



KISIMUL GROUP

Operational and Education Policy and Procedure

Complaints

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Policy

A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the staff of Kisimul Group in the performance of their official duties.

Kisimul Group is committed to providing high quality services and we are constantly seeking ways to improve that quality. It is our policy to listen and respond to any concerns or complaints raised by the children/young people of the group, their parents/guardians, members of staff, the public, or any other outside agencies (such as education or social services).

We view any complaints as an opportunity to identify anything that is going wrong in our organisation and would hope to resolve them quickly and informally. However, where issues cannot be resolved the complaint should be submitted to the group in writing and this would then constitute a 'formal complaint'.

Any complaint will be taken seriously and dealt with in a swift manner, according to the guidelines set out in the complaints procedure. All complaints will be treated as confidential in line with General Data Protection Regulations.

To enable all children/young people to have access to a member of staff who they feel they can trust, we operate a Keyworker policy. Nevertheless, **any** member of staff who is approached by a child/young person, parent, colleague, social worker or visitor with a complaint must refer to the procedure for complaints and act accordingly. It is within the job descriptions of all staff to ensure that the health, safety and emotional well-being of all children/young people are maintained.

Children/young people must be allowed access to the 'Child Helpline' telephone at all times and will not be subject to any reprisal for making a complaint or representation.

There is a Children's Guide available for all children/young people that can be referred to which provides information on how to make a complaint.

If the matter is deemed to be a protection from abuse issue, we would follow our group Safeguarding protocols.

Procedure

A procedure for seeing that Children's concerns and complaints can be heard – Children Act, volume 5. Revised to encompass Quality Standard 1 Reg. 7 2(b, c and d.)³⁸ (l) and 39 Children's Homes Regulations 2015.

If a child/young person has a complaint to make, they should be able to do this through their Keyworker or any other member of staff. All staff are trained to respond to any indication from a child/young person as to their unhappiness and to appreciate and understand any actions that the pupil may undertake, or behaviour they may display, that could be interpreted as a complaint. If the children/young people are non-verbal, staff are in the best position to respond to complaints made via the use of Makaton sign language, PECS (Picture Exchange Communication System) or Rebus symbols.

The child/young person can also make their complaint to a parent, independent visitor or social worker or can access the advocacy service on:

Lincolnshire - 0808 808 1001

Surrey – 0800 169 0363

Shropshire – 0808 808 1001

Nottinghamshire - 0300 456 2370

On receiving a complaint staff must then take the appropriate action. This can be on an informal basis if the matter is considered to be able to be resolved in this way and can involve forms of negotiation or mediation between the two parties.

An 'informal complaint' will be taken seriously and dealt with without delay. An entry will be made in the complaints/concerns book, which is located in the care home. For day pupils, this complaint will be recorded on the school's complaint log. Feedback of the action taken and outcome will be given within seven days. If the matter is felt not to have been resolved satisfactorily, a 'formal complaint' can be made in writing to the group.

The procedure for formal complaints is set out below:

- Formal complaints are recorded in the complaints register, which is stored confidentially. Details are kept of the person making the complaint, the date and nature of the complaint, the people involved, the action taken and the outcome of the complaint. All records, complaint register, correspondence and statements, etc. relating to

individual complaints are stored confidentially in line with General Data Protection Regulations and the Working Together to Safeguard Children 2015 Guidelines, except where the Secretary of State or a body requesting an inspection makes a written request for access to the information.

- If the complaint that has been made involves another child/young person, the headteacher, head of care or chief operating officer should be informed and will take the matter up with the child/young person involved and/or their advocate. If it is thought necessary, the matter should also become an agenda item for the next staff meeting; at this point the measures taken to resolve the problem can be discussed and any further action to be taken can be authorised.
- If the complaint is about a member of staff the headteacher, head of care or chief operating officer will take it up with the member of staff at the first available opportunity. Initially this will be a fact-finding mission. If the matter is sufficiently serious to warrant it, the disciplinary procedure may be instigated. If the complaint is about a member of staff and is made by another member of staff then it is deemed to be a grievance (see grievance policy and procedure).
- If the complaint is about the headteacher, head of care or other manager the remaining colleagues should be informed and will undertake to investigate the matter. If the person receiving the complaint feels that by reporting the matter to any of the above the complaint may not be dealt with in the correct manner they should contact the remaining directors of the group and put forward the complaint.
- Nobody who is the subject of the complaint will be involved in investigating it, except if the registered person feels that it is appropriate for this to be so at the informal resolution stage.
- If the complaint is of an abusive nature involving any member of the staff group where a child/young person is the complainant, this procedure immediately becomes null and void and the managing allegations procedure will be activated.
- The safeguarding procedure should also be activated if there is reasonable doubt that the nature of the complaint is abusive, but the person accused is a child/young person.
- At no time should there be any adverse treatment of a child/young person, parents, member of staff or third party who has made a complaint.
- In all cases a complaint form should be used to record the complaint. Forms should be lodged in either the child/young person's file in the main office, or the member of staff's personnel file in the main office, both of which have limited access.

- In all cases a response should be given within a maximum of 7 working days. In cases where the complainant is a non-verbal child/young person with limited understanding of the spoken word, the response should be in a format that is immediately understandable, i.e. Makaton or Rebus symbols; or, the response should be given to the adult who assisted the child/young person to make the complaint in order that they can relay the outcome; or the response should be given to the parent/s, staff or third party.
- Should a parent/outside agency or other third party be dissatisfied with the response to a complaint, they are then able to appeal to a panel appointed by or on behalf of the proprietor.
- Within 14 days of our receipt of an appeal of a formal complaint we will write to invite them into school for a further detailed discussion at a panel meeting.
- The panel will consist of at least three people who have not been directly involved in the matters detailed in the complaint. Furthermore, one of these panel members will be independent of the management and running of the school.
- They may be accompanied to the panel meeting by a friend or other support.
- A detailed discussion about the investigation will be undertaken and include details of how the investigation's conclusions were reached. A copy of the documentation detailing the findings and recommendations of the investigation will be sent by electronic mail or otherwise, to the complainant and where relevant, the person complained about and will be available for inspection on the school premises by the headteacher. They may request information at the panel meeting to be in an alternative format (such as Braille) if this is required and they will then be asked to sign that all of the relevant documentation has been received.
- From the time of their attendance at the panel meeting, a further 5 working days will be allocated for them to consider the findings of the investigation and either accept or reject in writing the decision of the panel. If we do not hear from them in this time it is assumed that the panel's conclusions have been accepted.
- If the findings of our internal investigation are rejected in writing, the appeal will be dealt with by the Chief Executive Officer of Kisimul Group Limited. A further meeting will be called that will be held within 28 days of the original receipt of the written complaint. At this meeting the Chief Executive Officer will review all the information on how the panel progressed the investigation and its conclusions. The Chief Executive Officer will reach a decision either to call in more

information or to support the findings of the panel meeting. The Chief Executive's decision will be final and there will be no further internal appeal procedure. They will be advised that they are free to take the complaint to an external agent, should they wish to do so.

- They will be kept informed about the progress of the complaint and be provided with information about the outcome in an accessible format.
- Kisimul Group will continue to monitor and evaluate its system for dealing with complaints to ensure that we respond effectively and efficiently to any parental, child/young person, staff or other third-party concern or issue. A written record is kept of the number and outcomes of all complaints procedures undertaken by ourselves each year, including whether they are resolved at the preliminary stage or proceed to a panel hearing. Please note that parents may inquire as to the number of complaints registered under the formal procedure during the preceding school year.
- The Responsible Person must supply HMCI, at HMCI's request a statement containing a summary of any complaints from the preceding twelve months and the action that was taken in response to each complaint.

In addition to the above procedures all children/young people, parents and staff are able to access the complaints procedure of the authority by which the child/young person is placed. Children/young people, parents, placing authorities and staff can also contact:

**Ofsted National Business Unit
Piccadilly Gate
Store Street
Manchester
M1 2WD**

Tel: 0300 123 1231

Email: enquiries@ofsted.gov.uk

Via whom they can then register any serious complaint.

(Please note: The Disability Rights Commission may be contacted for advice if there is deemed to have been a breach of the Disability Discrimination Act 95. Telephone: 08457 622 633)

Complaints may be made directly at any time to the registering authority, i.e.

Lincolnshire Social Services Child Care Team Tel: 01522 554135

Lincolnshire Local Education Authority Tel: 01522 552847

Nottinghamshire Local Authority Tel: 03005008080

Surrey Services for Families Tel: 03002001006

Shropshire Children and Young People Services Tel: 01743 254307

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