



# **Children's Representation and Complaints Policy**

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**Approved by:**

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*The Sallygate School works to ensure that children and young people in the school know how to raise any concern or complaint and ensures that they receive prompt feedback on any concerns or complaints raised.*

### **What is a complaint?**

A complaint is *any expression of dissatisfaction* about the quality, lack of, or refusal, of a service that the person complaining is entitled to use.

### **Who is entitled to complain?**

All children in receipt of, or entitled to, a service (or others acting on their behalf) should be expressly provided with a right to complain.

### **Why have a complaints system ?**

A complaints system has a number of purposes, the primary one being to give meaningful expression to children's rights. This purpose only becomes effective if children know about their rights, are free to exercise them and the system is capable of giving their complaints a fair and impartial consideration. The main objective of a good complaints system is to find ways of resolving children's sense of being treated unfairly.

Complaints systems provide one of the most reliable ways of finding out how well services are received. They show that providers of children's services are listening to children, are open to learning from mistakes and are committed to improving the quality of the service.

An effective complaints system gives clear guidance to all personnel on how to deal with children's complaints, making them more confident in their work practices. Good complaints systems are synonymous with professional ethics and codes of practice and can only enhance the status of school staff.

Effective complaints systems contribute towards keeping children in school by giving them an active voice, and the ability to challenge decisions and actions with which they are dissatisfied.

### **The Informal (Problem Solving) Stage**

The informal approach to resolving complaints is generally regarded as the most user-friendly, non-adversarial and positive response. Effectively, if a child feels that they have a complaint, regardless of whatever others may think to the contrary, they have. There is no proof required. The central issue for The Sallygate School is how the complaint is dealt with. Ordinarily, complaints are best resolved close to the point of service delivery. Good practice in children's complaints work encourages service providers to work on finding speedy, constructive and agreeable solutions to children's expressions of dissatisfaction. Complaints systems should recognise that "*... a formal is not the most appealing way for children to air grievances* " (Utting, 1997).

Often, a constructive, conciliatory, 'problem-solving' process will help resolve children's dissatisfaction, before they become 'complaints'.

Evidence from practice and research indicates that children prefer this approach to dealing with complaints. It can also be an effective method of resolving complaints, both in terms of achieving good outcomes and preserving child-adult relationships.

The emphasis of the representation and complaints procedure should be on problem solving and where a problem arises, it will usually be possible to resolve this satisfactorily before any formal complaint is made. If, however, effective resolution cannot be achieved, a formal complaint may be registered. If the complaint is of a serious nature, formal investigation should commence immediately.

Initially all young people should be encouraged to discuss with school staff or at home with their Keyworker, Deputy House Manager or House Manager, or with their Local Authority Social Worker how they feel about the problem and about the way the matter is being handled.

In some cases, there may be a more fundamental problem as perceived by the young person and a representation or complaint at 'stage one' will likely be made to the Local Authority Social Worker, their Keyworker, Deputy House Manager or House Manager, or Carer

All details about a representation or complaint should be written up in full for future reference and abbreviated notes made in the Complaints Records held in the Headteacher's office.

Any representation or complaint should be read / reflected back to the young person in order to check its accuracy and they should be asked what they would like to see happen to resolve the problem.

The procedure for looking into a representation or complaint should be explained and details about who is to be responsible for handling the matter should be provided. The Headteacher manages complaints at The Sallygate School.

Anyone implicated in a complaint or directly involved with the problem should not deal with the issue and should request assistance from a supervisor or colleague. If there is any doubt about what action to take, the Headteacher or Deputy Headteacher should be contacted for advice.

In the event of the complaint concerning the Headteacher, complainants are advised to complain in writing to R Barnett, Schools Director of Channels and Choices Ltd.

If representations or problems cannot be resolved there and then, an attempt to do so should be made within 7 days from receipt. If this is not possible this should be acknowledged in writing and a further response must be made within 28 days.

In some cases an informal resolution may not be appropriate or possible and the matter should then be taken to the formal stage.

### **The Formal Stage**

A complaints procedure also needs a formal element for investigation. This procedure should be

available at any stage of the process if requested by the child making the complaint, and as a 'safety net' for complaints that cannot be resolved by the informal approach. Additionally, for a complaints procedure to provide an adequate safeguard, children must have the facility to notify complaints to someone located outside of the school.

Investigations that are carried out under the formal complaints procedure need to be handled with great care as these can be stressful for children and staff alike, affecting individuals acutely and having an impact upon the organisation as a whole.

Potentially, there are many different types of investigation which can arise from a serious complaint or allegation having been made. Often, this can result in the role of a complaints procedure becoming confused between handling complaints, disciplinary matters, child protection concerns and allegations. The consequences for both the child and adults concerned can be that they are left with little information about the progress of complaints. Both may share feelings of disempowerment and distrust about the whole complaints process, which in consequences is brought into disrepute. For this reason, the aim should be to avoid any confusion with other procedures. Any of these, at various times, may have a significant function, but should not be an integral part of a complaints procedure.

Representations or complaints which cannot be dealt with through the Informal (Problem Solving) Stage should ideally be made in writing and some young people may need assistance with this. Children and young people who wish to make a complaint in school are always offered the help of an adult of their choice in making a complaint.

Young people have the right to use either the complaints procedure of the placing authority or the complaints procedure of The Sallygate School.

If a formal representation or complaint is made verbally it is to be accepted, recorded in written form and agreed with the complainant. The Headteacher will attempt to investigate the complaint.

The investigation process should follow the following steps:

Initially, confirm and record the incident leading to the complaint. A decision should be taken as to the adequacy of grounds for an investigation. If the decision is not to investigate, the reasons for this should be set out in writing. Notification of the decision should be discussed to all relevant parties within 10 working days.

Confirmation that the complaint still stands.

Notification of all relevant parties e.g. the child, Keyworker and House Manager, social worker, advocate etc.

A plan should be constructed as to how the investigation will be carried out e.g. who will carry out the investigation, what timescales are predicted, what records will be required, who will need to be interviewed etc.

Investigation carried out.

Meetings or interviews will be arranged with key staff and separately with the young person as part of the investigation and attempts will be made to try and reach a resolution.

Some young people may wish to be accompanied by an advocate or friend of their choice who may speak on their behalf or simply accompany them.

Consideration as to the findings and any implications , including how these will be acted upon, disseminating of information to all relevant parties and recording of process and outcome.

A written response will be issued within 10 working days of the meeting with the complainant.

Young person advised of their right to appeal against decision, if still dissatisfied .

Some representations and complaints may be made through independent organisations such as Childline, The Voice for the Child in Care or the Commission for Social Care Inspection. Contact details are provided at the end of this document. Should a young person request independent advocacy, this request will be conveyed to the local authority responsible for his / her care.

A response must be made by the investigating officer within twenty eight days of the formal complaint being registered.

Young people and members of The Sallygate School staff will be informed at regular intervals about the progress of a complaint involving them and everyone will be informed of the outcome.

If at any time the young person wishes to withdraw the complaint or a resolution is found the procedure may stop. At any time during the process of investigation the young person also has the right to suspend The Sallygate School complaints procedure and access any other agency to discuss the matter further.

### **The Review Stage**

If the young person remains dissatisfied with the outcome of their representation or complaint they may request that their response is looked at by the Review Panel.

The request should be made to the Headteacher or School Director in writing within 28 days from receipt of the response at the formal level of investigation.

A panel meeting will be convened within 28 days of the receipt of this request, and all members required to attend the meeting will be advised at least 10 days in advance. The review panel will consist of 3 members, none of whom will have had prior involvement with the complaint, and one of whom is independent of The Sallygate School.

All people attending the panel hearing will be informed in advance of the membership of the panel.

Young people may attend the panel hearing with an advocate or friend for support . The panel will only review the responses already made and will not deal with new aspects to the representation or complaint or re-investigate the whole complaint, only that which is necessary to reach a conclusion. The decision made by the panel will be forwarded to all concerned in writing within 15 days.

If the young person remains unhappy at the decision reached by the Review Panel he / she retains the right to contact any other persons, agency or authority including, for example , Local Government Ombudsman , Commission for Social Care Inspection or the Complaints Officer at Kent County Council at any time.

Written records are kept of all complaints, indicating whether they were resolved at the preliminary stage, or whether they proceeded to a panel hearing. These records are kept confidential and stored securely. Details of the number of complaints made in the preceding year may be disclosed to those with parental authority, to the Channels and Choices Directors, to Ofsted, or to the Secretary of State.

A copy of the findings and recommendations following the investigation of a complaint will be sent by email to the complainant and the person that is complained about. Copies will also be held securely on site for inspection by the Headteacher and the proprietor.

### **The Designated Complaints Officer**

The Designated Complaints Officer is responsible for:

- the co-ordination of all aspects of The Sallygate School Complaints Procedure.
- publicising the procedure and ensuring that all young people and members of staff are familiar with it.
- ensuring that all complaints received are acknowledged and that the process is explained to all complainants.
- accepting and recording any oral complaints, agreeing them with the complainant.
- when necessary, appointing an independent person to consider the complaint.
- addressing the responses to the complainant and if applicable, advising the complainant what further options are open to them, should they remain dissatisfied .
- when a complainant remains dissatisfied and requests a review, making arrangements for a Review Panel to be constituted and held within 28 days of the receipt of this request.
- ensuring that children are not subject to reprisals for making any form of complaint.
- ensuring that the Review Panel's recommendation is recorded in writing within 24 hours of the completion of their deliberations and is circulated appropriately.
- maintaining a record of all complaints received and the outcome in each case.
- providing Channels and Choices with termly reports on the operation of the complaints procedure, including the outcomes of complaints.

### **Good practice issues**

A complaints system is not a substitute for good practice. In addition to good primary care, by way of example, children in care also need:

- Knowledge about who they are, their family history and circumstances of being in care.
- Respect for their cultural, ethnic and religious background. Involvement in decisions affecting their lives.
- An understanding , where appropriate, of how they will be supported in maintaining contact with their family.
- Access to appropriate education and opportunities to develop to their fullest potential.
- An understanding of the help and support they are entitled to when they leave care.
- Access to written information kept about them. Privacy and protection from all forms of harm.
- Appropriate time and support in which to address emotional problems.
- To be treated fairly and given a system of redress if not.
- To be cared for without discrimination, including that which occurs from their status of being in care.
- To be given care commensurate with their individual needs.
- Recognition of these rights can go a considerable way to reducing the need for children to have to complain about the quality of service they receive.

### **Useful contact details**

#### *A Voice For The Child In Care*

Telephone: 0207 833 5792

Unit 4, Pride Court, 80-82, White Lion Street, London, N1 9PF. [www.vcc-uk.org.uk](http://www.vcc-uk.org.uk)

e-mail: [info@vcc-uk.org](mailto:info@vcc-uk.org)

#### *Kidscape*

Telephone : 0207 730 3300

2, Grosvenor Gardens, London, SW1W 0OH. [www.kidscape.org.uk](http://www.kidscape.org.uk)

e-mail: [contact@kidscape.org.uk](mailto:contact@kidscape.org.uk)

#### *Kent County Council*

Telephone : 01233 652233

Ashford Local Office, Swanton House, Elwick Road, Ashford, Kent.

*Commission for Social Care Inspection*

Telephone : 01233 619330

11th Floor, International House, Dover Place, Ashford , Kent, TN23 1HU.

[www.csci.org.uk](http://www.csci.org.uk)

*Local Government Ombudsman*

Telephone : 0207 217 4620

Advice Line: 0845 6021983

## Sallygate School Complaints Procedures

If you have a complaint about any member of staff within Sallygate School or you are not happy about something in the school or the way the school is managed please inform the Headteacher by either making an appointment, by phone or in writing to:

Name: Mr David Carden

School Address: Sallygate School  
Buckland House  
Crabble Hill  
Dover Kent  
CT17 0RX

School Number: 01304 212510

If you are not happy with the outcome, or have a complaint to make about the Headteacher then please contact the School Proprietor by either making an appointment, by phone or in writing to:

Name: Mr Ross Barnett

Address: Channels and Choices  
45a London Road  
River  
Dover Kent  
CT17 0SG

Contact Number: 01304 361888

If you are not happy with this outcome, please contact the Chair of the Sallygate School Management Committee in writing to:

Name: Mr Alan Barham

Address: c/o Sallygate School  
Buckland House  
Crabble Hill  
Dover Kent  
CT17 0RX