



# LINDRIDGE ENTERPRISES

*Creating Opportunities*

## **Complaints Policy & Procedure**

### **Introduction**

Lindridge Enterprises Ltd. is a Charity that is developing services for young people with Learning disabilities and/or Autism to help them into employment.

### **Purpose**

This policy and procedure aims to clarify what to do in the event of a making a complaint.

### **Aims**

Our aim is to meet the statutory obligations when responding to complaints from parents, guardians or carers of pupils or others engaged at any of our premises.

When responding to complaints, we aim to:

- Be impartial and non-adversarial
- Facilitate a full and fair investigation by an independent person or panel, where necessary
- Address all the points at issue and provide an effective and prompt response
- Respect complainants' desire for confidentiality
- Treat complainants with respect
- Keep complainants informed of the progress of the complaints process
- Consider how the complaint can feed into school improvement evaluation processes

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed.

We aim to give the complainant the opportunity to complete the complaints procedure in full. To support this, we will ensure we publicise the existence of this policy and make it available on our website.

### **Legislation and guidance**

This document meets the requirements of section 35 of the schedule to [the Education \(Non-Maintained Special Schools\) \(England\) Regulations 2011](#), which states that non-maintained special schools and institutions must have and make available a written procedure to deal with complaints.

It also refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

Created: June 2018 to be reviewed June 2020

## **Definitions and scope**

The DfE guidance explains the difference between a concern and a complaint.

A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”.

We will resolve concerns through day-to-day communication as far as possible.

A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action”.

We intend to resolve complaints informally where possible, at the earliest possible stage.

There may be occasions when complainants would like to raise their concerns formally. This policy outlines the procedure relating to handling such complaints.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Exclusion
- Whistle-blowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

## **Principles for investigation**

When investigating a complaint, we will try to clarify:

- What has happened
- Who was involved
- What the complainant feels would put things right

We also intend to address complaints as quickly as possible. To achieve this, realistic and reasonable time limits will be set for each action within each stage. Where further investigations are necessary, new time limits will be set, and the complainant will be sent details of the new deadline with an explanation for the delay.

We expect that complaints will be made as soon as possible after an incident arises and no later than three months afterwards. We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time and the complaint can still be investigated in a fair manner for all involved.

## **Stages of complaint**

### **Stage 1: informal**

We will take informal concerns seriously and make every effort to resolve the matter quickly. It may be the case that the provision or clarification of information will resolve the issue.

The complainant should raise the complaint as soon as possible with the relevant member of staff or a trustee, either in person or by letter, telephone or email. If the complainant is unclear who to contact or how to contact them, they should contact the office.

We will acknowledge informal complaints within seven days and investigate and provide a response within fourteen working days.

The informal stage will involve a meeting between the complainant a trustee.  
If the complaint is not resolved informally, it will be escalated to a formal complaint.

## **Stage 2: Formal**

The formal stage involves the complainant putting the complaint into writing, usually to the teacher and/or the subject of the complaint. This letter should provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents.

The complainant should also state what they feel would resolve the complaint.

A trustee (or other person appointed by the trustee for this purpose) will then conduct their own investigation. The written conclusion of this investigation will be sent to the complainant within fourteen working days.

If the complainant is not satisfied with the response and wishes to proceed to the next stage of this procedure, they should inform the chair of governors in writing within seven days.

## **Stage 3: Review panel**

Complaints will be escalated to the panel hearing stage if the complainant is not satisfied with the response to the complaint at the second, formal stage. The panel will be appointed by or on behalf of Lindridge Enterprises and will consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member will be independent of the management and running of the service.

The panel will have access to the existing record of the complaint's progress.

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. At the review panel meeting, the complainant and representatives from the Lindridge Enterprises, as appropriate, will be present. Each will have an opportunity to set out written or oral submissions prior to the meeting. The complainant will be allowed to attend the panel hearing and be accompanied if they wish.

At the meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence.

The panel, the complainant and a representative(s) will be given the chance to ask and reply to questions. Once the complainant and Lindridge Enterprises representative(s) have presented their cases, they will be asked to leave and evidence will then be considered.

The panel must then put together its findings and recommendations from the case. The panel will also provide a copy of the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the Trustees.

Lindridge Enterprises will inform those involved of the decision in writing within seven days.

## **Complaints against a trustee**

Complaints made against a trustee should be directed to the chair of trustees.

If the complainant is unsatisfied with the outcome of the complaints procedure and the complaint is regarding the service provided not meeting standards set by the DfE in any of the following areas, the complainant can refer their complaint to the DfE:

- Education
- Pupil welfare and health and safety
- Premises
- Staff suitability
- Making information available to parents
- The spiritual, moral, social or cultural development of pupils

### **Record-keeping**

We will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a freedom of information (FOI) request or under the terms of the Data Protection Act, GDPR or where the material must be made available during an inspection.

Records of complaints will be kept for ten years.

### **Learning lessons**

The trustees will review any underlying issues raised by complaints with the appropriate staff member, where appropriate, and respecting confidentiality, to determine whether there are any improvements that the school can make to its procedures or practice to help prevent similar events in the future.

### **Monitoring arrangements**

The Trustees will monitor the effectiveness of the complaints procedure in ensuring that complaints are handled properly. The Chair of Trustees will track the number and nature of complaints and review underlying issues.

The complaints records are logged and managed by Sally Evans.

This policy will be reviewed by trustees every two years. At each review, the policy will be approved by the Chair of Trustees.