

<b>Date:</b>	Nov 2019	<b>Complaints &amp; Concerns Policy</b>	<b>Document N°</b>	G06
<b>Version:</b>	007		<b>Written by:</b>	M.Marques-Neves
<b>Review Date:</b>	Nov 2020		<b>Reviewed by:</b>	Karen Poulson

## 1 Aims

- 1.1 The Ryes aims to work in an open and transparent way.
- 1.2 When complaints are made, we aim to resolve them quickly, honestly, impartially and openly.
- 1.3 If we have been at fault, we aim to do our best to put matters right as quickly as possible, and to examine our practices to reduce the risk of future cause for complaint.
- 1.4 The Ryes aim to provide a high quality service in partnership with our children/young people, families and staff, and to actively seek their opinion regarding the quality of care received.
- 1.5 Complaints are a measure of children/young person's, family members and staff satisfaction and should be used to improve the quality of services.
- 1.6 To this end The Ryes will endeavour to:
  - Record complaints and ensure that they are brought swiftly to the attention of the staff, and Senior Management
  - Resolve any complaint as fully and quickly as possible but by **no later than 28 days formally**. The information gained will be used to improve the quality of services through Senior Management Team meetings

## 2 Complaints

### 2.1 We will accept and deal with complaints about:

- 2.1.1 Any aspect of our service provision.
- 2.2.2 The actions or behaviour of any of our staff.
- 2.3.3 The actions or behaviour of our children and young people while being cared for by our staff.

### 2.2 We are not able to deal with complaints about:

- 2.2.1 The actions or behaviour of ex-employees
- 2.2.2 The actions or behaviour of our children and young people while not in our care (e.g. while on a home visit)
- 2.2.3 The actions or behaviour of parents, families or friends of our children and young people.
- 2.2.4 The actions or decisions of placing authorities or their representatives.

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### 2.3 We might expect to receive complaints from:

- 2.3.1 The parents or carers of our children and young people
- 2.3.2 Placing authorities or individual social workers
- 2.3.3 External agencies and organisations, including voluntary bodies
- 2.3.4 Members of the public/our neighbours.

### 2.4 The **complaints procedure** is designed to:

- Be accessible
- Be simple to understand and to use
- Allow quick handling of the complaint within specified time limits
- Ensure all parties involved are kept informed
- Ensure a full and fair investigation
- Address all points at issues and provide an effective response
- Provide information to managers and staff so that services can be improved

2.5 The Ryes acknowledges that regardless of how well staff undertake their job there will always be occasions where the individual may slip up, whether there are misunderstandings between the worker and the child/young person/their family or whether the child/young person/their family may be dissatisfied for any other reason or simply if there has been a personality clash.

2.6 The Ryes is aware that, at times, there may be differences and difficulties with neighbours and others whose lives the operation of the School and children's homes may touch. The following complaints procedure applies in these circumstances as well as for the child/young person, parent, carers and staff.

2.7 It is the express desire of The Ryes to resolve any difficulties with the child/young person, their family or any party with a legitimate interest in the welfare of the child/young person (and others whose lives come into contact with the school and children's homes) as speedily as possible in the best interests of all concerned.

## 3 Confidentiality

3.1 All documents and correspondence relating to a complaint will be dealt with in the strictest confidence. The School reserves the right to make public statements in response to issues arising from complaints without compromising the confidentiality of the individuals involved.

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#### 4 Receiving a Complaint or Concern

- 4.1 All complaints will be received centrally via the Head of Operations or DSO who will appraise the complaint and determine whether the Complaints Policy or Safeguarding Policy is the most appropriate route to deal with the issues raised, and determine whether this then needs to be referred to the Local Authority Safeguarding Officers or dealt with as a complaint. If it is determined to be a complaint then upon receipt the complaint will be logged and sent to the location concerned to be recorded in their **Complaints Book**. The completed record will show the outcomes of all stages and must ultimately state whether the complaint was dealt with at the preliminary stage or proceed to a panel hearing.
- 4.2 Details of the outcome will be entered into the book and all paperwork relating to the complaint will be stored in the **complaints file** at each location.
- 4.3 In addition, simple details of all complaints, including outcomes, will be sent back to the Director of Operations for the purpose of quality control.

#### 5 Resolving Complaints and Concerns

##### 5.1 Stage 1

- 5.1.1 Any cause for complaint or concern should be communicated in writing to Head of Operations. Contact details are given on the final page of this document.
- 5.1.2 The Head of Operations who has been contacted will allocate an investigator the complaint as promptly as possible. Should more information be needed to resolve the matter, they will contact the complainant **within five working days**. We aim to resolve any complaint as fully and quickly as possible but by **no later than 28 days**.
- 5.1.3 If the complaint is against the Head of Operations, it will be passed to the Managing Director, who will investigate and attempt to resolve the complaint **within 28 days**.
- 5.1.4 If the complainant is not satisfied with the findings, they may ask, in writing, for the matter to be put to the Senior Managers. Where the complaint involves the Senior Managers, it will be referred to the Managing Director and dealt with as described in Stage 2 of this procedure.

##### 5.2 Stage 2

- 5.2.1 Where a complaint is not resolved in the instance to the satisfaction of the complainant, they can apply in writing to The Managing Director for the complaint to be heard by a Complaints Panel. This application should include full details of the areas which they feel have not been investigated to their

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satisfaction. The panel will consist of one or more senior managers who have had no previous involvement with the issue, an independent Chairperson drawn from the Board and one other person who is independent from the management and running of the school. If the complaint is made against a Director, the complaint will be heard by the CEO.

5.2.2 The complaint will be heard **within 20 working days** (subject to the availability of the Panel members). The Complaints Panel will notify the complainant of the time and date of the hearing at least **five working days** in advance. The complainant may attend the hearing, and may be accompanied. The Complaints Panel will inform the complainant, the Directors and the Senior Managers (and, if appropriate, the person(s) subject of the complaint) in respect of their findings, conclusions and any actions they recommend. This will be sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about.

5.2.3 A record of the Complaints Panel's decisions with any recommendations made will be added to the Complaints Book, indicating whether the complaint had been resolved at the preliminary stage or proceeded to a panel hearing. This is available on the premises for inspection. All paperwork relating to the complaint will be kept confidential. The outcome of the investigation into the complaint will be communicated to:

- The complainant
- The social worker or any other interested professional
- Designated Officer (formerly LADO)
- Any other relevant party

## 5.4 Further Steps

5.4.1 Any person or organisation that is not satisfied with this procedure, or chooses not to use it, has recourse to complain through statutory and regulatory bodies. These include:

5.4.1.1 The Department for Education regarding any aspect of service provision.

5.4.1.1 Local Social Services where complaints centre on the possible abuse of a child.

5.4.1.3 Local Environmental Health Officers where the complaint relates to pollution or environmental issues

5.4.1.4 Ofsted where the complaint relates to the quality of the education or care provided or to breaches of the school's terms of education or care registration. (Tel 08456 014772)

5.4.1.5 The Police, where the complaint relates to a criminal act.

5.4.2 Parents and carers of children and young people placed at the school can also make complaints to the placing Authority through the child's Social Worker or Local Education Authority or Ofsted.

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## **6 Young People's Complaints (see also 'Complaints, Young Person's Guidance, given on admission)**

### **6.1 The Right to Make Complaints**

- 6.1.1 Young people have the right to make formal and informal complaints to any member of staff, the managers of the organisation, to their social worker (or placing authority), Independent Visitors, Advocacy representatives, ChildLine or to Ofsted. All staff have a duty to assist and support young people in making complaints, either in person or through another person acting on their behalf, if the young person consents to this. A young person may also wish to complain on behalf of a peer or peers and should be supported and assisted in doing so.
- 6.1.2 Families and other significant people such as independent visitors may make a complaint on behalf of the young person. Significant others should use the procedure laid out above to make a complaint.
- 6.1.3 All young people, their parents and representatives, placing authorities, Ryes staff and others working at the Ryes have the right to make a complaint on behalf of any young person, to Ofsted at any time on 03001 23123.
- 6.1.4 Young people, on admission, will have the complaints procedure explained to them. The young people's handbook for each Ryes home includes an outline of the procedure in accessible language for the client group of that home. Staff will remind young people at appropriate times of their right to complain and which procedure to follow. Staff will support and assist young people who wish to complain to any external agencies such as; their local authority or Ofsted. It is expressly forbidden for any reprisals against a young person who makes a complaint and staff have a duty to protect them from this.
- 6.1.5 A young person who makes a complaint has the right to know what action is taken as a result, although the right to confidentiality of others may restrict the degree to which they can know the details of the outcomes of these actions.

### **6.2 Procedure for Young People Making Complaints**

- 6.2.1 A young person who is unhappy, upset, distressed or angry should be encouraged to talk to a significant adult (often the key-worker) about their feelings. A young person who continues to be distressed or concerned about an issue relating to their care, treatment, welfare or safety should be supported in making a formal complaint. Issues which may seem trivial or un-important to an adult may have great significance or importance to the young person. Any person who is the subject of a complaint will be precluded from taking

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part in the consideration or response to that complaint including the manager of the home or registered person.

- 6.2.2 The complaint can be made to any member of staff who is trusted by the young person. The young person must be given the choice of who to complain to and may wish to wait until a member of staff they feel most comfortable with is available.
- 6.2.3 The complaint, where possible, should be dealt with as soon as possible, preferably within the day of the complaint. If the young person elects to defer their complaint until their chosen staff is available, then staff aware of the concern, will ensure that the named staff is informed of the young person's intent to make a complaint to them as soon as reasonably possible. The young person can choose whether or not to have someone with them when making a complaint. The young person can choose somebody else (adult or peer) to make their complaint for them. Complaints will be dealt with as private, and dealt with accordingly.
- 6.2.4 The staff taking the complaint will record the details on a complaint form. Narrative accounts of incidents given by the complainant should be recorded verbatim as far as possible. The staff will read back the notes of the complaint and check that the complainant agrees with them. Any changes should be made in ways which do not obscure the original text, and be initialled by both parties.
- 6.2.5 Young people must be supported to make the complaint in their preferred form of communication, for example; if English is not their first language, or other forms of communication such as signing are more appropriate. If necessary an advocate skilled in the preferred form of communication will be required and sought as quickly as possible.
- 6.2.6 The young person (or representative) will be asked what actions they think should be taken. The young person (or representative) and the staff will sign the completed form. The form will then be forwarded to the Director of Operations/DSO who will appraise the complaint and determine whether the Complaints Policy or Safeguarding Policy is the most appropriate route to deal with the issues raised, and determine whether this then needs to be referred to the Local Authority Safeguarding Officers or dealt with as a complaint. Consideration will need to be made with the young person as to who else may need to be notified such as; Parents, Placing Authority. All notifications will be made as early as possible.
- 6.2.7 The staff member allocated to investigate the complaint will acknowledge his involvement in dealing with the complaint and confirm actions required with the young person at the earliest opportunity. The investigator will make every effort to complete as soon as possible however; **it must be completed within 28 days of the complaint first being made.**

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- 6.2.8 If the complaint completion is prolonged, the investigator will feedback the progress to the young person at appropriate intervals. By the date agreed, **and no later than 28 days from the complaint being made**, the young person (and representative) will be advised by the investigator who dealt with the complaint that the actions have / have not been carried out. If the actions have not been carried out, the investigator will explain why, and will notify the young person (and representative) as soon as they have been. The information will be provided in the best possible way dependent upon the young person's needs and without affecting the confidentiality rights of others.
- 6.2.9 If the young person is dissatisfied, they can seek help from a staff member to put this in writing as an appeal. If an appeal is received or the results of the investigation deem it necessary, a panel hearing may be appointed. This will consist of one or more senior managers who have had no previous involvement with the issue, an independent Chairperson drawn from the Board and one other person who is independent from the management and running of The Ryes. The young person, their chosen supporter and or their parents will attend. Parents can be accompanied if they wish.
- 6.2.10 The findings and recommendations of the panel will be sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about.
- 6.2.11 If the young person continues to be dissatisfied and wishes to take the complaint further, they will be supported and assisted in referring the matter to their nominated Social Worker or Ofsted. The young person and their representatives have the right to complain to the young person's Social Worker or Ofsted at any stage of the process and should be reminded of this if necessary.
- 6.2.13 Young people (and their representatives) to be advised that they may access their Local Authority's relevant policies. This access is made through a representative of the local authority (usually the Social Worker) and where appropriate, with the support of Ryes staff.

### 6.3 Recording

6.3.1 A copy of the Complaint Form will be filed in:

- The Complaints Record Folder held at each location.
- On the individual young person's file held at their location (regardless of whether the complaint relates to Care or School).
- On individual Personnel files where the complaint is made against an employee.

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6.3.2 Full details of actions, recommendations and whether the complaint had been resolved at the preliminary stage or proceeded to a panel hearing will be stated. Details of all persons that have been informed of the complaint will be noted.

6.3.3 All records will be available on the premises for inspection by the proprietor or the Head Teacher.

#### **6.4 Arrangements for Monitoring**

6.4.1 The young people's complaints will be monitored by the Registered Manager and also as part of the regulation 44 inspections, on behalf of the Responsible Individual.

#### **6.5 Useful contacts:**

Ofsted  
Tel: 03001 231231  
Email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)  
Website: [www.ofsted.gov.uk](http://www.ofsted.gov.uk)

Coram Voice Advocacy  
Tel: 0800 800 5792  
Email: [help@coramvoice.org.uk](mailto:help@coramvoice.org.uk)  
Website: <http://www.coramvoice.org.uk/young-peoples-zone>

The Office of the Children's Commissioner  
Tel: 020 7783 8330  
Email: [info.request@childrenscommissioner.gsi.gov.uk](mailto:info.request@childrenscommissioner.gsi.gov.uk)  
Website: <http://www.childrenscommissioner.gov.uk/>

ChildLine  
Tel: 0800 1111  
Website: <https://www.childline.org.uk/Pages/Home.aspx>

#### **Contact Details for Managing Director:**

Maria Marques-Neves  
Email: [Maria.Marques-Neves@theryescollege.org.uk](mailto:Maria.Marques-Neves@theryescollege.org.uk)  
Tel: 07435 754192

#### **Contact Details for Head of Operations:**

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