

Incy Wincy Nursery Complaints policy and procedure¹

It is the policy of *Incy Wincy Nursery* to share our achievements, reflect on our work and look for ways to improve our service.

We welcome suggestions and constructive criticism from all who use our service.

We avoid the potential for escalation of issues by responding to, recording and resolving complaints quickly, effectively; and where possible in a positive and informal manner.

We do this by:

- Operating an effective quality assurance process that includes seeking the views of parents/carers and others who may use our service about the way we work.
- Applying a similar approach to all suggestions, concerns and complaints by keeping records of dates and actions taken as an audit trail.
- Responding to comments, suggestions, concerns and complaints within specific time scales in line with relevant legislation and in a confidential and sensitive manner.
- Implementing a set of effective policies and procedures to protect those who are involved with our service.
- Ensuring that all staff are familiar with the complaints policy and procedure and confidentiality is maintained at all times.

Suggestions and concerns can be dealt with by:

- Speaking to the person in charge (a mutually convenient arrangement can be made to discuss any issues in confidence and outside operational hours).

Any action taken in response to suggestions, comments and concerns is fed back verbally.

¹ This policy and procedure has been written in line with The Child Minding and Day Care (Wales) Regulations 2010 - and the principles set out in Listening and Learning: A guide to handling complaints and representations in local authority social services in Wales (ISBN 0-11-091240-3) WAG 2005 and any subsequent amendments.

<http://wales.gov.uk/dhss/publications/socialcare/guidance/listening/listeninge.pdf;jsessionid=2MzvNbQPxKOpYvG29T1918dR2NKwxWvN6INwyfyS6PLTWLC32Jn8!-1962665969?lang=en>

How to make a complaint about the service you receive at *Incy Wincy Nursery*.

In the event of a complaint please address your complaint to the registered person Glenna and Karen .

In all cases a written record of complaints is kept, which includes the following information:

- Name of complainant.
- Nature of complaint.
- Date and time of complaint.
- Action taken in response to complaint.
- Result of complaint investigation.
- Information given to the complainant, including the date of response.

At any time during the process of the complaint being resolved, the complainant has the right to complain to CSSIW or, where relevant, the local authority which has arranged for the care of a child at the provision.

The role of CSSIW in the complaints process: CSSIW is happy to receive information about any social care service, but is not a complaints agency and has no statutory powers to investigate individual complaints between people and their service providers. They cannot make judgments on behalf of people or decide who is right or wrong.

When CSSIW receives information about a service they will consider it and inform the complainant they will take one of the following actions:

- Undertake an inspection of the service within an identified timescale (a copy of the focused inspection report is sent to the complainant).
- Consider the information within the next planned inspection of the service.
- Advise the complainant to contact an identified agency.
- Refer the complainant to the service about which the complaint was made for resolution under their own complaints procedure.
- Advise the complainant that their information has been recorded and there is no further action required from CSSIW.

See also: www.cssiw.org.uk

If the complaint is of a child protection nature: Glenna and Karen (*registered person/responsible individual/designated child protection officer*) must be spoken to without delay and the *Incy Wincy Nursery* child protection policy is implemented.

If the complaint is about the registered person stage 2 of the procedure (see formal consideration) must be followed and the local office of Care and Social Services Inspectorate Wales (CSSIW) 0300 0628888 is informed. CSSIW may ask for a verbal complaint to be followed up in writing.

How we respond to a complaint: in *Incy Wincy Nursery* we aim to deal with complaints quickly and effectively 'in house' within the following process. This is called stage 1:

Stage 1: local resolution of a complaint (complaints are resolved within 14 days)

- The complaint is acknowledged within 2 to 3 days.
- The complaint is investigated. The registered person *Karen and Glenna* decides how best to do this in each case, but may involve:
 - Making arrangements for a meeting with all relevant parties to discuss the issues, when it is appropriate, and with the complainant's agreement.
 - Advising the complainant about the availability of advocacy² to assist during the procedure.
 - A written record is made of the investigation, any discussion (including any witness statements) and any decisions or agreements made at any meeting.
 - A written report and draft response is made for the *registered persons in charge Glenna Karen and* presented within 7 days of receipt of the initial complaint.
 - Complainant is sent a letter within 14 days of receipt of their complaint informing them that their complaint has been resolved, and of any action that has been taken as a result.
 - In certain circumstances, with the complainant's agreement, the 14 days can be extended for a further 14 days.

² Someone of the complainant's choice who can advise them and/or act on their behalf during the complaint procedure.

- Complainant is also advised that if they are unhappy with this process or the outcome of the complaint they can contact CSSIW.
- *Incy Wincy Nursery* makes a written record of outcomes of the investigation, and any action taken.
- A copy of the complaint record is kept for the *Incy Wincy* records and a summary is made available for CSSIW at their request.

If your complaint is not resolved by the stage 1 process above, you may resort to stage 2 (or in some cases you may want to go to stage 2 from the start).

Stage 2: formal consideration of a complaint (stage 2) - when the complaint is dealt with by an agency outside *Incy Wincy Nursery*

The formal consideration can begin if either:

- The initial discussion (stage 1) has not been resolved and the complainant requests a formal consideration or;
- The complainant wishes to go straight to stage 2 from the start.

This decision rests with the person making the complaint³.

- These types of complaints are resolved as soon as reasonably practicable, and in any event within **35** working days of the request for formal consideration.
- The outcomes of a formal consideration are confirmed in writing by the registered person/responsible individual to the complainant and summarise the nature and substance of the complaint, the conclusions and the action to be taken as a result.
- A copy of a written response is sent by *Karen and Glenna* to the appropriate office⁴ and to any local authority which has arranged for care for a child within *Incy Wincy Nursery*.
- The time limit may be extended with the complainant's agreement.
- If the complaint has not been resolved within 35 working days of the request for formal consideration, the registered person/responsible individual notifies the appropriate office of the complaint and reasons for the delay in resolution.

³ 7.1.1 *Listening and Learning: A guide to handling complaints and representations in local authority social services in Wales* (ISBN 0-11-091240-3) (WAG 2005).

⁴ Of the body undertaking the formal investigation eg CSSIW

Where complaints are subject to concurrent consideration: a complaint may be part of another wider investigation where another agency is also making an investigation, such as child protection or staff disciplinary process. In these circumstances, or where a complaint relates to any of the following matters:

- About which the complainant has stated in writing that they intend to take legal proceedings or;
- The registered person/responsible individual is taking, or proposing to take, disciplinary proceedings or;
- About which the registered person/responsible individual has been notified that an investigation is being conducted by any person or body in contemplation of criminal proceedings.

The registered person/responsible individual considers, in consultation with the complainant and any other relevant agency, how the complaint will be handled. In this case the registered person/responsible individual may decide to discontinue investigating the complaint subject to concurrent consideration if:

- It appears that to continue would compromise or prejudice the handling of the wider investigation.

In which case, the registered person/responsible individual:

- Informs the complainant of the decision to discontinue.
- Can resume the investigation at any time.
- Ascertains the progress of the concurrent consideration and notifies the complainant when it is concluded.
- Resumes consideration of the complaint where the concurrent consideration is discontinued or completed and the complainant requests that the complaint be considered.

At all times during any complaint investigation *Incy Wincy Nursery* places safeguarding and protection of children as their highest priority.

This **complaints** policy and procedure was passed for use in *Incy Wincy Nursery*

On: Sept 2015

By: Karen Glenna

Position: Nursery Managers

Date of planned review: Sept 2016