

## **Complaints Policy**

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### **Statement of intent**

St Chads Community Project aims to resolve all complaints at the earliest possible stage and is dedicated to ensuring all complaints are managed sympathetically and efficiently.

Any complaint or concern will be taken seriously, whether formally or informally, and the appropriate procedures will be implemented. This policy has been created to deal with any complaint against a member of staff, or the charity as a whole, relating to any aspects of the charity or the provision of facilities or services.

The charity will ensure the complaints procedure is:

- Easily accessible and publicised on the charity's website.
- Simple to understand and put into practice.
- Impartial and fair to all parties involved.
- Respectful of confidentiality duties.
- Continuously under improvement, using information gathered during the procedure.
- Fairly investigated, by an independent person when necessary.
- Used to address all issues to provide appropriate and effective responses where necessary.



## 1. Legal framework

This policy has due regard to legislation including, but not limited to, the following:

- Equality Act 2010
- The UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Freedom of Information Act 2000
- Early Years Foundation Stage (EYFS)
- The Childcare Act 2006

This policy will be implemented in accordance with the following charity policies:

- Records Management Policy
- Grievance Policy

## 2. Definitions

For the purpose of this policy:

- A **“complaint”** can be defined as ‘an expression of dissatisfaction’ towards the actions taken or a perceived lack of action taken.
- A **“concern”** can be defined as ‘an expression of worry or doubt’ where reassurance is required; concerns will be classed and addressed as complaints.
- **“Complainants”** are those who have raised a concern or a complaint.
- A **“grievance”** is an issue raised by a member of staff where they feel the charity has not implemented a policy or process fairly or properly. Grievances will be dealt with in line with the charity’s Grievance Policy.
- **“Days”** relate to working days.

## 3. Eligibility to make a complaint

Parents and carers of children currently registered at the charity, shop customers and beneficiaries of the charity are all able to make a complaint in line with this policy.

All complaints will be treated seriously and confidentially. Parents and carers will be assured that their children will not be penalised if they raise a complaint. Shop customers and beneficiaries will be assured that they will not be penalised if they raise a complaint.

This policy does not cover complaints made by the following:

- Children.
- Parents and carers of children who are no longer registered at the charity unless the complaint was initially raised while the children were registered.



The scope of this policy does not extend to:

- Requests for financial awards, such as claims for compensation, damages or a refund of fees.
- Parents, carers, customers and beneficiaries of the charity being entitled to details of any sanctions imposed on staff from their complaint, irrespective of the nature of the complaint and whether or not it is upheld.

#### 4. Timescales

Complaints are expected to be made as soon as possible after an issue arises to ensure the issue is addressed in an appropriate timescale.

The charity upholds a three-month time limit in which a complaint can be lodged following an incident. Complaints made outside this time limit will not be automatically refused and exceptions will be considered.

Timescales for managing complaints at specific stages are outlined in the relevant sections of this policy. In the case of any timescales changing, all parties involved will be informed of the changes in a timely manner.

#### 5. Informal raising of a concern

The charity will endeavour to resolve most concerns informally.

Concerns will be raised initially as follows:

Type of concern	Individual to whom a concern should be raised
All childcare concerns including; Behavioural issues, pastoral Care.	Head of Children & Family Service
Any concerns in relation to the Family Support service	Head of Children & Family Service
Any concerns in relation to Thrift shop	Thrift Shop Supervisor
Financial matters	The CEO
Other concerns	The CEO
Concerns regarding the CEO	The chair of trustees



A complaint may be made in person, by telephone or in writing. A written record will be kept of all concerns and the date on which they were received. A concern provided in writing will be acknowledged by telephone or in writing within 5 working days of receipt and as soon as practicable during festive holidays.

If the concern is not resolved within 5 working days or, in the event that the complainant is not satisfied with the response to their concern, the complainant will be advised to proceed in accordance with the 'Formal complaint' stage of this procedure.

For the Early Years foundation Stage (EYFS), parents and carers may make a complaint about the provision direct to Ofsted. The details for contacting Ofsted are:

Email: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

Telephone: 0300 123 4666.

## **6. Formal complaint**

The complainant should submit their complaint in writing to the CEO. The complaint will be acknowledged by telephone or in writing within 2 working days of receipt and as soon as practicable during festive holidays, indicating that action is being taken and the likely timescales.

The CEO will meet with the complainant within five working days of acknowledging receipt of the complaint to discuss the matter. If the complaint is about the CEO, the discussion will take place with the chair of trustees.

During the meeting, the CEO will attempt to reach a resolution; however, it may be necessary for further investigations to be carried out by the CEO or another designated member of staff. If the complaint is about the CEO, the chair of trustees will arrange any necessary investigations.

Written records will be kept of all meetings and other communications held in relation to the complaint.

Once all facts are established, the CEO will inform the complainant of their decision and their reasoning in writing.

If the complaint is about the CEO, the chair of trustees will inform the complainant of their decision and their reasoning in writing.

The complainant will be informed of the decision within 28 days from the first receipt of the complaint. Where there are exceptional circumstances resulting in a delay, the complainant will be notified of this and informed of the new timescales as soon as possible.

If the complainant is not satisfied with the outcome suggested, they will be advised to proceed to the 'Panel hearing' stage of this procedure.

## **7. Panel hearing**

Where a complaint cannot be resolved, a hearing before a panel will be arranged.

The panel will consist of at least three people who were not directly involved in the matters detailed in the complaint. At least one panel member will be a trustee.

A hearing will be scheduled to take place as soon as practicable and normally within 10 working days. Reasonable arrangements will be made to ensure the complainant can attend the panel hearing. If the complainant does not exercise the right to attend the panel hearing, the hearing will still be held.

The complainant will be informed that they are able to be accompanied at the hearing if they wish; however, legal representation will not normally be appropriate.

If the panel deems it necessary, it may require that further details of the complaint or any related matters be supplied in advance of the hearing. Copies of such information will be supplied to all parties no later than five working days prior to the hearing.

After considering all of the relevant facts, the panel will make findings and recommendations. The decision, findings and recommendations will be provided to the complainant in writing within 5 working days of the hearing. A copy of the decision, findings and recommendations will be sent to, where relevant, the person complained about, the CEO and the chair of trustees.

The decision of the panel will be final and represents the conclusion of the charity's complaints procedure.

## **8. Managing serial and unreasonable complaints**

The charity is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those that complain. We will not normally limit the contact complainants have with the charity. 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.

The charity defines unreasonable behaviour as that which hinders the consideration of complaints because of the frequency or nature of the complainant's contact, such as if the complainant:

- Refuses to articulate their complaint or specify the grounds of a complaint, or the outcomes sought by raising the complaint, despite offers of assistance.
- Refuses to cooperate with the complaints investigation process.
- Refuses to accept that certain issues are not within the scope of the complaints procedure.
- Insists on the complaint being dealt with in ways that are incompatible with the complaints procedure or with good practice.
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced.

- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has already been addressed).
- Refuses to accept the findings of the investigation into a complaint when the charity's complaint procedure has been fully and properly implemented and completed.
- Seeks an unrealistic outcome.
- Makes excessive demands on the charity's time by frequent, lengthy and complicated contact with staff regarding the complaint either in person, writing, email or telephone while the complaint is being investigated.
- Uses threats to intimidate.
- Uses abusive, offensive, discriminatory language or violence.
- Knowingly provides falsified information.
- Publishes unacceptable information on social media or other public forums.

Whenever possible the CEO will discuss any concerns with the complainant informally, before considering the complainant to be 'unreasonable'.

If the behaviour continues the CEO will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who contact the charity excessively causing significant level of disruption, the charity may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after 6 months.

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

## **9. Recording complaints**

A written record will be kept of any complaint made, detailing:

- Whether the complaint was resolved following an informal route, formal route or panel hearing.
- Actions taken by the charity as a result of the complaint (regardless of whether the complaint was upheld).

Additional records may be kept containing the following information:

- The date the issue was raised
- The name of the complainant and, where relevant, their child
- A description of the issue
- Records of all the investigations
- Witness statements
- The name of the staff member responsible for handling the issue at each stage
- Copies of correspondence on the issue



Correspondence, statements and records relating to individual complaints will be kept confidential except where a body conducting an inspection under sections 49 and 50 of the Childcare Act 2006 requests to access them.

The record of complaints is kept for at least 3 years, or until the next Ofsted inspection if in relation to childcare or the Early years Foundation Stage (EYFS).

## **10. Withdrawal of a complaint**

If a complainant wishes to withdraw their complaint for any reason, we will ask them to confirm this in writing.

## **11. Monitoring and review**

This policy will be reviewed every 3 years.

All changes made to this policy will be communicated with all relevant stakeholders.