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**OCRA POLICY**

**COMPLAINTS PROCEDURE**

**Making and receiving a complaint**

**Stage 1**

Any parent, carer, foster carer, legal guardian or school who has a concern about an aspect of the setting's provision talks over, first of all, his/her concerns with the Activity & Staffing Manager.

Most complaints should be resolved amicably and informally at this stage.

N.B. Use “record complaints” forms to record the complaint. This document is to ensure that this is an isolated case and it does not form part of something that occurs regularly. Throughout the whole process, at whatever stage, detailed records will be kept and parents, carers, foster carers, legal guardians or school will be asked to sign at all stages to confirm that what is written is an accurate account of what has been said or agreed.

**Stage 2**

· If Stage 1 does not have a satisfactory outcome, or if the problem recurs, the parent, carer, foster carer, legal guardian or school moves to this stage of the procedure by putting the concerns or complaint in writing to the Staffing and Activity Manager. OCRA will respond with a written acknowledgement of the complaint within 3 days or receiving the written complaint. If the complaint is related to the Activity & Staffing Manager he/she will be replaced in this process by the OCRA Manager.

· OCRA will store all written complaints from parents, carers, foster parents, external agencies on file with action taken, records of meetings and recommendations.

· When the investigation into the complaint is completed and all the information has been gathered by the Activity & Staffing Manager he/she and a Trustee of OCRA will then arrange a meeting with the complainant to discuss the outcome.

· Parents must be informed of the outcome of the investigation within 28 days of making the complaint.

· When the complaint is resolved at this stage, the summative points are logged in the Complaints Summary Record.

Stage 3

· If the parent is not satisfied with the outcome of the investigation, he or she will then have the opportunity to request a meeting with the relevant OCRA Manager and an OCRA trustee. A complainant may have a friend or partner present at this stage to support them in this process· An agreed written record of the discussion is made as well as any decision or action to take as a result. All of the parties present at the meeting sign the record and receive a copy of it. If part of the investigation requires the child to be involved then the child will be accompanied at all times by the parent/parents to ensure they are supported through this process. This should be done with the Safeguarding Officer.

· This signed record signifies that the procedure has concluded. When the complaint is resolved at this stage, the summative points are logged in the Complaints Summary Record.

Stage 4

· If at the Stage 3 meeting the parent and setting cannot reach agreement, an external mediator is invited to help to settle the complaint. This person should be acceptable to both parties, listen to both sides and offer advice. A mediator has no legal powers but can help to define the problem, review the action so far and suggest further ways in which it might be resolved.

· Managers within EYFS or a member of the LADO Team are appropriate persons to be invited to act as mediators. LADO is the Local Authority Designated Officer for safeguarding and wellbeing.

· The mediator keeps all discussions confidential. She/he can hold separate meetings with the setting personnel and the parent, if this is decided to be helpful. The mediator keeps an agreed written record of any meetings that are held and of any advice she/he gives.

Stage 5

· When the mediator has concluded her/his investigations, a final meeting between the parent, parents, carers, foster parents, external agencies or schools, OCRA, OCRA trustees and other parties necessary to be held. The purpose of this meeting is to reach a decision on the action to be taken to deal with the complaint. The mediator's advice is used to reach this conclusion. The mediator is present at the meeting if all parties think this will help a decision to be reached.

· A record of this meeting, including the decision on the action to be taken, is made. Everyone present at the meeting signs the record and receives a copy of it. This signed record signifies that the procedure has concluded.

Local Safeguarding Children Board – see below

· Parents may approach Ofsted directly at any stage of this complaints procedure in conjunction with the LADO. The number to call Ofsted with regard to a complaint against the setting is

0300 123 4666

· These details are displayed on our setting's notice board.

· If a child appears to be at risk, our setting follows the procedures of the Local Safeguarding Children Board in our local authority as set out in our Safeguarding Policy

· In these cases, both the parent and setting are informed and OCRA works with Ofsted or the Local Safeguarding Children Board (LADO) to ensure a proper investigation of the complaint, followed by appropriate action.

Records

· A record of complaints against our setting and/or the children and/or the adults working in our setting is kept, including the date, the circumstances of the complaint and how the complaint was managed as mentioned above.

· The outcome of all complaints is recorded in the Summary Complaints Record which is available for parents, LADO officer and Ofsted inspectors on request.

Activity & Staffing Manager for OCRA is also the Safeguarding Officer for OCRA.

This policy is reviewed and updated annually

Next update and review

16th April 2016

Appendix – notes on the role of LADO

**The role of the Local Authority Designated Officer (LADO) is set out in the HM Government guidance**[**Working Together to Safeguard Children (2013)**](http://webarchive.nationalarchives.gov.uk/20130401151715/https:/www.education.gov.uk/publications/standard/publicationDetail/Page1/DFE-00030-2013).   
  
Organisational responsibilities lays out the procedures for managing allegations against people who work with children, for example, those in a position of trust, including volunteers. They are also there to support and advise settings in their legal framework and requirements.

The LADO works within Children’s Services and should be alerted to all cases in which it is alleged that a person who works with children has:

* behaved in a way that has harmed, or may have harmed, a child
* possibly committed a criminal offence against children, or related to a child
* behaved towards a child or children in a way that indicates s/he is unsuitable to work with children

The LADO role applies to paid, unpaid, volunteer, casual, agency and self-employed workers. They capture concerns, allegations or offences emanating from outside of work. The LADO is involved from the initial phase of the allegation through to the conclusion of the case.

They will provide advice, guidance and help to determine whether the allegation sits within the scope of the procedures.  
  
The LADO helps co-ordinate information-sharing with the right people and will also monitor and track any investigation, with the aim to resolve it as quickly as possible.

If you need to contact your Local Authority Designated Officer (LADO), please consult your [Local Safeguarding Children Board (LSCB)](http://www.safenetwork.org.uk/training_and_awareness/Pages/lscbs.aspx)

***Exeter (01392) 384964 or email***[***ladosecure-mailbox@devon.gov.uk***](mailto:LADOsecure-mailbox@devon.gov.uk)

OCRA

15th April 2015