

BANKS HOUSE AND SCHOOL COMPLAINTS POLICY

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Important roles and named people

Throughout this policy, the following roles may be mentioned. It is important to know who these people are;

- The Registered Manager
 - Helen Baker (helenbaker@cascade-care.com)
- The Head of School
 - Dawn Wale (dawn.wale@cascade-care.com)
- Deputy Manager
 - Sarah Barrett (sarah.barrett@cascade-care.com)
- Deputy Manager
 - Clare Oakley (clare.okaley@cascade-care.com)
- Trainee Deputy Manager
 - Lucy Cutmore (lucy.cutmore@cascade-care.com)
- Operations Director & Responsible Individual
 - Peter Stillings (peter@cascade-care.com)
- Chair of the School Advisory Board
 - Rachel Quick (rachel.quick@cascade-care.com)
- Homes Manager
 - Sarah Durrell (sarah@cascade-care.com)
- HR Manager
 - Jade Nelson (Jade.nelson@cascade-care.com)

1 - Introduction

This policy will set out exactly what will happen with a complaint and how long the process will take.

This policy aims to resolve any problems swiftly and at the earliest stage possible. The home and school will investigate and try to resolve every concern and complaint in a positive manner and will treat each of these as an opportunity to improve the services the home and school provides to children.

Investigations will be full, fair, completed in a timely manner with all people being informed of progress and the decisions reached. Every effort will be made to respect confidentiality.

The home and school will resolve concerns through day-to-day communication as far as possible.

We value all comments about our home and school and we will endeavour to address your concern at the earliest stage possible.

In the event of a school day related complaint, the procedures described below apply. The Head of School is regarded as the equivalent of the Registered Manager.

This policy meets the standards set out in the [Education \(Independent School Standards \(England\) Regulations 2014 Part 7](#).

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2 - Definitions and Scope

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

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

The procedure will be used to deal with complaints relating to the home and school and any community facilities or services that the home/school provides.

A complaint should normally be made where all other reasonable methods of resolving the dissatisfaction have been tried and failed or where the complainant believes they would fail.

A complaint may be about:

- The lack of service;
- Teaching and learning;
- Application of behaviour management systems;
- Bullying;
- Provision of extra-curricular activities;
- The curriculum;
- Being refused a service, including an assessment;
- The quality of a service;
- The attitudes or behaviour of staff;
- Decisions made by staff;
- Delays in dealing with problems or in providing a service.

The complainant should be advised that complaints can always be directed to the social worker, Placing Authority or Regulatory Authority.

Complaints or allegations of mistreatment or Significant Harm by staff must be dealt with by way of the **Referring Safeguarding Concerns Procedure**, not as Complaints. This policy also does not cover the following as part of the complaints policy: admissions, statutory assessment of special educational needs (SEN), exclusion, whistle-blowing, staff grievances and staff disciplinarys.

3 - Who may make a complaint

The following persons have a right to use the complaints procedure:

- A child;
- A parent of a child within Cascade homes
- A person acting on behalf of a child;
- Any other concerned person

4 - Receiving complaints

Due to the nature of some of our children, they may not recognise the need to complain therefore we welcome parents and social workers, working as their advocates.

When children indicate they wish to make a complaint, the person receiving it should do what they reasonably can to ensure that all other resolutions available have been tried, rather than resorting to the making of a complaint.

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Where a person insists that they wish to make a complaint, staff or managers in the home or school concerned should still deal with the matter, if appropriate. If a complaint is made about the manager of the home or school or another person in line management, it should be passed to a manager outside of the Line Management Structure. No person who is the subject of a complaint will take any part in its consideration, other than at the local resolution stage (Stage 1), if appropriate.

If the complaint is about the Head of School then the complainant should be directed to the Chair of the School Advisory Board.

If the complaint is about the Registered Manager then the complainant should be directed to the Responsible Individual.

If they wish to do so, complainants may direct their complaints to others outside the home, such as the Independent Advisor, Regulatory Authority or the Placing Authority.

Complaints should preferably be put into writing, in a letter or using a Complaints Form; Should you wish to use our complaints form, please use the appendix attached at the end of this policy. If you prefer to put your complaint in written form without using the complaints form, we require the following information in order to process your complaint in line with this policy; outline of your complaint, who or what the complaint is about, your preferred outcome and your preferred contact details.

Other methods may be used, including the use of audio tapes or verbally. **For young people with communication difficulties, appropriate communication tools must be used to allow them to voice their concerns**, for example the use of PECS.

Details of all complaints must be recorded in the Complaints Log.

5 - Complaints Procedure

Raising a Concern

It is expected that the majority of concerns will be resolved informally with no need to progress to the formal stages of this procedure.

If you would like to raise a concern relating to the home or the school, we ask that you:

- Speak with either the Registered Manager or the Head of School in person
- Call 01603 441497
- Write to Banks House, 55a Norwich Road, Costessey NR5 0EQ
- Correspond via email using the addresses at the top of this policy

The member of staff dealing with the concern should make sure that the complainant is clear what action or monitoring has been agreed. This stage should be completed speedily and concluded in writing.

If a concern is raised to the home or school that the Registered Manager or Head of School feels is a complaint, it will be treated in this manner and will be dealt with according to the complaints procedure.

Please note that your concern will be logged and recorded internally for monitoring and improvement purposes.

If the complainant is not happy with this process, they may wish to consider making a formal complaint.

Formal Complaints Process

Step 1: On receipt of your complaint, we will send to you a formal acknowledgement of receipt within 7 working days and a copy of our Complaints Policy. This can be submitted to you via email or letter.

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Step 2: Your complaint will be logged and recorded internally.

Step 3: We will invite you to a meeting to discuss your complaint in detail and how best to resolve your complaint.

Step 4: We will complete a full investigation. This may include, but not limited to, speaking with others, reviewing evidence, reviewing documentation and gathering statements.

Step 5: An outcome letter with our response and reasons will be sent to you via email or letter within 28 days of the date of your original complaint. Should the investigation take longer than expected, we shall inform you of any potential delay including a new time scale for completing our complaint process.

Step 6: The complaint will be closed once confirmation has been received that there is satisfaction with the outcome. In the event of dissatisfaction, we will support the complainant to appeal the decision (Appeal Procedure). If the complaint was justified, the complainant should be told what, if any, remedial action will be taken and an apology offered.

If the complaint relates to a child in the home, the social worker should be consulted.

NOTE: Any serious complaints must be notified to the Placing Authorities and the Regulatory Authority, who may wish to advise or be consulted about the formal process.

Details of the outcome must be recorded in the Complaints Log. Copies of all records and correspondence relating to the complaint should be kept as follows:

- In the Complaints File held by the Registered Manager or Head of School;
- Copy of the outcome must be sent to the Regulatory Authority if the complaint had been referred as a Regulation 40 report.
- Copy of the outcome must be sent to the Placing Authority.

Appeal Process

Step 1: If dissatisfied with the outcome of our complaints process above, we would ask that you put your appeal in writing within 10 working days of receiving the complaint outcome letter to the Registered Manager or Head of School. We will send you a formal receipt of acknowledgment within 7 days, explaining the process and timescales.

Step 2: Your appeal will be logged and recorded internally.

Step 3: A panel is established to consider the matter; the Panel will consist of 3 people that are independent of the matter being considered, one of the Panel members will be asked to Chair the Panel and report to the Registered Manager or Head of School on the recommendations that are made. The Appeal Panel will be appointed by or on behalf of the proprietor. The Panel will include one individual who is independent from the home and school.

- The panel will review the initial complaint and ensure that the complaint has been dealt with and covered by this policy and not other procedures e.g other HR policies or child protection
- A letter will be sent to explain that the complainant has the right to submit any further documents or information relevant to the complaint. A deadline for submission of these documents will be given.

Step 4: Parents and/or carers will be invited to attend and be accompanied at a panel hearing if they wish.

Step 5: The panel hearings aim should be to resolve the complaint and achieve reconciliation between the home or school and the complainant. It is acknowledged that sometimes it may only be possible to establish the facts and make recommendations that satisfy the complainant that their views have been taken seriously.

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Step 6: The decision of the panel is final. A letter detailing the outcome will be sent to you via email or letter, detailing the decision of the panel, the basis on which this has been made and any recommendations. This outcome letter will also be sent to the Registered Manager or Head of School, and where appropriate any other necessary people.

The home and school will retain a copy of all correspondence and records of meetings in line with current retention guidelines. These records will be kept confidential except where the Secretary of State or a body conducting an inspection under Section 109 of the 2008 Act requests to access them.

If the complaint remains unresolved and the complainant feels that the home and school have behaved unreasonably about their complaint, they can write to either:

The Secretary of State

The Secretary of State Department for Education,
Sanctuary Buildings,
Great Smith Street
London
SW1P 3BT

Ofsted

0300 123 1231

enquiries@ofsted.gov.uk

6 - Informing children about the complaints procedure

Children will be informed about the Complaints Procedures in a variety of ways; including the Children's Guide given to them before or upon admission. **This must be in a format that the child can understand.**

This must include the name, address and telephone number of the Regulatory Authority in the area where the home and school is based. Other relevant organisation and persons details should also be included.

The Registered Manager and the Head of School must take all reasonable steps to ensure that children feel comfortable with the making of comments or complaints, they are enabled to make a complaint or representation and are free from reprisals if they choose to do so.

Complainants should be given any reasonable assistance they require or request, including being advised that they may ask someone else to make the complaint on their behalf.

They will also be given information and contact details of Advocates they may contact, who may make complaints or advocate on their behalf or assist them in doing so.

The child's parents and the Placing Authority must be given a copy of the complaints policy. This complaints policy is available to all persons working in the Home.

If they request it or it appears appropriate, they should be given information on additional advocacy or support networks which may help them use the procedures effectively; this should include providing contact details.

As a general rule, staff should engage children and young people in the day to day running and routines of the home and school, and in activities that are being planned. If decisions are made e.g. about an activity, that children or young people express concerns about or disagree with, staff should do all they can to ensure that a reasonable explanation is given, and that children/young people have the opportunity to opt out or be engaged in a different activity - if it is possible for them to do so.

Children and young people should be positively encouraged and supported to have their say and make suggestions about improving the care and education they receive, the running of the home/school, or to make representations

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and comments about their future plans. This includes decisions about routine activities, such as meal preparation or bedtimes; children and young people should have the opportunity to discuss how decisions are made about these and other routines on a regular basis, and to make suggestions for change. These suggestions should be encouraged at young people's meetings and in more formal meetings such as LAC reviews

At all times, staff should avoid matters or concerns being escalated or becoming complaints, but should children and young people continue to be dissatisfied, they should be given the opportunity to raise a Formal Complaint - as set out above.

7 - Vexatious Complaints

It is not appropriate to make personal accusations or attacks on members of school or home staff or to raise matters that are not about education or a child's well being. It is also not appropriate to make unsubstantiated allegations against the school or the home or to behave unreasonably by not engaging with the school or the home to attempt a joint resolution.

8 - Anonymous Complaints

Banks House and Banks House School will not pursue anonymous complaints because there is no named complainant to respond to, and on this basis anonymous complaints will not be addressed under the terms of this policy.

In exceptional circumstances, if such complaints allege or imply serious matters that may be to the detriment of the home or the school then it will be at the discretion of the Registered Manager or the Head of School in conjunction with the Responsible Individual to consider whether a fact finding exercise should take place to determine if the matter requires further investigation.

9 - Compliments

We welcome comments, both positive and critical about the service we provide, and actively seek information and feedback under our review and quality of care procedures. Routinely, we seek information through consultative questionnaires from all professional bodies, Children and their parents/carers who have knowledge about the service. The purpose of seeking this information is to give us the opportunity to learn, adapt and provide a better service.