

Complaints Procedure

Complaints Policy September 2017-19 Policy on Complaints

Principle

At FreshSteps Education Centre we aim to ensure that positive, respectful relationships are maintained with all stakeholders. Where we are able to, we will ensure that all concerns are addressed without the need for formal procedures. We are also mindful that there may be occasions where a concern cannot be addressed to the satisfaction of all concerned and that in such instances, a formal complaints procedure needs to be in place.

Purposes

1. To develop positive & purposeful relationships with stakeholders
2. To promote partnerships which are based on mutual respect
3. To communicate effectively with stakeholders
4. To recognise that where tensions exist with these partnerships, a resolution should be found to ensure that a positive relationship is maintained.

Accordingly FreshSteps will:

1. Encourage resolution of problems by informal means wherever possible.
2. Invoke formal procedures when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.
3. Allow all stakeholders the opportunity to make a complaint about any procedure, incident or personnel and to respond professionally
4. Resolve all complaints using FreshSteps complaints procedure
5. Investigate all complaints thoroughly, making sure that we:
 - Establish what has happened so far and who has been involved
 - Clarify the nature of the complaint and what remains unresolved
 - Meet with or contact the complainant
 - Clarify what the complainant feels would put things right
 - Interview all those involved
 - Keep notes of all interviews

In line with recommendations with the Children Act 1989 Guidance and Regulations 4 volume 4. And as outlined in regulation 7 of the Education (Independent School Standards) (England) Regulations 2003

DEFINITIONS

1. **Investigating Officer**: Is the person appointed to handle the initial informal complaint
2. **Complaint**: Is a written or oral expression of dissatisfaction or disquiet about any feature of the education offered in relation to a young person.
3. **Complainant**: Is the young person or a person making a complaint on his behalf.
4. **Independent Complaints Appeal Panel**: consists of 3 adults who are not teachers of or in any management position at The adults will not have been previously been involved directly in the previous consideration of the informal complaint.

This complaints procedure states that all correspondence, statements and records of complaints will be kept confidential.

Complaints Procedure

This complaints procedure is intended to ensure a fair and consistent approach to the way in which the Department deals with complaints. It is recognised that FreshSteps has responsibilities to its young people and that apart from the opportunity to acknowledge any short comings.

Complaints can also be an opportunity to develop and improve our services. It is also recognised that the nature of our work makes some members of staff likely to be the recipients of complaints and it is important for their sake to have a structured approach to responding to such complaints.

WHO MAY COMPLAIN?

- A young person who is currently attends FreshSteps.
- A complaint may also be made on behalf of the young person by any other 'significant' person who shows sufficient interest in the young person's welfare, i.e. parent, relative, friend, carer, social worker etc.
- These complaints will be checked with the young person to ensure that they reflect the young person's views and they are in agreement to the person making the complaint acting on their behalf.

STAGE 1:

INFORMAL COMPLAINTS

It is envisaged that most questions or queries relating to any feature of care of a young person in placement, in the first instance, be addressed to the staff on duty at the time. The majority of them will be dealt with to the satisfaction of all concerned. There may be some however, which are not and may at this stage be identified as a formal complaint. Where this element of dissatisfaction arises the complainant will be advised by staff of their right to make a formal complaint and how it will be dealt with.

Investigating Complaints

It is suggested that at each stage, the person investigating makes sure that they:

- Establish **what** has happened so far, and **who** has been involved;
- Clarify the nature of the complaint and what remains unresolved;
- Meet with the complainant or contact them (if unsure or further information is necessary);
- Clarify what the complainant feels would put things right;
- Interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish;
- Conduct the interview with an open mind and be prepared to persist in the questioning;
- Keep notes of the interview.

Resolving Complaints

At each stage in the procedure **FreshSteps** will want to keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:

- An apology;
- An explanation;
- An admission that the situation could have been handled differently or better;
- An assurance that the event complained of will not recur;
- An explanation of the steps that have been taken to ensure that it will not happen again;
- An undertaking to review **FreshSteps** policies in light of the complaint.

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage.

Informal complaints

Informal complaints made by students should be addressed immediately by the member of staff first made aware of them. Informal resolution of a complaint is always preferable and usually the most effective.

The majority of complaints will be dealt with to the satisfaction of all concerned. There maybe some however which are not. If this is not possible, or the response does not satisfy the student, the relevant Manager or supervisor should be asked to speak to the complainant.

The **Complainant** will be notified of this decision and offer their comments on this within **five working days**.

1. **The Investigating Officer** will then notify the complainant of the decision within **10 days**. If the complainant is dissatisfied with the decision he/she will be notified that they can appeal in writing to **FreshSteps Director**.
2. Where the complaint is of a more substantial nature or cannot be resolved informally the student should be asked to put it in writing and to leave his/her name, telephone number so that s/he can be contacted. Students can email admin@freshstepseducationcentre.org.uk leaving their contact details as well as a detailed account of the nature of the complaint.
3. Complaints received via our Comment Slips will be treated as informal unless the complainants name and contact details are provided.

FORMAL COMPLAINTS:

STAGE 2:

In the first instance which will be dealt with by The Headteacher

- **The Investigating Officer** will record the complaint along with any actions previously taken and how it was dealt with informally in the first instance, which will be given to the Director to review.
- A letter will be sent to the Complainant within five working days.
- **The Headteacher** will produce a report on the incident within ten working days, in which the views of the Complainant will be taken into account.
- Following the consideration of the complaint, the report and the comments of the Complainant. **The Director** will make a decision within **ten working days**.

Where the nature of the complaint is such that the investigation will exceed **10 working days, the complainant will be informed in writing with an indicative timescale.**

Any verbal complaint deemed to be of a serious nature and any complaint in writing (including by email) should be addressed or forwarded to the relevant Director who will ensure that the complaint is investigated and will respond to the student or/and parent within **5 working days**.

If it is not possible to respond to the complaint within this time, a letter should be sent within **10 working days** to the student and/or parent informing them that their complaint has been noted and is being investigated. They should be given an indication of when they will be contacted again.

The outcome of the complaint will be **communicated in writing**.

Where revisions to service delivery are being considered as a consequence of the complaint these will be included.

The letter will also inform students/parents that they can appeal to the Independent Complaints Panel if they are not satisfied with the outcome of their complaint.

The investigating Officer should keep appropriate records tracking the progress and resolution of the complaint at all stages and they should keep copies of all correspondence.

All complaints must be kept on file and be kept filed as confidential.

On resolution of the complaint a summary should be sent to **FreshSteps** Coordination Manager. This is to ensure that there is a central manager taking an overview of all complaints in terms of issues raised and lessons to be learnt.

Having followed all stages of this procedure, should the student/parent still not be satisfied they may appeal in writing to the **Independent Panel**.

Appeals

STAGE 3:

If the Complainant is still not satisfied with the response The Headteacher at **FreshSteps** will then set up an Independent panel and make provisions for a hearing, in line with Regulation 7 of the Education (Independent Schools Standards... Regulation 2003

This panel is made up of 3 people who are totally Independent of the day to day running of FreshSteps. They consist of a:

- The Community Safety Co-ordinator
- Deputy Head.
- Raising Achievement Consultant from

The Complaints Appeal Panel can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- Recommend changes to **FreshSteps** systems and/or procedures to ensure that problems of a similar nature do not recur.

The appeal hearing is independent and impartial, and that it is seen to be so. In deciding the make-up of the panel, **FreshSteps** Director will try and ensure that it is a cross-section of the categories of adults who are also sensitive to the issues of race, gender and religious affiliation.

The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between **FreshSteps** and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.

To ensure Parent and Complainant feel comfortable the room will reflect a welcoming environment.

(The Panel): The policy of **FreshSteps** when considering any complaint by (The Board) would be to undertake this in conjunction with the procedures Independent Schools Regulation 2003. **Parents are welcome at this meeting and to be accompanied if they wish by an adult of their choice.**

- Following the decision of the Panel, consideration will be given to their recommendation and findings. All Parties involved must be given a copy of such articles of any findings and recommendations within 14 days, within 5 working days of the panel meeting the Management of **FreshSteps** will decide on the action to be taken.
- Written records will be kept of all complaints, whatever stage they are resolved at.
- The complainant will then be notified of this decision by **The Investigating Officer.**

Malicious complaints

We acknowledge that sometimes mistakes are made and we welcome the opportunity to improve our services. However, we will not allow our staff to be the recipients of abusive or malicious complaints. **FreshSteps** will take appropriate action where we find that a young person had made a complaint of this nature. This may include formal disciplinary action or restrictions on access to our services.

The complainant is free to withdraw the complaint at any stage without prejudice.
All complaints must be kept on file and be filed as confidential.

Links to:

[Allegations of abuse against staff policy](#)

[Safeguarding policy](#)

[Behaviour](#)