

Ferndearle School

Complaints Policy

Written By	Zara Malyon
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Next Review Date	Annually

In order to ensure speed and efficiency in our complaints procedure Ferndearle School has a Complaints Officer who is responsible for co-ordinating all stages in a complaint.

Where a child, carer, parent, staff or other representative has a complaint about the education received this will be taken seriously. Any staff member who has a complaint about any matter related to themselves, they should follow the same procedures as outlined below.

The person complaining has the right to pursue their complaint through Ferndearle School's Complaints Procedure or through their Local Authority Complaints Procedure. If the complainant chooses to use their Local Authority's Complaints Procedure, Ferndearle School will co-operate in full with the procedure and ensure that the complaint is dealt with as quickly as possible.

Ferndearle School's Complaints Policy/Procedure

Ferndearle School is committed to respecting the rights of its service users through the operation of a fair and easily accessible representation and complaints procedure. The procedure follows the legislative requirements laid out in the Children Act 1989 and therefore (to develop confidence in our procedure) incorporates the principles of speed, the opportunity to challenge decisions and the appointment of an independent body to investigate complaints.

Ferndearle School is committed to the principle of partnership and actively seeks participation from students, their families and any other significant body in decisions concerning the delivery of our service. We, therefore, welcome comments and suggestions and hope that any dissatisfaction may be resolved without the need for the complaints procedure.

Where problems cannot be resolved informally, no person or persons should feel afraid to invoke the formal procedure, the rights of the individual will be protected and under no circumstances will a complainant, or anyone on whose behalf the complainant is acting upon, suffer any negative consequences for using the procedure.

Those eligible to complain

1. Any child or young person educated at Ferndearle School.
2. Any parent, family member, persons with parental responsibility and previous foster carers.
3. Any significant person who may be considered by the school to have sufficient interest in the child's welfare as defined by the Children Act 1989.
4. Any staff member or visitor to the Home.

Matters which may be complained about

There is no exhaustive list about what can be complained about. Guidance would suggest that wherever there is a legitimate feeling of dissatisfaction or concern in any of Ferndearle School's child development and care practices (or lack of them), or in the policies, procedures and guidance, this should be acted upon and voiced. Remember, problems can usually be resolved informally once communicated without invoking the formal procedure.

To whom dissatisfactions/complaints should be addressed to

Directly, by telephone or by letter to:

The Complaints Officer
Ferndearle School
Heather Lodge
2 Radnor Park West
Folkestone
Kent
CT19 5HH

Tel: 01303 850182

If a child, young person or any other person feels more comfortable approaching another member of staff, there is no reason why they should not do so, but the Complaints Officer will still co-ordinate the complaints procedure. If the dissatisfaction is about the Complaints Officer, the complaint should be addressed to the Manager.

CHILDREN NEED TO BE AWARE THAT THEY HAVE A **CHOICE** OF WHO THEY CAN COMPLAIN TO. This includes such as:

- Parents
- Social Workers
- Key-Workers
- Ferndearle's Complaints Officer
- Teacher
- Any trusted adult
- Another peer who may be more confident about informing an adult
- Any staff at Ferndearle School who the child feels most comfortable with
- Children should be made aware of their right to independent advice and support who they can see privately and contact directly. Children should be informed of their rights

to advocacy and helped to access this, they should be assisted in contacting the Children's Rights Director if they so wish.

Informal Procedure

Where possible, Ferndearle School will always operate to resolve the complaint without the child or any other complainant having to go through the anxiety of the formal procedure. This will entail allowing the child to talk to a trusted adult and discuss the issues. Staff must remember that they will need to respond sensitively to complaints which are not realistic as to the child, they may appear perfectly legitimate. Complaints responded to informally must still be recorded on an appropriate complaints log sheet and cross referenced to the complaints log book and passed to the Headteacher.

Formal Procedure

Once dissatisfaction has been voiced, as outlined above, the Complaints Officer will make every attempt to resolve this informally. In the event of there being no resolution the following stages in the formal procedure will commence.

Stage One

On receipt of a written complaint, the Complaints Officer will acknowledge the complaint in writing and send information explaining how the complaints procedure operates. The Officer will also offer assistance and advice on how to use the procedure and offer support and guidance in all stages of the procedure if required.

On receipt of a verbal complaint, the Complaints Officer will ensure that it is recorded in writing and the contents agreed by the complainant. The Officer will provide the same information, assistance, advice and support as mentioned above.

Ferndearle School recognises that students may need considerable support at every stage in the proceedings if they are to follow through their complaint. Where appropriate, and with the permission of the child, the Complaints Officer will seek help from a family member or other significant person so as to ensure independence from Ferndearle personnel. Where there is no other option, the child or young person will be given the opportunity to choose a member of staff to support them.

Where the complainant is someone acting on behalf of a resident, the Officer (depending on the level of understanding) will check with the child that the complaint is representative of his/her feelings and that he/she has granted permission for the complainant to act on his/her

behalf. Where permission has not been granted, if the complainant is eligible (as defined above) he/she will still have a right to a consideration of the complaint.

Where the complainant is not eligible to act on behalf of a child or young person, as defined under the Children Act 1989, Ferndearle has a legislative duty to assess whether the nature of the complaint warrants being treated as if the complainant was the child.

Stage Two

The Complaints Officer will appoint an independent person who is not part of the complaint and work with the appointed individual to investigate and consider the complaint. Both parties will provide written recommendations to be considered by the independent person. After consideration of the recommendations, the Complaints Officer will notify (within 28 days of the receipt of the complaint) the child, or if different, the complainant acting on behalf of the child, the independent person and any other significant body with a sufficient interest in the welfare of the child, of the outcome of the consideration. The complainant will be reminded of the right to challenge the decision.

Stage Three

If the complainant remains dissatisfied with the outcome, he/she has the right to have the complaint reconsidered by a panel which will comprise of three individual independent individuals who are not part of the complaint. In order to ensure that the consideration offers the opportunity for a fresh input, the three independent individuals will not include the individual in Stage Two.

If the complainant wishes to take this step, he/she must notify the Complaints Officer within 28 days of the receipt of the letter informing them of the decision.

The panel will meet within 28 days of receipt of the complainant's request.

The complainant has a right to attend the meeting and to submit any relevant information and to be accompanied by a person of his/her choice who may also offer contributions on his/her behalf. The complainant has a right to submit written information prior to the meeting. The original independent individual has the same right to represent their views in writing prior to the meeting, or verbally at the meeting.

The panel will provide, within 24 hours, written recommendations (along with an explanation of those recommendations) to the Complaints Officer. The panel will notify the complainant, the original independent person and any other significant body of their recommendations.

Stage Four

A member of Ferndearle School's Leadership Team will meet with the panel to consider the recommendations. The Complainant, the child (if different from the complainant) and any other significant persons who have an interest in the welfare of the child will be informed of the outcome within 28 days of receipt of the recommendations.

Stage Five

Any changes due to the outcome will be implemented immediately, if practical, or within 28 days of the date of the final decision. All complaints, their nature and the outcome will be recorded in Ferndearle's complaints book along with the time scale for the implementation of the procedure and for the implementation of any actions following the final decision.

Ferndearle School will comply with legislative requirements under the Children Act 1989 and ensure that the operation and effectiveness of the complaints procedure is monitored on a regular basis.

To this end, Ferndearle School will monitor the system regularly.. The monitoring process will seek where possible to assess user satisfaction and collate the views of those who have used the procedure in relation to any improvements which may be made. The annual monitoring will provide information on the number and nature of complaints, performance in relation to time scales for dealing with a complaint, outcomes, action taken and performance in relation to time scales for implementing any action.

Securing Access to an Advocate

Any child or person wishing to make a complaint can secure access to an advocate. This includes an advocate who speaks the complainant's preferred language or who signs. Any person requiring an advocate should contact their Local Authority or ask the Headteacher at Ferndearle School to help you to secure one.

Where a complaint is made by any person, the child's Local Authority must be informed and the parents where appropriate. Where the complaint is a child protection issue, staff should follow the appropriate procedure of reporting.

Information

Complainants will be kept informed about their complaint and of the outcome which will be provided in an accessible form taking into account any language or disability barriers.

Definitions

Independent Person: a person who is not employed by Ferndearle School and has no financial interest in the school. A person who is not related to any of the aforementioned.

Eligibility by virtue of having sufficient interest in the child's welfare: there is no absolute defined list of people but such bodies may include significant family members, family friends, GPs, school teachers, therapist, independent visitor etc.

IMPORTANT

As an alternative or additional avenue for complaint, Ofsted or the Department for Education may be contacted.

Procedures for dealing with complaints from the community such as neighbours, the police, parents of peers in the community, schools, local shopkeepers etc.

1. Staff should take all complaints seriously and should always seek to use the informal procedure first. Where this does not work, the complainant should be given access to the usual formal procedure.