



Clovelly House

# **Making a Complaint**

## **Clovelly House Complaints Procedure**

**March 2020**



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### **Working Together**

In Clovelly House we want to talk with parents and carers, both to promote the achievements and progress of the young people and also to address and resolve concerns. Where appropriate, parents/carers are welcome to make an appointment to visit the home to see the house and to talk to carers, both formally and informally.

The staff of the home will respect the views of parents/carers and take their opinions and concerns seriously. When a concern is expressed about the work of the home it is hoped that this can be resolved as quickly and as amicably as possible so that home staff team members, parents/carers can work effectively together in the best interests of the young person.

When this is not possible, parents/carers may wish to make a complaint and this document sets out clearly how to do this. It has been written with reference to the Care Standards. Parents and carers are welcome to see any of the home's policies and, upon request, may have a hard copy of any policy.

Please see Appendix 3 for a list of home staff, the Home Manager, and the Principal of Clovelly House School. Please address any correspondence to the home.

We look forward to working in partnership with you.

Jennifer Collighan - Principal

### **Introduction**

We hope to resolve difficulties informally whenever possible. However, at times, parents/carers will have concerns and will make complaints. Therefore, this policy has been designed to be as simple and straightforward as possible to provide a quick and fair response to the views of parents/carers and to respect the confidentiality of all involved.

Parent/carers' views can help us to identify both the strengths and weaknesses in our home. We hope to improve the work of the home by responding impartially to their concerns and complaints. We feel confident that we can work in partnership with parents/carers in handling complaints and, in circumstances where a complaint is upheld, hope that they will be satisfied that the home has taken appropriate steps to redress the situation.

Certain complaints fall outside the remit of this procedure, for example staff grievances and disciplinary procedures. Therefore, please read this procedure with reference to the Clovelly House Disciplinary and Grievance Policy and its Policy for Safeguarding and Promoting the Welfare of Children.

### **Dealing with Concerns**

If you have any concerns about your child's care and/or progress at this home please contact the Home Manager as soon as possible. S/he will listen to your concern and will work with you to come to a solution and explain any course of action the home will take. It is important that you feel satisfied with the outcome of having raised the concern and in most circumstances this will be the case. However, if you are dissatisfied with the response to your concern please state your concern, either by telephoning or in writing to the Principal.

### **Confidentiality**

All correspondence, statements and records relating to individual complaints are kept confidential except where the secretary of State or a body conducting an inspection under section 163 of the 2002 Act requests access to them.



### **The Complaints Procedure**

The home's procedure for dealing with concerns and complaints is set out in the following four stages:

STAGE 1: You express your concern for the first time either by telephone or in writing to the Home Manager or the Principal who tries to provide a solution that is satisfactory to you

STAGE 2: You make a complaint formally in writing to the Home Manager (who acts as the home's complaints' co-ordinator). If your complaint concerns the Home Manager, you can write to the Principal of Clovelly House.

STAGE 3: If you remain concerned, the matter may be considered by the complaints review panel. This is a panel consisting of at least three people who were not directly involved in the matter detailed in the complaint. These will include the senior managers of Clovelly House and at least one person who is independent of the management and running of the home. The outcome at this stage will be final as far as the home is concerned.

STAGE 4: If you remain dissatisfied, you are entitled to contact the Principal of Clovelly House School who will review the way in which your complaint has been handled together with an appropriate person who is not associated with the home as an employee or director.

Each of these stages is now explained in more detail:

#### **Stage 1 – Making your concern known**

- \* Your first point of contact is the young persons' Home Manager. Most concerns will be dealt with immediately and informally.
- \* Once you have expressed your concern, the Home Manager will make a written note of your concern and will either deal with it **on the spot** or let you know what will be done. The Home Manager will check that you are satisfied with the response and will record clearly what action has been or will be taken.
- \* The Home Manager will check that the action has been taken and will inform you in writing of the outcome of any action taken.
- \* The Home Manager will discuss with you the progress of the action (normally **within 10 working days** of having heard your concern.)
- \* You will have the opportunity of asking to take the matter further once the action agreed following your initial concern has been carried out.
- \* If you remain dissatisfied with the informal response, you can make a formal complaint and we will begin stage 2 or stage 3 of our complaints procedure.

#### **Stage 2 – Making a formal complaint**

- \* A formal complaint should be made only if you have tried to raise a concern informally and have been dissatisfied with the outcome.
- \* A formal complaint should be made in writing to the Home Manager or, if the complaint concerns the Home Manager, to the Principal of Clovelly House and addressed to the home.
- \* The Home Manager or Principal will acknowledge your complaint in writing as soon as it is received. This will be within **three working days**.
- \* A copy of this procedure will be enclosed with the acknowledgment.
- \* Whenever possible we will respond in full within **ten working days**, but if this is not possible we will write to you to explain the delay and let you know when we hope to make a full response.



- \* Your complaint will be dealt with fairly and in a friendly manner.
- \* You may be invited to a meeting to discuss the complaint and you can ask someone to accompany you and assist you in this meeting. We will keep a record of what is said at this meeting.
- \* The Home Manager can also be accompanied by a suitable person if they wish.
- \* The Home Manager will require as much information as possible about the complaint. They may wish to establish what has happened so far, who has been involved and what remains unresolved. They may ask you to clarify the nature of the complaint and to say what you feel would put things right and interview anyone who may have been involved.
- \* If we need to speak to young people during the investigation surrounding your complaint we would do so with either a parent/carer present or with a member of staff from Clovelly House.
- \* The Home Manager will keep written, signed and dated records of all meetings, telephone conversations and actions as well as any other relevant documentation.
- \* When all the relevant facts have been established, we will send a written response to your complaint. This will provide a full explanation of the Home Manager's decision and an explanation of how this decision was made. It will explain if any actions are to be taken and, if so, what these are.
- \* You may be invited to attend a meeting to discuss the decision and any follow up actions
- \* We hope that this process will result in you feeling satisfied that your complaint has been resolved in full and that no further action is necessary, in which case the complaint will be closed.
- \* If the complaint is not closed, you can begin stage three of our complaints procedure.

### **Closure of complaints**

When a complaint has been dealt with and you are satisfied with the outcome, the complaint will be closed. However, there may be occasions when it is not possible for the Home Manager to completely satisfy all your wishes in resolving a complaint and we may have to agree to disagree.

In such circumstances the Home Manager and Principal may decide that everything possible has been done to resolve the complaint and that it would not help matters to arrange a complaints review panel. When this is the case, the complaint will be closed, and you would not be able to begin Stage 3 of the procedure.

However, you would be entitled to refer your complaint to the Principal of Clovelly House, (Stage 4) to review the way in which your complaint has been handled.

### **Stage 3 – The Complaints Review Panel**

- \* This is the final organisational-based stage of our complaints procedure.
- \* If you had a complaint investigated at stage 2 and remain dissatisfied with the outcome you can ask for your complaint to be considered by a Complaints Review Panel.
- \* A Complaints Review Panel consists of at least three people including the Principal of Clovelly House, or a senior manager appointed by him, and members of the senior management team who have no prior knowledge about the details of your complaint and who will consider it in a formal but friendly way with an open mind and without prejudice. At least one of these members will be independent to the running and management of the home.
- \* They will elect a chair person for the panel (who may or may not be the existing Principal of Clovelly House).
- \* The purpose of a complaints review panel is to resolve the complaint and to achieve reconciliation between the parent or carer and the school.



\* This may not always be possible, but it is hoped that a Complaints Review Panel will establish the facts, make recommendations, and reassure you that your complaint has been taken seriously.

**The procedure for the complaints review panel is outlined below:**

\* The clerk to the Principal of Clovelly House School will arrange the date for the panel meeting and this should be within **twenty working days**. The clerk will inform you if there is a delay and explain why it has occurred.

\* The clerk will ask you whether you wish to provide any further written information or documentation to support your complaint. You can include statements from witnesses or invite witnesses to give evidence in person if you wish.

\* The Home Manager will prepare a written report for the panel.

\* Other people who have been involved in the complaint may be asked to provide written reports for the panel.

\* The clerk will inform you, panel members, the Home Manager and anyone else who is attending the meeting, by letter, **at least five working days** in advance, of the date, time, and place of the meeting.

\* With this letter, the clerk will send you all the written documents concerned with your complaint and will ask you whether there is any further written evidence you wish to submit to the panel.

\* The letter will explain what will happen at the panel meeting.

\* You are entitled to be accompanied at the meeting by anyone you feel will support you in making your complaint. This person can witness the proceedings and speak on your behalf should you wish them to do so.

\* With the agreement of the chair of the panel, the Home Manager can invite to the meeting members of staff directly involved in the complaint.

\* Complaint review panel meetings will take place either in the school building or in a venue determined by Clovelly House administration office.

\* The room will be laid out informally and, although stage 3 is a formal procedure, the chair of the panel will be welcoming and will try to put you at ease.

\* Usually, no new evidence or witnesses will be introduced by you or the home at this stage of the complaints procedure. If either party wishes to introduce new evidence or witnesses, the meeting will be adjourned to that the other party has a fair opportunity to consider and respond to the new information.

\* The chair of the panel will ensure that the meeting is recorded properly in formal minutes. Since such minutes may name individuals, they are of a sensitive and confidential nature. Therefore, you will not have an automatic right to receive a copy of the minutes of the meeting.

\* If you would like to receive a copy of the minutes it would be helpful if you would request this from the panel in advance. The panel has the discretion to allow you to see the minutes. If the panel is unhappy for you to see the minutes, the clerk will be asked to maintain confidentiality of the minutes.

Furthermore, all correspondence, statements and records of complaints will be kept confidential.

\* You will be sent a written outcome of the panel meeting and this should provide you all the information you require.

\* During the meeting there will be opportunities for you to:

Explain your complaint

Hear the home's response from the Home Manager

Question the Home Manager about your complaint

Be questioned by the Home Manager about the complaint



Be questioned by the panel

Hear the Home Manager being questioned by the panel

Subject to approval of the chair person, you and other parties will be able to call witnesses, ask witnesses questions and hear witnesses questioned by other parties present. You and the Home Manager will each be asked to make a final statement

\* In closing the meeting, the chair will explain that the panel will now consider its decision and that written notice of the decision will be sent to you and the Home Manager within **two weeks**. All participants other than the panel and the clerk will then leave

\* The panel will then consider the complaint and all the evidence that has been presented in order to:

reach a unanimous, or at least a majority, decision on the complaint.

decide on the appropriate action to be taken to resolve the complaint; where appropriate, recommend to the senior management team changes to the home's systems and procedures to ensure that a similar problem does not occur again in the future

\* **Within two weeks**, the clerk will send you and the Home Manager a written statement that outlines the decision of the panel. This letter will explain that you are entitled to have the handling of your complaint reviewed by the chair of the school's senior managers (stage 4). However, we hope that having had your complaint dealt with impartially by the complaints review panel, you will be satisfied and that the matter is resolved

At this stage, the panel will compile a report of all findings and recommendations and ensure that the complainant, proprietor, Home Manager and, where relevant, the person complained, about receive a copy of the findings and recommendations.

We will keep and file copies of all correspondence and documents in the home's complaints record which is separate from students' personal records

#### **Stage 4 – Reviewing the handling of your complaint**

\* If you remain dissatisfied you are entitled to contact the Principal of Clovelly House.

\* The Principal can review the way in which your complaint has been handled together with an appropriate person who is not associated with the home as an employee.

\* The review consists of an examination of the correspondence connected with the complaint and consideration of any statement from a member of the staff and Home Manager about the way the complaint has been handled.

\* The purpose of the review is to establish whether the Principal, and the Home Manager and senior managers have followed the school's complaints procedure and whether they have acted reasonably.

\* The Principal will inform you and the school, in writing, of the outcome of the review within **ten working days**. If this is not possible, you will be informed, and you will be given an explanation for the delay.

\* The letter will state the view of the Principal regarding the way in which your complaint was handled and, if appropriate, will make recommendations to you and the senior management team regarding a way forward.

\* The findings and recommendations of the panel will be sent to you by electronic mail or otherwise given to you, (the complainant), and, where relevant, the person complained about.

\* These findings will be stored, available for inspection, on the home premises by the proprietor and the Home Manager.

\* All documentation relating to the complaint will be kept confidential.

\* You have no further course of action, following stage 4 of the complaints procedure, other than to complain to a body external to the home.



## Appendix 1

### **The Role of the Chair of the Complaints review Panel**

The chair of the panel has a key role, ensuring that:

- \* the remit of the panel is explained to the parties and each party has the opportunity of putting their case forward without undue interruption
- \* the issues are addressed
- \* key findings of fact are made
- \* parents and carers, and others who may not be used to speaking at such a hearing are put at ease
- \* the hearing is conducted in an informal manner with each party
- \* participants treat each other with respect and courtesy
- \* the panel is open minded and acting independently
- \* no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- \* each side is given the opportunity to state their case and ask questions
- \* written material is seen by all parties - if a new issue arises it would be useful to give all parties the opportunities to consider and comment on it.

(See also: School Complaints Procedures, DfE Model Policy)



## Appendix 2

### Checklist for a Panel Hearing

The panel needs to take the following points into account:

- \* the hearing is as informal as possible
- \* witnesses are only required to attend for the part of the hearing in which they give their evidence
- \* after introduction, the complainant is invited to explain their complaint, and be followed by their witnesses
- \* the Home Manager may question both the complainant and the witnesses after each has spoken
- \* the Home Manager is then invited to explain the home's actions and be followed by the home's witnesses
- \* the complainant may question both the Home Manager and the witnesses after each has spoken
- \* members of the panel may ask questions at any point
- \* the complainant is then invited to sum up their complaint
- \* the Home Manager is then invited to sum up the school's action and response to the complaint
- \* both parties leave together while the panel decided on the issues
- \* the chair explains that both parties will hear from the panel within a set time scale.

(School Complaints Procedures, DfE Model Policy)

### Number of Complaints Made

Number of complaints registered under the formal procedure during  
the year 2017 Nil – new home

**See also:** Clovelly House School leaflet 'Your right to complain'  
Clovelly House Complaints Policy



**Appendix 3**

**Clovelly House Contact list:**

**Home staff team:**

Full time:  
Jennifer Collighan (BMus, BEd, Med, DipHE, FDE Sp Needs, HED, QTS, NPQH) -  
Principal

**Senior Management Team:**

Principal – Jennifer Collighan  
Home Manager – Fiona Muddle  
Lead Teacher – Neil Robinson

**Director:**

Jennifer Collighan