



## **Complaints Policy – The Blue Lighthouse ed**

| <b>Document Control</b> |                              |
|-------------------------|------------------------------|
| Date Created            | 17.4.23                      |
| Date of Implementation  | 19.8.23                      |
| Review schedule         | 2.9.26                       |
| Date of next review     | 2.9.27                       |
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| Version                 | 4                            |

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## **Rationale:**

The Blue Lighthouse ed complaints policy is in place to ensure that parents/carers/school settings and others can express their concerns in an open and honest way in accordance with a published procedure.

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

- encourage resolution of problems by informal means wherever possible
- be easily accessible and well-publicised
- be simple to understand and use
- be impartial
- be non-adversarial
- allow swift handling, with established time limits for action, and keep people informed of progress
- ensure a full and fair investigation by an independent person where necessary
- respect people's desire for confidentiality
- address all points raised, and provide an effective response and appropriate redress, where necessary
- provide information to The Blue Lighthouse ED's Leadership team so that services can be improved

Each complaint will be recorded fully in writing and a record of all complaints, and their outcome is to be kept in a folder accessible by the Leadership, including the owners.

## **Investigating complaints**

At each stage, the person investigating the complaint will make sure that they:

- establish what has happened so far, and who has been involved
- clarify the nature of the complaint and what remains unresolved
- meet with the complainant or contact them (if unsure of further information is necessary)
- clarify what the complainant feels would put things right
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- conduct the interview with an open mind and be prepared to persist in the questioning
- keep notes of the interview



## **Complaints Procedure:**

### **The Stages of Complaints**

The provision's complaints procedure has well defined stages. A flow chart can be found in Annexe C. At each stage it is helpful to clarify exactly who will be involved, what will happen, and how long it will take. There may, on occasion, be the need for some flexibility; e.g. the possibility of further meetings between the complainant and the member of staff directly involved, or further investigations may be required by the head teacher after a meeting with the complainant. The three school-based stages in the complaints procedure are;

- Stage One: complaint heard by a senior staff member (though not the subject of the complaint)
- Stage Two: complaint heard by a Manager (or delegated member of staff) or one of the other senior business team members
- Stage Three: complaint heard by the senior business team

N.B. On certain major issues, the Managers may decide to deal with concerns directly at Stage One. If the complaint is regarding one of the Managers or a senior business team member, it will be necessary for an external HR representative to carry out Stage Two. If a complaint is against the action of one of the Managers or a senior business team member or if one of the managers has been closely involved in Stage One, one of the senior business team members, will carry out all the Stage Two procedures. If a complaint leads to disciplinary action the 'Staff Discipline Procedure' that has been adopted by the business team should be applied. Regardless of how many stages are relevant, an unsatisfied complainant can always take a complaint to the next stage.

### **Stage 1 Informal Complaint**

(Concern raised with a member of staff responsible for the area of concern)

- Any problem or concern should be raised within 10 working days with the member of staff responsible for the area or action you are concerned about.
- The incident will be acknowledged within 7 working days of receipt.
- The incident will be investigated and responded to within 21 working days of receipt of the complaint.

The complainant has an opportunity for discussion of their concern with the appropriate member of staff, who clarifies with the complainant the nature of the concern, and reassures them that the school wants to hear about it. The member of staff may be able to explain to the complainant how the situation happened. It can be helpful to identify at this point what sort of outcome the complainant is looking for.

It is made clear to the complainant that if s/he wishes, s/he may be accompanied to any meeting, at any stage of the procedure, by a friend, relative, representative or advocate who can speak on his or her behalf, and that interpreting facilities are available if needed.



The provision will respect the views of a complainant who indicates that he/she would have difficulty in discussing a complaint with a particular member of staff. In these cases, the complaints coordinator can refer the complainant to another staff member.

Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the complaints co-ordinator can refer the complainant, with the approval of the compromised member of staff, to another member of staff. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.

If the member of staff first contacted cannot immediately deal with the matter, s/he makes a clear note of the date, name, contact address or phone number and will agree a timescale to contact the complainant (normally 3 working school days). At this stage it is important to agree the exact nature of the complaint and have the complaints form (Annex D) completed.

After discussion with the complainant, the staff member dealing with the concern makes sure that the complainant is clear what action (if any) or monitoring of the situation has been agreed, putting this in writing or making notes of any conversations.

Where no satisfactory solution has been found within 21 working school days, the complainant will be asked if they wish their concern to be considered further. If so they are given clear information, both orally and in writing, about how to proceed and about any independent advice available to them, along with a copy of this procedure.

All staff will make every effort to resolve your problem promptly at this informal stage. Most concerns and potential complaints can best be resolved through informal discussion with the relevant member of staff or leadership team. If your concern is more serious you may prefer to make an appointment to discuss it with the owner.

### **Stage 2 Formal Complaint**

- If you are not satisfied with the response received in stage 1 then you should escalate to a formal complaint within 5 working days of receiving the response detailed in Stage 1. Additional consideration will be given to complaints arriving outside of this time frame due to exceptional circumstances.
- The formal complaint will be acknowledged within 7 working days of receipt.
- The formal complaint will be investigated by the leadership team and responded to within 21 working days of receipt. You will be kept informed if, for example, more time is needed to complete the investigation.

At this point, the complainant may be dissatisfied with the way the complaint was handled at Stage One as well as pursuing their initial complaint. The Managers may delegate the task of collating the information to another staff member but not the decision on the action to be taken.

The Managers (or chair/designate) acknowledges the complaint in writing within 7 working school days of receiving the complaint. The acknowledgement gives a brief explanation of the school complaints procedure and a target date for providing a response to the complaint. This will normally



be within 21 working school days; if this proves impossible, a letter is sent explaining the reason for the delay and giving a revised target date.

The Managers (or chair/designate) provides an opportunity for the complainant to meet him/her to supplement any information provided previously. The Managers (or chair/designate) also meets with members of staff and any witnesses involved and takes statements in order to seek a resolution. The Managers (or chair/designate) keeps written records of meetings, telephone conversations, and other documentation.

Following this investigation, a written response includes a full explanation of the outcome/decision and the reasons for it. Where appropriate, this includes what action the provision will take to resolve the complaint.

The complainant is advised that should s/he wish to take the complaint further s/he should notify the chair of the management committee within 10 working school days (or the clerk if option 2 below applies) of them receiving the outcome letter.

1. If the senior business team has not been involved in the process outlined above and has not been involved with the complaint, arrangements will be made for a representative of the senior business team to meet with the complainant and the person the complaint is about. The purpose of such a meeting is to review the case with the view to resolving the matter.

2. Where such a meeting is not possible or is not able to resolve the matter, the complainant will be advised to write to the senior business team asking for the matter to be referred to the senior business team/HR for consideration.

### **Stage 3 Management complaints Board Investigation**

- If you are not satisfied with the senior business team's response, you need to write to the Owner, giving details of the complaint within 10 working days of the response receipt at Stage 2. The owners' name and contact details are available from The Blue Lighthouse ED office.
- The owner will convene a Complaints Panel within 20 working days of receiving your request to investigate your complaint. At least one panel member will be independent from the running and management of The Blue Lighthouse ED. You may be invited to speak to the panel at a meeting and be accompanied by a friend or representative. After the meeting you will be advised of the outcome in writing, this will normally be within 10 centre days of the meeting. The letter will also indicate whether there are any further rights of appeal and, if so, to whom they need to be addressed.

### **The Remit of the Complaints Panel**

The Panel can:

- dismiss the complaint in whole or in part
- uphold the complaint in whole or in part
- decide on the appropriate action to be taken to resolve the complaint
- recommend the changes to the provision's systems or procedures to ensure that problems of a similar nature do not recur



There are several points which any senior business team member sitting on a complaints panel needs to remember:

a) It is important that the appeal hearing is independent and impartial and that it is seen to be so. No member may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, members must try to ensure that it is a cross-section of the categories of the senior business team and be sensitive to the nine protected characteristics under the Equality Act 2010.

b) The aim of the hearing, which needs to be held in private, will always be to establish the veracity, resolve the complaint and achieve reconciliation between the provision and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which may demonstrate to the complainant that his or her complaint has been taken seriously.

c) An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. Provision staff may also feel under threat because of the nature of the complaint and possible disciplinary consequences if upheld. The panel chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.

d) Whilst in most cases, a parent or guardian will be the proper channel for making a complaint on behalf of their child, extra care needs to be taken when the complainant is the child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. A child must be accompanied by a parent, guardian or other responsible adult. The panel needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.

e) The members sitting on the panel must be aware of the complaints procedure.

The complaints panel hearing is the last centre-based stage of the complaints process. For most complaints the decision of the complaints panel is the last step in the procedure. Individual complaints would not be heard by the whole complaints panel at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.

### **Complaints against The Blue Lighthouse ED staff**

If your complaint amounts to or includes an allegation against a member of staff, this may need to be considered under The Blue Lighthouse ED's grievance procedure for employees, rather than the complaint procedure. You will be advised if these procedures are to be used in dealing with your complaint.



## **A complaint about the Local Authority**

Procedures for complaining about the Local Authority are set out in a separate Leaflet about the Council's complaints procedure. A copy of this Leaflet is available from The Blue Lighthouse ED, libraries and Council offices.

## **Conclusion**

By having a clear, published procedure, The Blue Lighthouse ed hopes that this will help resolve problems and confirm good working relationships between all people involved with The Blue Lighthouse ED. This policy will be reviewed annually by the Proprietors

## **Monitoring and Review**

This policy will be reviewed annually to ensure it remains current, effective, and aligned with organisational objectives. An earlier review will be undertaken if there are changes in relevant legislation or regulations that impact its content or application.

# The Blue Lighthouse ED

