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# Complaints Procedure Procedure Document 16 (Standard 19)



High Close School

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1. INTRODUCTION	

High Close School is committed to developing a strong sense of partnership with young people, their parents/carers, referring local authorities and other members of the local community. This partnership enables understanding and positive resolution where there is a perceived problem or issue.

The school follows and adheres to Barnardo's Policy and Procedure to maintain a culture which encourages young people to make their views known and which responds positively to their concerns and complaints. It must be a culture, which enables both staff and the organisation to learn from complaints to improve practice and policy. Complaints should be seen as a positive, not a negative within the school and Barnardo's. This procedure complies with Complaints and Representations Policy for Children's Services. This has been replaced by The Non-Maintained Special Schools (England) Regulations 2015 and with amendments on this found in The Independent Educational Provision in England (Provision of Information) and Non-Maintained Special Schools (England) and Independent School Standards (Amendment) Regulations 2018 (on section 10). (on section 10).

## **1.1 Who can make a complaint?**

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to High Close School about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

The school will ensure that the person making a complaint is kept updated of the progress regarding their complaint throughout. The school will provide details of the outcome at the earliest opportunity once an investigation of the concerns / complaint raised has been completed

## **1.2 The difference between a representation and a complaint**

**A representation** is comment or feedback from an individual or group about a service. It could be positive or negative. It requires some response and this could involve making changes to how a service is delivered. Representations and the response to them will be recorded at High Close.

**A complaint** is an expression of dissatisfaction or disquiet about the standard of a children's service including associated line management and/or the actions or lack of action by the service towards an individual child or young person or other service user.

It is in everyone's interest that representations and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. High Close School takes representations seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a representation with a particular member of staff, we will respect your views. In these cases, the Principal will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a representation, the Principal will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the representation objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their representations formally. In this case, High Close School will attempt to resolve the issue internally, through the stages outlined within the Complaints and Representations Policy for Children's Services.

## 2. HOW TO MAKE A REPRESENTATION OR COMPLAINT

A representation or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Representations should be raised with the usual staff contact, a staff member's line manager or the Senior Leadership Team. If the issue remains unresolved, the next step is to make a formal complaint.

Complaints against school staff (except the Principal) should be made in the first instance, to the Principal in writing. Please mark them as Private and Confidential.

Complaints that involve or are about the Principal should be addressed to the Chair of Governors and the Director for Children's Services in the South East region of Barnardo's, via the school office. Please mark them as Private and Confidential.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

### 2.1 Procedure for making a complaint

#### 2.1.1 Stage 1 complaints must be made in writing.

Written confirmation is required of any concerns which have been made verbally and a resolution has not been achieved by a pupil or parent or staff member. It may also take the form of assisting a pupil to put their complaint into a written format.

High Close School manage Stage 1 complaints. Any complaints requiring a higher staged process are investigated using the Barnardo's Staged processes outlined in their [Complaints and Representations Policy for Children's Services](#). Complainants must be offered information about Barnardo's Children's Services complaints and representation procedure.

When a complaint has been identified this should be investigated as a matter of urgency, as soon as reasonably practical. If appropriate and agreed by a complainant and lead manager, an internal person independent of the identified area of service delivery could investigate at Stage 1 to better enable a resolution at this stage.

No one who is directly part of the complaint can be involved in carrying out the investigation.

All Investigators and Independent Persons should understand or must obtain background knowledge of the issue(s) being complained about.

Regulatory Bodies (e.g. Ofsted) must be notified of complaints by regulated services as appropriate. Staff should inform the Senior Leadership Team of any complaints so they can make appropriate notifications where necessary.

All young people should be part of resolutions and understand what has happened as a result of their complaints. Parents/carers/external professionals (if applicable) should also be informed of resolutions. Staff should ensure they get written confirmation that the complaint has been agreeably resolved from young people and/or parents/carers where applicable.

Staff responding to complaints must ensure they do so in an age appropriate way, taking account of any sensory impairment or learning difficulty. Young people can use the internal form attached below to record a complaint.

## 2.1.2 Complaints at Stages 2 and 3

If a complaint cannot be resolved at Stage 1, then the process detailed in the [Complaints and Representations Policy for Children's Services](#) will be followed. Complaints may be addressed at the Stage 2/Investigation Stage without undertaking a Stage 1/Frontline investigation if it is agreed by The Children's Services Complaints Manager that it warrants this. It must be agreed with the complainant.

## 2.2 Anonymous Complaints

We will not normally investigate anonymous complaints. However, the Principal, Chair of Governors, and the Director for Children's Services in the South East region of Barnardo's if appropriate, will determine whether the complaint warrants an investigation and appoint an independent person to investigate.

## 2.3 Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Every effort will be made to resolve the complaint at a local level, within 10 working days. If the timeline needs to be extended the complainant will be informed.

## 2.4 Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

## 2.5 Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by High Close School, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
<ul style="list-style-type: none"><li>• Admissions to schools</li><li>• Statutory assessments of Special Educational Needs</li><li>• School re-organisation proposals</li></ul>	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with the relevant Local Authority.
<ul style="list-style-type: none"><li>• Matters likely to require a Child Protection Investigation</li></ul>	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.  If you have serious concerns, you may wish to contact the <a href="#">local authority designated officer</a> (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).
<ul style="list-style-type: none"><li>• Exclusion of children from school*</li></ul>	Please refer to the school Exclusion policy for concerns about an exclusion and the appeals process
<ul style="list-style-type: none"><li>• Whistleblowing</li></ul>	Staff should follow internal whistleblowing procedures and Barnardo's Whistleblowing Policy.

	<p>If you feel unable to approach your manager or main or you are concerned they may be involved, you can submit a concern via the whistleblowing hotline run by Safecall, Barnardo's independent whistleblowing service provider, using the contact details below:</p> <ul style="list-style-type: none"> <li>• Freephone 0800 915 1571</li> <li>• <a href="http://www.safecall.co.uk/barnardos">www.safecall.co.uk/barnardos</a></li> </ul>
<ul style="list-style-type: none"> <li>• Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under the school's internal grievance procedures and Barnardo's <a href="#">Complaints and Representations Policy for Children's Services</a>.</p>
<ul style="list-style-type: none"> <li>• Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> <li>• Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.</p>

Complaints cannot proceed if another management process is in progress about the same matter. In such a situation the complainant should be informed in writing that a different investigation is taking precedence. Once the other investigation has been completed, the complaint should be addressed.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against High Close School in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

### 3. RESOLVING COMPLAINTS

At each stage in the procedure, High Close School wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

#### 3.1 Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

## 4. ACCESSIBILITY AND PARTICIPATION

At Admission Meetings, the young person, their parent/carer and involved professionals are given information on complaints procedures at High Close School. A Young Persons Handbook is given to all young people and this refers to our complaints procedure. The following can also be made available on request:

- High Close School's Complaints Procedure document
- Barnardo's Complaints and Representations Policy for Children's Services
- Barnardo's Business Support Department (for signposting and information)
- Independent Visitor contact details
- Ofsted contact details

**Information regarding complaints is displayed within the residential units and complaint forms are readily available without the need to request these from staff.**

When staff/volunteers commence employment at High Close School they will receive an induction. Part of the induction process will include directing staff to the complaints procedure and discussing their learning with their line manager in supervision.

### 4.1 Support for Complainant

Staff at High Close School must ensure appropriate support is provided to those making the complaint. Any young person making a complaint must be informed of their right to have an advocate where appropriate. They should be given appropriate support in finding one. For those young people who are Looked After Children (LAC), Care leavers up to age 21 and/or a Child in Need (CIN) advocacy is a statutory entitlement. Staff should check [Complaints and Representations Policy for Children's Services](#) for guidance of who can and cannot be an advocate for a child.

At any stage of this procedure, complainants are welcome to bring with them a supportive friend who is not involved in the matter. It is not appropriate for staff of the school to engage in meetings to which complainants bring legal representatives or advisors and staff will not generally enter into any correspondence with solicitors or others in place of direct communication with parents/ complainants.

### 4.2 Support for Staff

Complainants and staff subject to complaints should be kept informed of the progress of the investigation and any associated procedures subject to normal staff confidentiality.

Managers should ensure that staff subject to a complaint have access to appropriate support and information. Throughout the complaint process, consideration should also be given to any issues of staff safety. Staff should refer to High Close's Staff disciplinary, grievance and Whistleblowing Policy.

Where an allegation of abuse against staff and volunteers has been made by a service user, staff should refer to the High Close School Child Protection and Safeguarding policy.

### 4.3 Confidentiality

High Close School will manage all complaints in accordance with information sharing and GDPR requirements. The school will keep a secure, centralised confidential record of all complaints which is available to internal and external inspectors. In the residential units, day units and Primary there are bound books which are kept for recording complaints.

To maintain confidentiality, completed [Barnardo's complaint forms](#), internal young people complaints forms and other supporting documents should be stored in the confidential file within the Principal's office and a reference made to this on the log sheet within the young person's main file. In addition, all complaints are to be logged on the 'Complaints log (for DSL reference)'.

Once a young person leaves High Close School, all their individual records are archived. Any complaint forms and other supporting documents relating to that young person should be copied from the confidential file found in the Principal's office into their individual archived records/ files (if not already stored on the young person's Content Server section).

Stage 1 complaints are recorded in the department bound complaints book.

The Complaint Books within each department are inspected and reviewed regularly by the respective Unit Manager or deputy and also by the Independent visitor (residential units only). This is also an area that is monitored and reviewed by the Leaders of Care on a termly basis. This will be used as a tool to monitor satisfactory operation of the complaints procedure, to identify patterns of complaints and action taken on individual complaints and to review and inform the schools policies and procedures.

Stage 2 and 3 Complaints must be recorded appropriately in line with Barnardo's [Complaints and Representations Policy for Children's Services](#).

## **Young People's Version Complaints policy**

If you are unhappy about something then you have the right to make a complaint. You should complete the form at the bottom of this policy, you can ask any member of staff for a complaints form and can ask them to help you complete it as well.

### **What happens when I make a complaint?**

The complaint will go to your unit manager/Team Leader. If the complaint is about your Unit Manager/Team Leader then the complaint will go to the Deputy Head of Care or Head of Care. They will look at your complaint and investigate what has happened and what can be done to make the situation better. Staff will make sure they deal with complaint quickly and this should usually take no longer than two weeks, if it takes longer than staff will let you know.

They will talk to you as part of this investigation and see what you want to happen. If your complaint is about another person they will speak to that person to see what has happened as well.

Once they have investigated they will look at what the outcome is and check you are happy with the outcome. If you are not happy you can say this and the person investigating can see if there is a different outcome that is better.

Sometimes there is not an outcome that everyone is 100% happy with and sometimes we have to compromise on what we want out. Compromising means accepting something different to what we originally wanted. Compromising does not mean you should be unhappy with the result, if you are unhappy you should tell staff.

If you make a complaint you can have an advocate (someone to help you). This can be someone from a different part of the school or someone outside of the school.

### **Records**

When you make a complaint you can either write it yourself or a member of staff will write it for you. The outcome of the complaint will be recorded on this form and we will keep a record on your file so people can check that your complaint has been dealt with properly. We also have a central complaints file where copies of complaints are kept so people who inspect the school can check the right things are being done.

### **Letting people know**

When you make a complaint we will let your parent/carers know so they know what has happened and what staff are doing about it.

### **Withdrawing complaints**

If you make a complaint but you then want to withdraw it then staff will ask you to sign the form to say you want to withdraw it. Staff will tell your parents/carers that you want to withdraw the complaint as well. Depending on what the complaint was about, staff may still investigate it as it might be something that affects other people as well. Staff will tell you if this is going to happen



**HIGH CLOSE SCHOOL**  
**YOUNG PERSON'S INTERNAL COMPLAINT FORM**  
 (For local resolution and completion with staff if required)

<b>YOUNG PERSON MAKING THE COMPLAINT:</b>	<b>DATE/TIME:</b>
<b>STAFF NAME:</b>	<b>Would you like an advocate?</b> <b>Yes/No</b>  <b>Name of Advocate:</b>
<b>NATURE OF THE COMPLAINT:</b>	
<b>ACTION TAKEN:</b>	
<b>OUTCOME</b> (and review date if required/appropriate):	
<b>YOUNG PERSON COMMENTS REGARDING SATISFACTION WITH RESOLUTION/OUTCOME :</b>	<b>YP SIGNATURE:</b>

	<b>STAFF SIGNATURE:</b>
	<b>LEADER OF CARE SIGNATURE:</b>

**FURTHER ACTION**

(Confirm parents/carers/ other professional involved have been informed, any supporting documents completed and filed i.e. key working)