

Complaints Policy & Procedures

Who Can Complain

Complaints can be made by various individuals:-

- Children and young people - a simplified version of the policy is available to help children complain and access to an advocate is also available;
- Parents and carers - access to an advocate is available;
- Social workers and placing authority;
- Employees of the home;
- Members of the public;
- The policy will be provided on request to other agencies, professionals, relatives and friends, wishing to complain on behalf of a child.

We welcome complaints, we learn from them and use them to improve the service that we offer. We are always willing to listen and will do our utmost to resolve any concerns about the home, school or staff, if we are unable to resolve the complaint, we will explain the process to take the complaint further. We will not discriminate or treat anyone any differently because they wish to complain.

Small Frustrations

We recognise that young people and staff will have small frustrations that come up in discussion almost on a daily basis. We feel it is important that these frustrations are acknowledged and discussed in an informal way to seek remedies for them long before they become an informal or formal complaint. To do this we have the:

1. Libra Suggestion Box which is a box young people and staff can put written suggestions into. These suggestions can be anonymous and about anything and staff should help young people to write suggestions if they are asked. All suggestions are discussed at the Libra Council Meetings.
2. Libra Young People Councils are age appropriate councils that meet twice termly to discuss and consult over Libra policies and procedures that affect young people such as this Complaints Policy which has been written after consultation through two Council meetings and to discuss any moans, groans and gripes that have arisen in the last month and from the Libra Suggestion Box. Solutions to these issues are discussed as a Council and remedies suggested and reviewed and then implemented if agreed. Council meetings have minutes which are circulated within the school and the homes for all young people and staff to see.
3. Weekly Keyworker meetings during which a young person can air any moans and groans and the Keyworker will make every effort with the Registered Manager to resolve them.
4. Home Team meetings during which young people and staff can voice any grievances they feel they have and remedies can be found within the home with peers and colleagues.
5. Physical Intervention Young Person Self reflection forms which are completed with a young person after a physical intervention. This gives the young person an opportunity to express if they feel they have been dealt with unfairly at the same time as reflecting on their own responsibilities.

These avenues provide young people and staff an outlet for small niggles and frustrations which can be then discussed between peers and colleagues and remedies found that meet the needs of the young people, staff and the company.

Within the homes and the school contact telephone numbers are easily available for young people to contact:

Ofsted

Child Line

Young people have access to a telephone and computer (depending upon risk assessment this may be supervised) and are given a Young Person Handbook which also details the contact phone numbers as well as how to use the complaints policy in a child friendly format.

When young people begin a placement with Libra their Keyworker will talk them through how the young person can access the Complaints Policy and how they can make a complaint.

Informal Process

If someone says they are unhappy with the service provided or treatment received by Libra within either the school, the homes or by any of our staff; the person receiving the information will take the following action; at every stage the person will be offered access to an advocate. Staff are provided training on how to manage and resolve complaints through the Staff Induction Programme.

1. Check with the person that they feel comfortable speaking to them; or would they prefer someone else? Provide information regarding the availability of someone else on site, or who is contactable off site, at any time of day.
2. If the person prefers to wait to discuss the matter with a member of staff of their choice arrange a meeting at a convenient time and location for both. We will ensure that no person who is the subject of a complaint takes any part in its consideration other than, if the Registered Person or Head Teacher considers it appropriate, at the informal resolution stage only.
3. It is important to ask the person raising the complaint to complete the appropriate Libra Complaint form. There is a child friendly version which is to be used by young people. The member of staff receiving the complaint can fill this in for the person if they prefer and should do so if they refuse but have made a verbal complaint. Complainants other than young people should be encouraged to use the appropriate form to make their complaint but we will respond to all complaints either verbal or written in an alternative form in the same way. The investigating person will complete the appropriate complaint form based on the information provided to them by the complainant.
4. The member of staff receiving the information should try to resolve the problem with a mutually agreed remedy immediately if this is possible and is within their ability and authority. Advice and guidance can be sought from the 24 hour Duty Manager or Senior on Call. The member of staff should ensure they record the action taken, and check and record that the person is satisfied with the outcome. This may involve advising the complainant that they are unable to resolve the complaint within 24 hours but actions have been taken to initiate a resolution. The complaint will then become a Formal Complaint.
5. All complaints within the homes and the school must be recorded in the appropriate hardback Complaints book
6. If the problem cannot be resolved immediately (within 24 hours) or is a serious matter then staff should explain what happens next. Staff should give them a summary of the complaints procedure and/or a complaints flowchart (there is a child friendly version in the Young Person Handbook) and go through it with them. Staff are asked to be willing to help young people or vulnerable adults if they ask for help to make a complaint (e.g. filling a complaint form -particularly when someone is not able to write). If the complainant speaks another language staff should ensure that

they bring this situation to the attention of the Registered Persons, Head Teacher, Director of Care or School Manager who will ensure that appropriate help is sought for this person to make their complaint.

7. In recording a complaint staff should ask the complainant who they would prefer to investigate their complaint from a panel of staff names and what is the outcome they are seeking. This may not always be possible to achieve but it helps to clarify the nature of the complaint and direct a resolution.
8. The complaint form can either be given directly to the member of staff who received the complaint and they will ensure that it is delivered into the office or it can be delivered to The Libra School, Edgemoor Court, South Radworthy, South Molton, Devon, EX36 3LN.
9. An informal complaint becomes a formal complaint if:
 - The complaint cannot be resolved within 24 hours
 - The complaint after initial investigation is considered to be of a serious nature requiring formal investigation
 - The person requests it to be a formal complaint straight away.

Complaint about the Registered Person(s), Head Teacher, Director of Care and or School Manager

If the complaint relates to Registered Person(s), Head Teacher, Director of Care and or School Manager the member of staff must contact either:-

The Duty Manager

Curriculum Leader – Christine Thomas

Any complaint related to the Registered Person(s), Designated Safeguarding Persons, Head Teacher, Director of Care and or School Manager is to be treated as a formal complaint.

Formal Process Stage 1

Once the Registered Person (or appropriate person if the complaints is against the Registered Person) receives a formal complaint s/he will:

1. Arrange for a Manager to contact the complainant within 24 hours (to allow for a cooling off period) to record the details of the complaint and identify who the complainant would like to investigate the complaint. This cooling down period aims to filter out any complaints that stem from an angry reaction to necessary correction or behaviour management and which will become more realistic once the immediate anger is gone. However, the cooling period may be overridden should the issue need to be dealt with immediately.
2. Notify the member of staff identified to investigate and pass on all documents and information relating to the complaint
3. The Investigating Staff member should arrange to meet with the complainant within 24 hours of receiving the complaint or if over a weekend contact the complainant to set a date for a meeting
4. The complainant should be given written feedback within 7 days of how the investigation is progressing. There is a child friendly Complaint Response format for young people.
5. The Investigating Staff member should meet with the complainant within 14 days to explain the findings of their investigation and discuss remedies available as well as providing a final written

response to the complainant within 14 working days setting out the findings of the investigation and a possible remedy or remedies. There is a child friendly Complaint Response format for young people.

6. The Investigating Staff member should ensure that the Registered Persons, Head Teacher, Director of Care, Registered Manager and School Manager receive a copy of the final written response.
7. The Investigating Staff member should ensure the complaint is fully documented and correspondence filed with the school or home.
8. If during the meeting explaining the findings and remedies the complainant states they are not happy with the outcome of the investigation the Investigating Staff member should explain to them how to proceed through to Stage 2 of the Formal Process and provide them with a Complaint Flowchart.

Formal Process Stage 2

The complainant, if not satisfied, can progress the complaint to Stage 2 of the Complaints procedure:

1. The complaint will be investigated by a Manager (the complainant will be given a choice) not previously involved in the complaint and an independent person not employed by Libra. They will respond in writing within 28 days, outlining their findings and recommendation to the Registered Persons and the complainant. This report should provide information about how the complainant may proceed to Stage 3 if they continue to remain unhappy with the outcome of their complaint.
2. Where it is not possible to complete the investigation within 28 working days, Stage 2 may be extended to a maximum of 65 working days. All extensions should be agreed by the Registered Persons or the Duty Manager or Curriculum Leader if the complaint relates to the Registered Persons. The complainant should be informed of the reasons for the delay and a date for completion in writing.

Formal Process Stage 3

If the complainant remains dissatisfied with the outcome of the Stage 2 investigation they may follow the following Stage 3 procedures:

1. An appeal must be made in writing within 14 days of receiving the written report of the outcome of Stage 2 stating his or her reasons for this request. A young person is encouraged to ask a staff member to help them write this if they wish to appeal or request an advocate.
2. The matter will be referred by the Registered Persons or the Duty Manager or Curriculum Leader if the complaint relates to the Registered Persons to an Independent Panel for consideration which will be convened within 30 working days of the request. The Panel will consist of three independent persons who do not work (or have not worked for the last 3 years) for Blackford Education (Schools) Ltd.
3. The complainant is entitled to attend the meeting of the Panel, and may be accompanied by a support person or advocate, who can be nominated to speak on the complainant's behalf. Within 14 working days of the conclusion of the review, the members of the Panel must decide upon their recommendations to the Registered Persons or the Duty Manager or Curriculum Leader if the complaint relates to the Registered Persons, who will ensure a written response to the complainant is made within 14 working days of receiving the Panel's report.

4. The response should advise the complainant that they may refer the matter to the Local Government Ombudsman, their Social Worker or Ofsted should they remain dissatisfied.

Safeguarding Children

If any member of staff receives a complaint that relates to the safety or safeguarding of a child or young person the complaint is to be given directly to the designated Safeguarding Officer Gina Dyer or in her absence the deputy Safeguarding Officer Clive Crosby. The complaint will be managed in line with the Libra Safeguarding Policy and Procedures. If the complaint relates to the Registered Person(s), Head Teacher, Director of Care, Designated Safeguarding Persons and or the School Manager the member of staff must contact either the 24 hour Duty Manager or Curriculum Leader, Christine Thomas who will refer the complaint directly to the appropriate Local Authority Designated Officer (LADO) and the young person's Social Worker or Local Authority Emergency Duty Team in line with Libra's Safeguarding Policy and procedures.

Complaints made not on Behalf of a Child or a Young Person

Complaints made by members of the public on their own right (e.g. Neighbours of the homes or school) are managed as follows:

1. A summary of the complaint is taken either verbally or in writing from the complainant. If taken verbally a complaint form is written up by the staff member who has received the complaint.
2. The complaint is passed to the Director of Care for investigating if the complaint relates to the residential homes or to the School Manager for investigating if the complaint relates to the school or staff
3. The complainant will be asked by the investigating staff how they would prefer the company to respond to their complaint, verbally or written response
4. The complaint should be dealt with as quickly as is possible and a remedy found in order to minimise any disruption to the homes or the school. Certainly the complaint is to be investigated within 14 days.
5. A verbal or written response will be given to the complainant within 14 days
6. A record of the complaint should be kept in the appropriate Complaints book in the homes or the school.

Training

All staff are trained, as part of the induction process, in:

1. What constitutes a complaint;
2. What the procedure is for dealing with an informal complaint within the school and homes and how it should be recorded
3. The procedure to be followed should a complaint not be resolved promptly by informal means, including who should be notified and the keeping of records
4. How a child or young person can be assisted in making a complaint, including situations where a child has a communication impairment and how to access an advocate
5. The induction training will be followed up with a specific session on complaints.
6. Guidance is provided in the staff handbook

Monitoring

1. The Registered Person regularly reviews the records of complaints by children, or concerning the welfare of children, to check satisfactory operation of the complaints procedure and to identify both patterns of complaints and actions taken on individual complaints through the Regulation 33 process.
2. The Registered Person takes any appropriate action from such a review in relation to the homes' and school policies, procedures and practices, as well as taking any necessary further follow-up action in relation to individual cases.

3. The Registered Person shall maintain and supply to OFSTED at its request a record containing the summary of complaints made during the preceding 12 months and the action that was taken.

Disciplinary Procedures

The company operates a disciplinary procedure which provides for:

1. The suspension of an employee where necessary in the interests of the safety, or welfare of children accommodated in the homes or school and or the staff.
2. The failure on the part of an employee to report an incident or complaint relating to the welfare, abuse, or suspected abuse of a child accommodated in the home or using the service to an appropriate person.
3. The failure to follow Libra Policy and Procedures in any way.

Review of the Complaints Policy

Part of the complaints procedures is to review the Complaints Policy annually taking into consideration the views of the staff and children. Consultation with children is achieved through the Libra Young Person Council Meetings which are two age appropriate meetings held monthly. Those policies and procedures which directly relate to the care of the children are reviewed through these monthly meetings and outcomes are used to formulate and shape policies.