The HOLT complaints policy

Who can make a complaint?

This complaints procedure is mainly aimed at parents/carers of clients and the clients themselves.

Any member of the public may make a complaint to the HOLT about any provision of facilities or services that the centre provides.

Unless complaints are dealt with under separate statutory procedures, such as appeals relating to admissions, the HOLT will use this complaints procedure.

The difference between a concern and a complaint

A concern may be defined as an expression of worry or doubt over an issue considered to be important for which reassurances are sought. A complaint may be defined as an expression of dissatisfaction however made, about actions taken or a lack of action.

It is in everyone’s interests to resolve issues and complaints as soon as practicable. Most issues can be resolved informally, without the need to use the formal stages of the complaints procedure. The HOLT takes concerns very seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficult discussing a concern with a member of staff, then please speak with the Director who will make every effort to resolve the issue as quickly as possible.

Should you wish to raise your concern more formally, complaints should be addressed to the Trustees in the first instance.

How to raise a concern or make a complaint.

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Concerns should be raised either with the tutor or the Director. If the issue remains unresolved the next step is to make a formal complaint.

Complainants should not approach individual Trustees to raise concerns or complaints as they have no power to act on an individual basis and may also prevent them from considering complaints at stage 2 of the procedure.

Complaints against centre staff, except the Director, should be made in the first instance, to the Director via the centre office. Please mark them as private and confidential.

Complaints about the Director should be made to the Trustees, similarly via the centre office, marked private and confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help completing the form, please contact the centre office on 01983 241849. You can also ask SENDIASS to help you.

Anonymous complaints

The centre will not normally investigate anonymous complaints.

Duplicate complaints

If after closing a complaint at the end of the procedure, we receive a duplicate complaint from a spouse, partner, grandparent or child not attending the centre, we will remind them that the complaint has been investigated, and the process is complete. Complainants will be advised to contact the LA if they are dissatisfied with the handling of the complaint.

Complaint campaigns

If we receive what we consider to be a large number of complaints, all based on the same subject and possibly from complainants not connected with the centre, we will treat these as being part of a campaign, and respond in one of the following 2 ways, depending upon the nature and scale of the complaint.

Send the same response to all complainants

Publish a single response on the website

Timescales

Complainants must raise the complaint within three months of the incident, or, where a series of incidents have occurred, within three months of the last incident. We will only consider complaints out of this time frame under exceptional circumstances.

Scope of this procedure

This procedure covers all complaints about any aspect of the centre provision.

Resolving complaints

At each stage in any procedure, the HOLT wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

An explanation

An admission that the situation could have been handled differently or better

An assurance that we will try to ensure the event complained of will not reoccur

An explanation of the steps that have been taken or will be taken to help ensure that it will not happen again, and an indication of the timescales within which any changes will be made.

An undertaking to review policies in light of the complaint

An apology

Withdrawal of a complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Complaint form

Please complete and return to the Director who will acknowledge receipt and explain what action will be taken

|  |
| --- |
| Your Name: |
| Client Name: |
| Relationship to Client: |
| Address:Daytime Phone:Evening Phone:Email: |
| Details of complaint: |
| What actions do you feel might resolve the problem at this stage? |
| Are you attaching any paperwork? If so, please give details. |
| Signature:Date: |
| Office use |
| Date acknowledgement sent: |
| By Who: |
| Complaint referred to: |
| Date:Resolution: |

The HOLT policy for managing serial and unreasonable complaints

The HOLT will do our best to be helpful to people who contact us with a complaint or concern, or a request for information.

However, there will be occasions when, despite all stages of the complaint procedure having been followed, the complainant remains dissatisfied. If a complainant tries to re-open the same issue, we will inform them that the procedure has been completed and that the matter is now closed.

If the complainant contacts us again on the same issue, the correspondence may then be viewed as serial or persistent and we may choose not to respond. We will never mark a complaint as serial before the complainant has completed the procedure, unless our published serial complaint criteria applies.

Under no circumstances would a complainant be marked as serial for exercising their right to refer their complaint to their MP, regardless of which stage the complaint has reached.

We do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The HOLT defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainants contact with the school, such as if:

Refuses to articulate their complaint or specify the grounds of the complaint or the outcomes sought by raising the complaint, despite offers of assistance

Refuses to co-operate with the complaints investigation process

Refuses to accept that certain issues are not within the scope of the complaints procedure

Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice

Introduces trivial or irrelevant information which they expect to be taken into account and commented on

Raises large numbers of detailed but unimportant questions and insists they are fully answered often immediately and to their own timescales

Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced

Changes the basis of the complaint as the investigation proceeds

Repeatedly makes the same complaint despite previous investigation or responses concluding that the complaint is groundless or has been addressed

Refuses to accept the findings of the investigation into that complaint where the Centre’s complaint procedure has been fully and properly implemented and completed including referral to the Trustees and Local Authority

Uses threats to intimidate

Uses abusive, offensive or discriminatory language or violence

Knowingly provides false information

Publishes unacceptable information on social media or other public forums

Complainants should try to limit their communication with the centre that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent as it could delay the outcome being reached.

Whenever possible, the Director and Trustees will discuss any concerns with the complainant informally before applying an unreasonable marking.

If the behaviour continues, the Director will write to the complainant explaining that their behaviour is unreasonable and ask them to change it.

Vexatious Complaints

The Centre may receive complaints we consider to be vexatious. These are:

Complaints that are obsessive, persistent, harassing, prolific, repetitious

Insist upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason

Insistence upon pursuing meritorious complaints in an unreasonable manner

Complaints designed to cause disruption or annoyance

Demands for redress that lack any serious purpose or value

We will not refuse to accept further correspondence or complaints from an individual we have repeat or excessive contact with. The application of serial or persistent will be against the subject or complaint not the individual.

When to stop responding

The decision to stop responding will not be taken lightly. If the centre has:

Taken every reasonable step to address the concerns

Given a clear statement of our position and their options

And the complainant contacts us repeatedly, making the same points each time

There is further cause to make the decision if:

Their correspondence is abusive or aggressive

They make insulting comments towards or about staff

You have reason to believe the individual is contacting with the intent to disrupt and distress.

In extreme cases where an individual will not cease and desist, even after being spoken to informally, the centre may restrict them to one point of contact, limit the number of contacts they may have, or in extreme cases bar them from the premises.