

Compliments and Complaints Policy and Procedure

Aims of the policy

At Kites children services, we aim to meet our statutory obligations when responding to complaints from parents/carers of young people, and others.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect and courtesy
- Ensure that any decisions we make are lawful, rational, reasonable, fair and proportionate, in line with the principles of administrative law
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into **the home or school** improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

We will aim to give the complainant the opportunity to complete the complaints procedure in full.

To support this, we will ensure we make relevant people aware of the existence of this policy and make it available upon request.

Throughout the process, we will be sensitive to the needs of all parties involved, and make any reasonable adjustments needed to accommodate individuals.

With regards to compliments we want to give all who come into contact with the home or school an opportunity to tell us when we get things right and when they are happy, impressed or generally grateful for anything we have done.

Definitions and Scope

Definitions

The DfE guidance explains the difference between a concern and a complaint:

- A **concern** is defined as "an expression of worry or doubt over an issue considered to be important for which reassurances are sought"
- A **complaint** is defined as "an expression of dissatisfaction however made, about actions taken or a lack of action"

Scope

We intend to resolve complaints informally where possible, at the earliest possible stage.



There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does **not** cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

Complaints about services provided by other providers who use the home or school premises, or facilities should be directed to the provider concerned.

Roles & Responsibilities

The complainant

The complainant will get a more effective and timely response to their complaint if they:

- Follow these procedures
- Co-operate with **the home or school** throughout the process, and respond to deadlines and communication promptly
- Ask for assistance as needed
- Treat all those involved with respect
- Not publish details about the complaint on social media

The investigator

An individual will be appointed to look into the complaint and establish the facts. They will:

- Interview all relevant parties, keeping notes
- Consider records and any written evidence and keep these securely
- Prepare a comprehensive report to the Registered Manager and/or Headteacher or complaints committee which includes the facts and potential solutions

Principles for Investigation

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

Time scales

The complainant must raise the complaint within 2 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 2 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

Please note, in our school, if complaints are made outside of term time, we will consider them to have been received on the first day after the holiday period.



If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant
- Send the complainant details of the new deadline and explain the delay

Stages of Complaint (not complaints against the Registered Manager or Headteacher)

Stage 1: informal

The home or school will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of staff or the Registered Manager or Headteacher, either in person or by letter, telephone, or email.

The home or school will acknowledge informal complaints within 5 working days and investigate and provide a response within 10 working days.

The informal stage will involve a meeting between the complainant and the member of staff; class teacher, keyworker or Registered Manager or Headteacher.

If the complaint is not resolved informally, it will be escalated to a formal complaint.

Stage 2: formal

The formal stage involves the complainant putting the complaint to Registered Manager or Headteacher and the subject of the complaint:

- In a letter or email
- Over the phone
- In person
- Through a third party acting on their behalf

The complainant should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents. The complainant should also state what they feel would resolve the complaint.

If complainants need assistance raising a formal complaint, they can contact the home or school.

The Registered Manager or Headteacher (or other person appointed by the Registered Manager or Headteacher for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within 15 working days.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the Registered Manager or Headteacher in writing within 5 working days.

Stage 3: review panel

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal, stage.

The panel will be appointed by or on behalf of the Directors and must consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member must be independent of the management and running of the home or school.



The panel will have access to the existing record of the complaint's progress.

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant, and representatives from the home or school, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish. At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and the home or school representative(s) will be given the chance to ask and reply to questions. Once the complainant and the home or school representative(s) have presented their cases, they will be asked to leave, and evidence will then be considered.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the Directors and Registered Manager or Headteacher.

The home or school will inform those involved of the decision in writing within 10 working days.

The decision of the Panel is final

Complaints against the Registered Manager /Headteacher

Stage 1: informal

Complaints made against Registered Manager or Headteacher should be directed to the Head of Children's Services in the first instance and the steps above will be followed.

Complaints against the Head of Children's Services should be directed to the Directors

Referring complaints on completion of the home or school's procedure

SCHOOL ONLY

If the complainant is unsatisfied with the outcome of Estuary High's complaints procedure and the complaint is regarding the school not meeting standards set by the DfE in any of the following areas, the complainant can refer their complaint to the DfE:

- Education
- Child welfare and health and safety
- Staff suitability
- Making information available to parents
- The spiritual, moral, social or cultural development of young people

The DfE will consider reports of a major failure to meet the standards. Where appropriate, it can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure that Estuary High deals with serious failings.

For more information or to refer a complaint, see the following webpage:

<https://www.gov.uk/complain-about-school>

HOMES ONLY

If the complainant is unsatisfied with the outcome of the home's complaints procedure, then you may refer the complaint to Ofsted. For more information, see the following webpage.



Persistent Complaints

Unreasonable persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. However, a complaint may become unreasonable if the person:

- Has made the same complaint before, and it's already been resolved by following the complaints procedure
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory or repetitive
- Knowingly provides false information
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaint's procedure
- Pursues a valid complaint, but in an unreasonable manner e.g. refuses to articulate the complaint, refuses to co-operate with this complaint's procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Changes the basis of the complaint as the investigation goes on
- Makes a complaint designed to cause disruption, annoyance, or excessive demands on the home or school time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value

Steps we will take

We will take every reasonable step to address the complainant's concerns and give them a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the home or school in a disruptive way, we may put communications strategies in place. We may:

- Give the complainant a single point of contact via an email address
- Limit the number of times the complainant can make contact, such as a fixed number per term
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary

Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns
- We have provided a clear statement of our position and their options
- The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints they make.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our home or school sites.

Duplicate complaints



If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to take into account.

If we are satisfied that there are no new aspects, we will:

- Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete
- Direct them to Ofsted if they are dissatisfied with our original handling of the complaint

If there are new aspects, we will follow this procedure again.

Complaint campaigns

Where we receive a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with **the home or school, we** may respond to these complaints by:

- Publishing a single response on the Company website
- Sending a template response to all of the complainants

If complainants are not satisfied with the **our** response, or wish to pursue the complaint further, the normal procedures will apply.

External Complaints

Where complaints are received from external sources they will be referred immediately to the Registered Manager or Headteacher who will contact the complainant and confirm the nature and seriousness of the complaint. The Registered Manager or Headteacher or their nominated person will undertake the necessary investigation and, where necessary, formally apologise.

Recording Keeping

The home or school will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or through a subject access request under the terms of the Data Protection Act, or where the material must be made available during the homes or school's inspection.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, and our privacy notices.

Learning Lessons

Where appropriate, we will review any underlying issues raised by complaints with the senior leadership team and any relevant staff member, and respecting confidentiality, to determine whether there are any improvements that the home or school can make to its procedures or practice to help prevent similar events in the future.



Monitoring Arrangements

The complaints records are logged and managed by the Registered Manager or Headteacher. The Responsible Individual will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly and will track the number and nature of complaints and review underlying issues.

Compliments Guidance

We want to give anyone the chance to share with us things they are happy with. We would happily have written feedback in any method that works for the individual. We will still learn from any positive feedback we receive and appreciate the time given for people to let us know their thoughts.

It is important to note that no staff member in the home or school can accept personal gifts in any form. If you wish to buy something, then we would encourage you to buy something that can be used or appreciated within the home or school.

You can also verbally talk to any staff member about a compliment. We would always ask if we could record this down as it is nice to have a record of any compliments made.

Links with other policies

Policies dealing with other forms of complaints include:

- Child protection and safeguarding policy and procedures
- Admissions policy
- Staff grievance procedures
- Staff disciplinary procedures
- Whistleblowing Policy

SCHOOL ONLY

- SEN policy and information report
- Exclusion's policy

