




New Leaf Centre

COMPLAINTS POLICY AND PROCEDURE

Approved by	
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Position:	Operations Director
Signed:	
Date:	Sept 2024

REVIEW SHEET

Each entry in the table below summarises the changes to this Policy and procedures made since the last review (if any).

Version Number	Version Description	Date of Revision
1	Original	SEPT 2024

Introduction

At New Leaf Centre we aim to make our centre a happy, safe and caring place so that pupils may benefit from the best possible education. All of our staff are dedicated to this aim. Parents, carers, pupils or any member of the community will therefore be requested to follow the procedures below if they have a concern or complaint. They should be encouraged to refrain from publishing complaints via public forums, for example, local papers, social network sites and other media outlets as unfounded published statements could breach pupil confidentiality.

General Principles

The vast majority of complaints and concerns can be resolved informally. Parents, pupils and professionals must feel able to raise concerns and complaints with members of staff at New Leaf Centre without formality, either in person, by telephone or in writing.

At first it may be unclear whether a parent/pupil is asking a question or expressing an opinion rather than making complaint. A parent may want a preliminary discussion about an issue to help decide whether he or she wishes to take it further.

A concern or unresolved problem becomes a complaint only when the parent or carer asserts that New Leaf Centre has acted wrongly in some significant decision, action or failure to take action.

Even when a complaint has been made it can be resolved or withdrawn at any stage. All complaints, actions and resolutions will be kept on file at New Leaf Centre and can be made available upon request, in compliance with the Data Protection Act.

We differentiate between 'concerns' and 'complaints' by:

A 'concern' may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may generally be defined as 'an expression of dissatisfaction, however made, about actions taken or a lack of action'.

All concerns and complaints will be taken seriously, and an effort made to resolve the issue quickly and, if possible, informally without the need to evoke formal procedures.

New Leaf Centre will ensure the complaints procedure:

- is easily accessible and publicised.
- is simple to understand and use.
- is impartial.
- is non-adversarial.
- enables a full and fair investigation by an independent person where necessary.
- respects people's desire for confidentiality.
- addresses all the points at issue and provides an effective response and appropriate redress, where necessary.
- provides information to the organisation's senior management team so that services can be improved.

Parents, carers and pupils contacting New Leaf centre expressing a concern or complaint will be directed to the Learning Support Manager in the first instance in an effort to resolve the situation informally.

Members of the community contacting the organisation with a concern or complaint will be directed to the Director of Operations.

Concerns or complaints regarding child protection or safeguarding issues will be directed immediately to the organisation's Designated Safeguarding Lead Vicky Hunter or Directors. Such issues may require investigation under procedures within the centre's policy for child protection to safeguard and promote the welfare of children and therefore be outside the scope of the formal procedures of this complaints policy.

Complaints need to be resolved as quickly and efficiently as possible. The complexity of the complaint or the investigation will determine the timeline for each stage. However, excessive time limits are not reasonable or acceptable, other than in extreme extenuating circumstances, and can form the basis for further complaint against centre.

In accordance with the DfE requirements New Leaf Centre will ensure: We value our relationship with pupils and parents and encourage those with concerns regarding their child's education or our service to contact the organisation with the aim of resolving the issue or concern. New Leaf Centre is a listening organisation. The staff welcome parents raising concerns with us.

Informal Stage

If the concern is about a day to day matter the parent should arrange to talk to or meet with the member of staff directly involved or Sarah Bisson. The Centre expects that the vast majority of concerns will be resolved at this stage. If the matter is resolved no further action will be taken.

If the informal process has been exhausted and no satisfactory solution found, the complainant should be advised in writing within 10 organisation days that if he/she wishes, the complaint can be considered formally. The letter to the complainant will explain that they have 10 working days to request their complaint is dealt with formally.

Formal Stage

There are normally four stages to the formal procedure

1. investigation by the Manager
2. investigation by a Director
3. an appeal to the Director;
4. and at any appropriate point during the procedure, a resolution process.

a) Investigation: The Learning Support Manager will decide for the investigation to be carried out. In the case of a complaint about the Learning Support Manager a Director will decide for the investigation. (From now on the person responsible for conducting the investigation will be referred to as "the investigator").

b) Director investigation: The Director, will appoint a nominated Director to be the investigating officer.

c) Appeal: If the complainant is not satisfied with the outcome of the investigation, they may request that a panel of the Directors considers an appeal against the outcome of the investigation and/or the procedure, which has been followed. The appeal request should be made 10 working days of receiving the investigation report or following a resolution meeting, if one takes place.

d) Resolution: At the end of the investigation, the investigator [may] [will] offer the complainant the opportunity of a meeting with all parties to clear the air and determine whether an agreed resolution is possible.

Investigation

The complainant should put his/her complaint in writing. The complainant may make a request for formal consideration of their complaint in person, or by telephone. In this case, the person receiving the formal complaint will record the details, confirm with the complainant that the written record correctly reflects their complaint, and then passes it to the investigator. However, the complaint is notified, it will be acknowledged within 10 working days by the investigator.

The investigator will offer an opportunity to meet the complainant within 10 working days to discuss the complaint and to agree what will be investigated and what outcome the complainant seeks. The outcomes of this meeting should then be confirmed in writing with the complainant and signed by both the complainant and investigator. A copy of the outcomes should be sent to the complainant within 10 working days of the meeting.

If the complainant is expecting to know that disciplinary action will be taken as a result of the complaint, or that a decision taken as part of another statutory process will be overturned, then the investigator should either make clear that this is not possible (as disciplinary procedures are confidential) and/or close the meeting and take advice to make sure that the right procedure is being used.

The complaint will then be investigated. The investigation can include a review of any written papers, interviews with the person against whom the complaint is made (whether staff, Director members, visitor), and any relevant witnesses. Interviews with children will only be undertaken by professionals (such as teachers or support staff who have a clearly established working relationship with the child). Permission will be obtained from pupils' parents for such interviews to take place.

The complainant is not entitled to see any written records, notes or minutes made by the investigator during the investigation, except notes of meetings where the complainant was present.

The investigation will usually be concluded within 10 working days following the meeting with the complainant (or receipt of the complaint where no meeting has taken place) and a written response sent to the complainant by the end of the investigation stage. If there is to be a delay in concluding the investigation, a letter should be sent to the complainant explaining the reason for the delay and providing a revised date.

The written response will explain briefly

- a) what the investigation entailed (but not details of what was said or written by witnesses);
- b) whether the complaint has been upheld and if it isn't, the main reasons for not upholding;
- c) any action the Centre proposes to take to resolve the complaint where it is upheld, including offering a resolution meeting (though not including any subsequent sanctions or disciplinary action against any individual);
- d) any recommendations to be made to the Education Outreach Manager or Director in the light of the investigation (whether the complaint is upheld or not);
- e) that if he/she is still not satisfied, the complainant has a right of appeal, either in person or in writing to a panel of the Directors;
- f) that any appeal must be made in writing within 10 working days of their receiving the outcome letter (or of any failed resolution meeting);
- g) that if the right of appeal is not exercised, the matter is closed. The subject of the complaint will also receive a copy of the written response.

A recorded verbal notification of the complainant's request for an appeal hearing is acceptable, provided it is given within the relevant timescale.

Resolution Stage

Where a complainant agrees to attend a resolution meeting, this will usually be arranged no later than 10 working days after the date of the letter to the complainant. The purpose of the meeting is to give the opportunity for all parties to meet and any restorative actions to be agreed.

Should the meeting not produce a resolution, then the complainant can still appeal to a panel of the Directors against the outcome of the investigation and/or the procedure which has been followed. This request must be made within ten days of the meeting.

Appeal to a Director

A letter will be sent to the complainant acknowledging that they have exercised their right to an appeal review. This letter will:

- a) notify the complainant of the date by when his/her complaint will be reviewed (which will be within 20 working days of receiving the appeal request);
- b) explain the format of the appeal review
- c) inform the complainant of his/her right to submit any further documents relevant to the complaint 20 working days' review;
- d) explain the complainant's right to be accompanied at the hearing by a friend/adviser of their choice.

The investigator will also be invited to prepare a written report for the panel in response to the complaint and be invited to attend and speak to the panel. They have the same rights as the complainant.

All relevant correspondence and any additional written materials produced by either side will be circulated to all parties not later than 5 working days before the date of the appeal review. Any such material must not divulge confidential information relating to individual employees or children other than the complainants.

Parents can submit a complaint to the Local Authority only on the grounds that the organisation did not follow its published procedure. The Local Authority will not investigate the parent's original complaint against the organisation; however the Local Authority may check that the organisation followed its published procedures.

Recording Complaints

Education establishments must ensure that they comply with their obligations under the Equality Act 2010. It is common practice to ask for complaints to be made by using a complaint form or in writing, however the complainant may have communication preferences due to disability or learning difficulties and organisations must allow alternative methods of contact:

A complaint may be made in person, by telephone, or in writing;

- In order to prevent any later challenge or disagreement over what was said, brief notes of meetings and telephone calls should be kept, and a copy of any written response added to the record. Where there are communication difficulties, organisations may wish to use recording devices to ensure the complainant is able to access and review the discussions at a later point;
- New Leaf Centre will record the progress of the complaint and the final outcome. The Director of Operations is responsible for these records and hold them centrally.
- New Leaf Centre will be aware that complainants have a right to copies of these records under the Freedom of Information and Data Protection Acts.

All complaints will be reviewed after the complaint has been resolved. Each complaint will have a level of scrutiny which will enable us as a centre to review the nature of the complaint and produce recommendations for future development if necessary.

The complaints recording will include

- The details of the complaint-including the date
- What action was taken to resolve the complaint
- Recommendations
- What action has been taken as a result from the complaint? i.e. policy amendments/revised practices.
- The full details of the investigating officer

Persistent complaints

Where a complainant tries to re-open the issue with the organisation after the complaint's procedure has been fully exhausted and the organisation has done everything it reasonably can in response to the complaint, the Director will inform the complainant that the matter is closed.

If the complainant subsequently contacts the organisation again about the same issue, the organisation can choose not to respond. The normal circumstance in which we will not respond is if:

- The organisation has taken every reasonable step to address the complainant's needs, and
- The complainant has been given a clear statement of the organisation's position and their options (if any), and
- The complainant is contacting the organisation repeatedly but making substantially the same points each time

This list is not intended to be exhaustive, the organisation will be most likely to choose not to respond if:

- We have reason to believe the individual is contacting the organisation with the intention of causing disruption or inconvenience, and/or
- The individual's letters/emails/telephone calls are often or always abusive or aggressive, and/or
- The individual makes insulting personal comments about, or threats towards, organisation staff
- Unreasonable behaviour which is abusive, offensive or threatening may constitute an unreasonably persistent complaint.

Once the organisation has decided that it is appropriate to stop responding, the complainant will be informed in writing, either by letter or email.

The organisation will ensure when making this decision that complainants making any new complaint are heard, and that the organisation acts reasonably.

New Leaf Centre is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who complain. We will not normally limit the contact complainants have with the organisation. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Monitoring arrangements

The Operations Director at New Leaf centre will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. They will track the number and nature of complaints and review underlying issues.

