

Policy/Procedure Name:	<b>Policy Procedure for Dealing with Concerns and Complaints V4</b>
Policy/Procedure Number:	SMT004
Date of Approval:	13 <sup>th</sup> May 2013
Effective Date:	February 2012
Revised Date:	January 2020
Review by Date:	January 2022
Policy/Procedure Author:	Head of Safeguarding
Policy/Procedure Owner:	Principal
Management Committee Approved By:	SMT
Governor Committee (where appropriate) Approved By:	NA
For Action By:	All staff
For Information to:	All students, parents/carers, prospective parents /carers, service users, all external stakeholders
Approval requested to upload on the Treloar Website:	Yes <input checked="" type="checkbox"/> (tick if requested)
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Impact Assessment was carried out by:	SMT

## **Aim**

This procedure enables anyone who uses the services of the Treloar Trust to make a complaint. It applies to all users of Treloar's services. Complainants will receive a response and notification of any action taken by Treloar staff to resolve the matter.

The procedure includes guidance on:

- Concerns and requests;
- Informal complaints (stage 1);
- Formal complaints (stage 2);
- Appeals (stage 3).
- Student Guide to Concerns and Complaints (Appendix 1)

The complaints procedure is not a substitute of dialogue between stakeholders and managers about education, health or care matters.

Complaints are a vital part of the management information Treloar's uses to improve its services. It is therefore important that all learning from concerns and complaints, whether formal or informal is embedded in the organisation.

This procedure not designed to deal with staff complaints. Staff should use other procedures that are in place such as the grievance procedure.

The procedure aims to ensure that all complainants are treated fairly and all complainants receive equally prompt, helpful and polite responses.

All concerns and complaints will be logged and monitored to ensure compliance with the appropriate regulations (made anonymous where required) and to ensure that we can improve the services we offer.

## **Concerns or requests**

People should raise their concern, or request for an explanation with the member of staff or Treloar volunteer involved at the earliest opportunity. In most cases<sup>1</sup>, if the staff member or volunteer responds appropriately, the complainant will be happy with the outcome.

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<sup>1</sup> If the complaint could be seen as a safeguarding issue, for example because it includes a disclosure of ill-treatment, the staff member or volunteer must immediately report this to Head of Safeguarding or another member of SMT for advice.

## Stage 1 Informal complaints

When the person raising concern is not satisfied, they should raise an informal complaint with the manager of the service, e.g., the class teacher or residential team leader, who will look into the matter. If the complaint was put in writing an acknowledgement should be sent by the recipient, copied to the Head of Safeguarding, within two working days.

A record of the informal complaint must be kept and forwarded to the Head of Safeguarding on completion. The Head of Safeguarding will log this as an informal complaint and arrange for the complaint to be contacted in two weeks to confirm resolution, unless this is clear from the record.

Responses to informal complaints should be given orally or in writing within 28 days (excluding school and college holidays). If the response is not in writing a note of the conversation must be made. The written response or note should be forwarded to the Head of Safeguarding.

The informal complaint will be entered on the Complaints Log as an informal complaint.

## Stage 2 Formal complaints

If the matter cannot be resolved at the informal level the matter will be dealt with as a formal complaint and investigated by the Head of Safeguarding or his or her nominee ([e.g. head of department, residential manager](#)). If the matter has not been looked into at the informal stage, the Head of Safeguarding will ask that this be done before embarking on a formal investigation. There will be occasions when the complaint is of sufficient seriousness that it is decided that the matter will be investigated as a formal complaint as soon as it is received. This will be decided by the Head of Safeguarding in consultation with relevant members of SMT.

Complainants should be encouraged to put the complaint in writing, but this should not be a barrier to making the complaint. If the complainant is unable to put the complaint in writing the member of staff supporting the complainant should record the complaint in writing and send it to the complainant for confirmation of accuracy. Many students have communications difficulties and it is there important that barriers to making a complaint are not put in their way by insisting it is in writing.

If the informal complaint was in writing we should not ask the complainant to put it writing again. The relevant manager will forward to the Head of Safeguarding highlighting the unresolved matters.

On receipt of the complaint, the Head of Safeguarding will log the complaint in the Complaints Log, ~~as a referral~~. An acknowledgement of the ~~referral~~ complaint will be sent within two working days of receipt of the formal complaint.

The complaint will then be investigated by the Head of Safeguarding or his nominee and a written record of the investigation kept in the Complaints Log, including any investigation reports.

The investigating officer will then draft a response on behalf of the Head of Safeguarding, outlining the findings and any action that will be taken as a result, and indicating that the complainant has a right to take the matter to Stage 3 if not satisfied. The complainant should receive this full response within 28 days (excluding school and college holidays).of receipt of the letter of complaint.

This response will include any apology from Treloar's if appropriate, and where judged necessary, evidence that appropriate actions are in place to resolve the issue if the complaint is upheld.

The response will be followed up where deemed appropriate two weeks after resolution to ascertain the complainant's views that the complaint is concluded. The complainant can instigate Stage 3 (the appeals process) if they are not satisfied the complaint is concluded, at this point.

### **Stage 3 Appeals**

Any appeal must state why the complainant is not satisfied with the outcome of the investigation and response to the complaint. Complainants should be encouraged to put the appeal in writing, but this should not be a barrier to making the appeal. If the complainant is unable to put the appeal in writing a member of staff supporting the complainant should record the appeal in writing and send it to the complainant for confirmation of accuracy.

The appeal will be heard by the Principal based on documentation gathered in the initial formal investigation. The Principal can request further investigation or additional information if he or she consider it necessary.

The complainant must receive a final response, describing the investigation and its outcome, within 2 days of receipt of the letter of appeal.

All correspondence will be copied to the Head of Safeguarding and kept in the Complaints file for monitoring purposes. A summary of complaints will be presented to Senior Management Team on a termly basis.

All documentation regarding complaints is logged and filed both electronically and in hard copy and available to be monitored by senior management and regulatory bodies on request.

## External review

If the complaint remains dissatisfied with the outcome, they may request a review by a person independent of Treloar's, that is, someone who has never been a governor, parent or member of staff and has not been involved in the complaint. The independent will hear the review, at which the complaint may attend, accompanied if they wish.

The complainant must receive a final response, describing the investigation and its outcome, within 28 days of receipt of the letter of appeal.

## Monitoring of Complaints for Internal Quality Improvement, Self Assessment and Inspection

The Head of Safeguarding should receive all letters of complaint and related correspondence, even if they are addressed to other managers within Treloar's. These will be logged, checked for resolution and filed in the Complaints Log.

School and College Complaints are reported on termly via the Quality and Performance Governance Committee, and are also considered as part of any Standard 20 inspection by governors. They will also be reported to managers via the Quality Managers report.

## Procedure Review

This procedure is reviewed biannually to ensure it meets the requirements of any new developments. The review will be undertaken by the TLT

## Communication Requirements

How will the Policy/procedure be communicated:	Sharepoint School and College Briefings Team meetings	
Who will ensure the above communication is carried out::	Head of Safeguarding	
Do the changes made to this policy/procedure affect any other policies/procedures? If yes, has this been communicated to the	No	

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## Monitoring and Review

The effectiveness of the policy will be monitored through safeguarding QA processes.

## Revision History

- [2016](#) - Major rewrite to introduce concept of stages and to introduce the role of the Principal in the process.
- [2020 – Details regarding possible nominees](#)
- [2020 – Further information regarding reporting and oversight](#)

### IMPORTANT NOTES:

It is essential for those with designated responsibilities to familiarise themselves with the sources of information, referred to above.

Policy documents describe mandatory minimum standards and will be subject to audit and review. Line managers are required to ensure suitable and sufficient arrangements are in place to meet policy requirements, including the provision of information and instruction to staff.

## Appendix 1

### **Student Guide to Concerns and Complaints What to do if things go wrong**

The School and College always want to know if you are unhappy with the way we treat you.

This will help us to –

- ✓ Make sure that you feel happy and safe
- ✓ Listen to what you say and put things right if we make mistakes
- ✓ Make the School and College better

It is important that you tell us quickly when you need to complain.

We also want to know if you don't understand something or if you think of ways we can make life better for you.

#### **What to do if you need to complain**

Tell a member of staff quickly if you are unhappy about something. They will put things right straight away if they can. They will also write down your complaint if you want them to.

- ✓ If you are happy with how we listen to you and what we do, then we won't do anything else.
  
- ✗ If you are unhappy with the way you are treated, then you can make a **formal complaint**.

#### **How to make a formal complaint**

Talk to Martin, Ingram, Ben Baxter, Helen Goodenough, Mia Dodsworth, and Jane Clarke about your complaint. You can also do this by:

- Complaints postcard
- Email, in writing or telephone;
- Telling someone else you trust

We will deal with your complaint quickly and let you know what is happening within a few days.

If we have made a mistake, we will say sorry and talk to you about how we will do better next time.

- ✓ We hope you will be happy with how we have answered your complaint. We will check this by asking you.
  
- ✗ If you are unhappy with our answer, you can appeal. We will give you information about how to do this.

This Guide for Students relates to Policy number SMT004, The policy and procedure for dealing with Concerns and Complaints. This is available on the Treloar's website and from the Principal's office.