient information to identify a genuine concern.

The nursery may investigate an anonymous complaint where appropriate.

However, it may not be possible to provide feedback to an anonymous complainant.

Anonymous information that raises a safeguarding concern will be acted upon in accordance with safeguarding procedures.

26. Vexatious, Persistent or Unreasonable Complaints

The nursery will seek to deal fairly with all complaints.

Where a person makes repeated complaints about the same issue after the matter has been fully investigated and responded to, the nursery may explain that the matter has been concluded.

Where communication becomes abusive, threatening or intimidating, the nursery may take reasonable steps to protect staff, children and other families.

Any restriction on communication will be proportionate and will not prevent legitimate safeguarding concerns from being raised.

27. Complaints Made by Children

Children's views will be listened to and taken seriously.

Where a child raises a concern about their experience at the nursery, staff will respond in an age-appropriate manner.

A child's disclosure or concern suggesting that they may be at risk of harm will be managed through the nursery's safeguarding procedures.

Children will not be expected to use the formal complaints process in order to have a safeguarding concern acted upon.

28. Supporting Staff During Complaints

Complaints can be stressful for staff.

The nursery will ensure that staff involved in complaints are:

- treated fairly;
- given appropriate support;
- given an opportunity to provide relevant information;
- informed about the outcome where appropriate;
- protected from harassment, threats or abuse.

Where a complaint concerns staff conduct, appropriate employment and safeguarding procedures will be followed.

29. Learning and Improvement

Complaints will be used constructively to improve the nursery.

The Nursery Manager and leadership team will consider:

- whether procedures need to change;
- whether staff training is required;
- whether supervision arrangements need reviewing;
- whether risk assessments need updating;
- whether communication with parents needs improving;
- whether additional resources are required;
- whether similar complaints have occurred previously.

Where appropriate, learning will be shared with staff while maintaining confidentiality.

30. Relationship With Other Policies

This policy should be read alongside:

- Safeguarding and Child Protection Policy;
- SEND Policy;
- Equality and Inclusion Policy;
- Whistleblowing Policy;
- Allegations Against Staff and Volunteers Procedure;
- Data Protection and Confidentiality Policy;
- Missing Child Policy;
- Accident, Incident and First Aid Policy;
- Health and Safety Policy;
- Risk Assessment Policy;
- Outings Policy;
- Staff Code of Conduct;

- Behaviour Policy;
- Collection and Arrival Procedure.

31. Policy Review

This policy will be reviewed at least annually and sooner if:

- legislation changes;
- the EYFS statutory framework changes;
- safeguarding guidance changes;
- Ofsted requirements change;
- local safeguarding arrangements change;
- a significant complaint identifies a need for amendment;
- an inspection identifies an area requiring improvement;
- the nursery's procedures or management arrangements change.

The nursery will ensure that parents/carers can access the current complaints procedure.

32. Approval

Policy adopted by: St Augustine's Nursery

Policy effective from: September 2026
Review date: September 2027
Policy owner: Nursery Manager, Veronique Morceau
Approved by: Management Committee

Date adopted: 22.09.26

Signed on behalf of Management Committee: 

Name: ABIGAIL WHITE

Role: CHAIR

Date: 22.09.26

Next review date: 22.09.27