



# **The Complete Works Policies**

## **Compliments, Comments and Complaints Policy**

Updated January 2017

## 1.0 INTRODUCTION

This policy on the management of service users' feedback (Compliments, Comments and Complaints) relates directly to The Complete Works (TCW) Quality Assurance System, as part of The Complete Works' Policies and Procedures. Its purpose is to ensure that all users of TCW are able to comment on the service we provide, including being able to express their dissatisfaction and to have their problems investigated and appropriately acted upon. Equally we give students, parents and users of TCW, an opportunity to tell us when we get things right.

TCW seek to work in partnership with students, parents/carers and the community. Partners of TCW are encouraged to give us feedback.

TCW are committed to dealing with comments and complaints in a fair and equitable manner and having procedures, which enable:

- Complainants to be clear of the process
- TCW staff to be clear about their responsibilities

TCW encourage feedback and will use information about comments and complaints to make improvements where necessary. TCW will gather information about compliments as a method of measuring the effectiveness of our service, highlighting good practice and where appropriate, will use this information for marketing purposes.

Not all comments are complaints and it is important to distinguish between the two. For example, when a comment made by parents or students can easily be resolved by a member of staff – e.g. a prospective service user has not received the documentation they were expecting. On the other hand a complaint (verbal or written) will require investigation and action as appropriate – e.g. a member of staff was rude to a service user. If a partner has a comment/question and we are able to answer it helpfully and quickly, the query will not turn into a complaint.

A comment only becomes a complaint if a partner of TCW is not happy with our response.

When things do go wrong it is important not to apportion blame but to focus on identifying what has happened, where the service has failed, what can be done to put things right and learn from the experience.

It is also important to identify, where possible, and warn partners when there could be a system failure – e.g. website going down or TCW being forced to make a closure. This should have the aim of preventing unnecessary complaints.

## 2.0 SCOPE OF THE POLICY

The policy applies to all Partners – internal and external. Depending on the nature of the complaint, TCW policy on resolution will be put in place.

This policy does not cover complaints relating to examination grades. These are dealt with through The Complete Works Exams Officer.

Readers of this policy should be aware that there are procedures and guidelines for the management of compliments, comments and complaints, which can be found below.

Employees will be provided with appropriate information, briefing and training. This policy does not apply to complaints made about members of TCW staff that fall under the remit of the Child Protection Policy.

### **3.0 POLICY STATEMENT**

#### **3.1 COMPLIMENTS, COMMENTS AND COMPLAINTS**

##### **3.1.1 COMPLIMENTS**

When we do get things right it is important to recognise and share comments that have been made by service users about the service we have provided. A compliment from a Partner may be made to any member of staff by:

- Telephone
- Letter
- In person
- Through The Complete Works' website

The procedures as in Appendix A indicate how compliments should be dealt with, irrespective of by whom and how they are received.

##### **3.1.2 COMMENTS**

Often a Partner user will contact us with a question, which may not be a complaint about the service we provide. A comment from a Partner may be made to any employee by:

- Telephone
- Letter
- In person

TCW will treat each of these as acceptable routes for making comments that are not complaints about the experience of Partners of our services and will treat any comment received with equal seriousness, regardless of the method used.

The procedures in Appendix A indicates how comments should be dealt with, irrespective of by whom and how they are received. All policies are available in the Complete Works Policies and Procedures Document.

### 3.1.3 COMPLAINTS

A Partner who is dissatisfied with our services or who has made a comment/asked a question and is not happy with our response may wish to make a complaint. Those wanting to make a complaint may, for instance, raise it by:

- Writing to the manager of the area concerned
- Talking to their Teacher or Education Support Officer
- Talking to a member of the teaching staff
- Writing to the Headteacher or Chief Executive

TCW will treat each of these as acceptable routes for raising concerns and complaints about the experience of our Partners and will treat with equal seriousness any complaint received, regardless of the route chosen.

## 3.2 INFORMATION ABOUT COMPLAINTS

**3.2.1** The principle is that the detail of this should be shared only with:

- The complainant
- Those being the subject of the complaint
- The Head of Service of the area concerned
- The investigating officer
- The Headteacher/ Chief Executive

Regular reports and a formal annual report will however, contain statistical analysis of all complaints and compliments received.

Only when it is necessary to involve others in the investigation of the complaint will the information be shared and then only on a 'need to know' basis. The single exception to this is if an employee who is the subject of a complaint, wishes to solicit the involvement of a workplace colleague or trade union representative.

All documentation related to a complaint will be held centrally by the Headteacher/ Chief Executive, in a complaints file for 5 years.

**3.2.2** The Headteacher/ Chief Executive will keep a codified record of all complaints and comments. Those not sent directly to the Headteacher/ Chief Executive should be

forwarded with a record of how the complaint was dealt with at source. If further action is required then this must be made clear. Ownership and accountability for a complaint remains at source until the Headteacher/ Chief Executive indicates formally that they will take it on.

The Headteacher/ Chief Executive will analyse complaints to assist action planning and to improve the service.

The Headteacher/ Chief Executive is required to analyse complaints received and to prepare summary and trend reports, which will be sent annually to the Board of Trustees.

**3.2.3** There will be periodically reviewed standards for the time taken to acknowledge and resolve complaints.

**3.2.4 Complaints About Employees Will Be:**

- Handled sensitively and confidentially
- Referred to the appropriate line manager

The aim will be to achieve a swift, amicable and professional resolution. If this is not possible it may become an investigation as outlined in Appendix A.

**3.2.5 Key Features Of The Procedures**

The procedures for dealing with complaints are designed to ensure that:

- All complaints are treated seriously and with discretion.
- Appropriate investigations are carried out at management level. An investigating officer will be appointed by the Headteacher/ Chief Executive.
- Complainants can be sure that their concerns are being treated in confidence.
- Complainants receive initial and regular feedback about the progress of their complaint.
- Members of staff feel able to pass on complaints about TCW to the appropriate managers.
- All complaints are properly documented and are dealt with as quickly as is possible.
- All records of complaints will be evaluated to identify TCW improvements.
- There are rights of appeal. This includes complainants and any members of staff who may be the subject of a complaint.
- Information about TCW commitment and procedures will be available to staff and service users through a range of documents and locations.

### **3.3 Rights Of Appeal**

**3.3.1** Any complainant who is dissatisfied with the outcomes of the investigation into the complaint has a right of appeal to the Headteacher/ Chief Executive. These rights are explained in the information given to those wishing to make an appeal.

If the complainant is still dissatisfied with the outcomes, their complaint can be taken to The Complete Works Board of Trustees. See Trustees Appeal Panel Procedures at Appendix B.

### **4.0 Responsibilities**

The overall responsibility for the management of compliments and complaints lies with the Headteacher/ Chief Executive. However, it is the responsibility of each manager to maintain the quality of TCW services in their area. Similarly it is recognised that compliments, comments and complaints are received through a variety of routes and therefore any staff member may, at some time, be in receipt of one of them. It is therefore expected that all staff members are familiar with the procedure and their responsibility in expediting and enabling comments and complaints to be resolved.

## **5. ACCESS TO POLICY:**

### **5.1 TO THE PUBLIC:**

A copy of this policy is available on The Complete Work's website and on request in hard copy.

### **5.2.1 TO STUDENTS:**

Copies of the policy will be available via The Complete Work's website.

### **5.3 TO STAFF:**

- All staff will have access to the policy via The Complete Work's website and will be made aware of it as a part of the Staff Handbook.

### **6.0 Feedback**

TCW welcomes feedback from students, parents/carers, staff and the wider community. Any comments on the policy should be addressed in person or in writing to the Headteacher/ Chief Executive or to any Trustee.

Comments from students will be actively encouraged through the tutorial process.

## **7.0 Relationship With Other Policies**

The Service users Feedback policy links to other TCW policies and should be read in conjunction with the following list of policies and any others as appropriate:

- Equality and Diversity Policy
- Disciplinary Policy
- Grievance Policy
- Dealing with Allegations Policy
- Safeguarding and Child Protection Policy (TCW is obliged to pass on to Social Services any disclosures or suspicions of child abuse. This affects the nature of the confidentiality of any potential complaint.)
- Data Protection Policy

## **8.0 Other Relevant Documentation**

1. Procedures to be followed on the receipt of partner feedback – see Appendix A.
2. Procedure for Handling Complaints by Trustees – see Appendix B.

## APPENDIX A

### PROCEDURE TO BE FOLLOWED ON RECEIPT OF A LETTER, TELEPHONE OR PERSONAL CALLER

#### 1. In The Case Of A Compliment:

- This should be addressed to the Headteacher/ Chief Executive
- Any member of staff receiving a compliment should pass it to the Headteacher/ Chief Executive
- In the case of a verbal compliment, the service user should be encouraged to document this in writing, addressed to the Headteacher/ Chief Executive

#### *The Headteacher/ Chief Executive:*

- Pass on details of the complement to appropriate members of staff
- Where appropriate print details of the complement in The Complete Works newsletter/ blog and/or pass to the Coordinator with responsibility for marketing
- Write to thank the service user for their complement
- Put a copy of the complement in the comments file

#### 2. In The Case Of A Complaint

The following key principles apply in the treatment of all complaints:

- All complaints, even if raised initially as a concern, should be treated seriously and with discretion. Complainants should be made to feel that they can offer their comments safely, without fear of redress and that TCW will investigate and act appropriately on that investigation.
- Even if a complaint in the first instance is made verbally, a written record should be kept and all investigations should be documented.
- Delays in dealing with complaints are not acceptable. The aim is to find a speedy resolution to potential problems.
- The management of complaints is an integral part of TCW work and is one of several sources of information on how the TCW can continue to raise the quality of its services. Whilst this is a management activity, all members of staff are potential recipients of complaints and should pass them onto Coordinators in line with the procedures, which follow.
- However, written details will have to be gathered at some point in order that a fair and thorough investigation can occur. Members of staff, on receiving a verbal complaint, should therefore be prepared to document this in writing.
- Where a complainant asks to speak to a member of staff in confidence before making a complaint, members of staff should explain **BEFORE** any disclosure occurs that no action can be taken by themselves, or any other staff member of TCW, if the information can be passed on. The potential complainant should then be reassured that all information

which is passed on is treated with sensitivity but has to be subject to investigation before action is taken.

- All staff should note:

The responsibility for acting on complaints lies with the Headteacher/ Chief Executive

If the disclosure made by a complainant is related to suspicions of child abuse, there can be **no guarantee of confidentiality**. TCW must pass on disclosures to Social Services in these instances (please see The Complete Works Safeguarding and Child Protection Policy).

### **3. Guidelines for Dealing With:**

#### **Telephone Calls**

The staff member taking the call will ask if this is a formal complaint. If it is, then this will be documented and passed on to the Headteacher/ Chief Executive. If the complainant would like to resolve the issue by talking directly to another member of staff then they may do so. If this is the case then this does not represent a formal complaint.

#### **Handling of irate service users:**

1. Calm them
2. Avoid participation in the argument
3. Ask if they are making a formal complaint
4. Encourage them to document this in writing. If not prepared to do so, they should be asked if they would like to speak to a senior member of staff

#### **Procedure To Be Followed By Headteacher/ Chief Executive**

Upon receipt of a complaint:

1. Log the date the complaint was received and acknowledge its receipt **within three working days**.
2. Appoint an *Investigating Officer* to address the complaint. The *Investigating Officer* is likely to be the manager of the area concerned (unless he/she is the subject of the complaint, in which case the Headteacher/ Chief Executive will be the Investigating Officer).
3. Send a copy of the original documented complaint to the Investigating Officer.
4. Agree with the Investigating Officer the nature of the investigation and the potential timescale for its completion (**usually within 10 working days**).

5. Receive the report from the Investigating Officer and determine any action points not already addressed.
6. Ensure all action points are carried out and that a full response is made to the complainant (**usually within 15 working days**). Where appropriate and unless otherwise indicated by the Headteacher/ Chief Executive, the response will be made by the relevant manager (who may also be the Investigating Officer). A *draft* copy of the final response must be sent to the Headteacher/ Chief Executive for approval. Response letter templates will be available The Complete Works' Office.
7. Ensure that the documentation is placed in a Complaints file.

In general, the aim is to resolve all complaints **within 15 working days** of receipt. Where this is not possible, a holding letter will be sent to the complainant and a copy put on file.

## 5. PROCEDURE TO BE FOLLOWED BY THE INVESTIGATING OFFICER

The Investigating officer will be expected to work to strict deadlines and to provide a written report on the investigation **within 10 working days**.

On being appointed to carry out the investigation, the Investigating Officer should:

1. Automatically involve in the investigation any member(s) of staff who is the subject of the complaint. The member(s) of staff should be informed that a complaint has been received **within 2 working days from** the appointment of the Investigating Officer. The Investigating Officer should send a copy of the original service user feedback form/letter to the member(s) of staff.
2. Hold an initial meeting with the member(s) of staff in which the details of the complaint are explained. At this point the member(s) of staff may request that at all future meetings his/her representative is present. This representative must be a work colleague or trade union representative.
3. This initial meeting should take place **within 5 further working days**. A written record of it and all future meetings should be made and given to all parties to the meeting.
4. Carry out the investigation and produce a written report following to the Headteacher/ Chief Executive - **usually within 10 working days**.
5. Ensure all action points are carried out and unless otherwise indicated by the Headteacher/ Chief Executive, a full response made to the complainant (**usually within 15 working days**). A *draft* copy of the final response must be sent to the Headteacher/ Chief Executive for approval. Response letter templates will be available at The Complete Works Office.

**Please Note:** It is the responsibility of the Investigating Officer to establish the veracity or otherwise of any complaint. No member of staff who is the subject of a complaint or his /her representative will be permitted to interview or confront the complainant. That role belongs unequivocally with the Investigating Officer, who may, however, wish to bring the parties together as part of the process whereby a resolution is achieved.

The Investigating Officer should take advice from the Headteacher/ Chief Executive, if at any point in the process they feel that the substance of the complaint may fall within the scope of The Complete Works Staff Disciplinary and Grievance Policy. This should form part of the report to the Headteacher/ Chief Executive.

It should be stressed that complaints about individual members of staff are rare. The procedure is designed to deal as sensitively and effectively with those as with any other complaint. In recognition of this the member of staff identified in the complaint is not permitted to invoke the Grievance Procedure against the Investigating Officer for the actions the latter takes legitimately in furtherance of their role as Investigating Officer.

TCW recognises the potential negative effects for individual members of staff, which can occur if they become subjects of complaints. The Investigating Officer is charged with the duty, therefore, of dealing with these fairly, openly and within the principles of natural justice. However, a possible outcome of complaint is that there is a recommendation to invoke The Complete Works Disciplinary Policy. In these circumstances the provisions of the Disciplinary Policy take precedence, and in consequence the member of staff who is the subject of the complaint does not have access to the appeal process under the Complaints Policy.

**All timescales given in these procedures are the maximum time allowed. It is particularly important that initial information is passed on straightaway so the process for dealing with it is triggered as soon as possible.**

## APPENDIX B

### PROCEDURE FOR THE TRUSTEES' COMPLAINTS APPEAL PANEL.

#### 1.0 INTRODUCTION

It is the Board's policy that, as far as possible, complaints will be handled by TCW management, within The Complete Works. Any complainant has the right of appeal to the Headteacher/ Chief Executive under the provisions of paragraph 3.3.1. The Trustees Appeal Panel will meet only in circumstances where the Headteacher/ Chief Executive has been unable to resolve a complaint, at the first appeal stage, and the complainant has invoked the right to appeal to the Trustee's under TCW complaints policy

The Panel shall have full delegated powers to determine the Appeal.

#### 2.0 COMPOSITION OF THE PANEL

The Panel will comprise of three members of the Board of Trustees (excluding the Headteacher/ Chief Executive and the staff and service users Trustees) nominated by the Chair of Trustees

The Clerk to the Trustees (or another suitable person nominated by the clerk) shall act as Clerk to the Appeal Panel.

The Panel may have an adviser in attendance should they consider this to be appropriate.

#### 3.0 BEFORE THE HEARING

At least ten working days before the hearing, the complainant will be notified of the time and venue of the hearing. At the same time he/she will be provided with a copy of any written statement (usually the Headteacher/ Chief Executive's report of the first stage appeal) or other documents to be considered by the Panel (unless such documents have already been provided).

This notification will invite the complainant to:

- Attend the hearing (accompanied, if he/she wishes, by a representative;
- Submit any relevant written documents for consideration by the. panel; (to be received by the Chair of the Appeal Committee at least 3 working days before the appeal hearing)
- Call witnesses

#### 4.0 ORDER OF THE BUSINESS

The complainant and his/her representative, the Headteacher/ Chief Executive (representing TCW), the members of the Panel, the Clerk to the panel and any adviser to the Panel will assemble together.

The Chair will invite the complainant (or his/her representative) to explain the reasons for the complaint and, in doing so, s/he may call witnesses.

The Headteacher/ Chief Executive may question the complainant and any witnesses.

The Panel may question the complainant and any witnesses.

The Headteacher/ Chief Executive shall explain TCW's view of the complaint and may call witnesses.

The complainant may question the Headteacher/ Chief Executive and any witnesses.

The Panel may question the Headteacher/ Chief Executive and any witnesses.

The Headteacher/ Chief Executive shall be invited to sum up.

The complainant (and his/her representative), any witnesses and the Headteacher/ Chief Executive will withdraw.

(Note: At any time during the operation of this procedure, either side has the right to request an adjournment. The adjournment request shall be considered by the Panel and, if considered reasonable, shall be granted).

## **5.0 AFTER THE HEARING**

Within five working days of the Panel meeting (or as soon as practicable thereafter), the Chair of the Appeal Committee will inform the complainant and the Headteacher/ Chief Executive in writing, of the decision of the Panel, which will be final.

This will:

- a) Be given to the person who made the original complaint in writing and where relevant a copy to the person being complained about.
- b) Be given to the Trustees of TCW and a copy kept on the premises for inspection.

A written record will be kept of ALL complaints stating whether they have been dealt with informally, formally or by panel.

All correspondence, statements and records will be kept confidential unless required by the Secretary of State or a body conducting an inspection under section 162a of the 2002 Act.