



## Complaints Policy

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## Summary

Omni Alternative Provision is committed to ensuring that all young people receive the best possible provision in a safe, comfortable, and enjoyable environment. We are keen to respond quickly to any problems and to remedy any defects as soon as possible. This policy and procedure apply in respect of all complaints made against Omni Alternative Provision, except in respect of child protection allegations where Omni Alternative Provision Safeguarding policy and procedures apply.

Parents/carers and commissioning schools can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated seriously and confidentially.

The aims of this policy are:

- To promote a culture that is open and welcoming.
- To demonstrate to parents and young people that their opinions are valued.
- To encourage parents and young people to raise any concerns that they might have.
- To enable parents to feel comfortable in communicating with the provision.
- To enable members of staff to feel comfortable when dealing with complaints.
- To establish a means of dealing with complaints.

We believe that an effective complaints policy and procedure can diffuse problems and can also provide the provision with helpful information.

We try to treat complaints as constructive suggestions to be used to improve standards and a means by which we can prevent cause for further complaints.

Correspondence, statements, and records will remain confidential except where the Secretary of State or a body conducting an inspection requests access to them or where any other legal obligation prevails.

## Section 1: Roles and Responsibilities

### 1.1 Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible.
- co-operate with Omni Alternative Provision in seeking a solution to the complaint.
- respond promptly to requests for information or meetings
- treat all those involved in the complaint with respect; and,
- refrain from publicising the details of their complaint on social media and respect confidentiality.

### 1.2 Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent, and fair consideration of the complaint through:
- sensitive and thorough interviewing of the complainant and relevant others to establish what has happened and who has been involved
- consideration of records and other relevant information
- fair and unbiased analysis of information gathered; and,
- liaising with the complainant and the complaints coordinator as appropriate to clarify what the complainant feels would put things right

The investigator will:

- conduct interviews with an open mind and be prepared to persist in the questioning.

- keep notes of interviews or arrange a for a note taker to record minutes;
- ensure that any papers produced during the investigation are kept securely pending any appeal;
- be mindful of the timescales to respond; and,
- prepare a comprehensive report for the Head of Service that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

### 1.3 Head of Service

- The Head of Service acting as complaints coordinator, will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details. The Head of Provision is responsible for:
  - ensuring that the complainant is fully updated at each stage of the procedure.
  - overseeing liaison between all relevant parties.
  - being aware of issues regarding:
    - sharing third party information
    - additional support for complainants.
    - ensuring accurate records are kept of every stage of the process; and,
    - ensuring that all people involved in the complaint procedure are aware of their legal rights and duties, including the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR).

## Section 2: Omni Complaints Procedures

### 2.1 How to Raise a Concern or Make a Complaint

A concern or complaint can be made in person, in writing or by telephone. The complainant may wish to express that it is an informal complaint, at which point it will be dealt with as such. However, a written record of all complaints (including informal) will be kept. If the complainant is not happy with the outcome of the informal complaint, they may wish to escalate to a formal complaint.

Complaints may be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so. We will not normally investigate anonymous complaints unless the Head of Service determines that the complaint warrants investigation.

Complaints must be made within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints against provision staff (except the Head of Service) should be made, in the first instance, to the Head of Service. They should be marked as Private and Confidential.

Complaints that involve or are about the Head of Service should be addressed to, the Director(s). Please mark them as Private and Confidential.

To uphold our duties under the Equality Act 2010, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

### 2.2 Stage One - Informal Resolution

It is hoped that most complaints and concerns will be resolved quickly and informally. If parents or students have a complaint, they should normally contact the Centre Teacher/Leader of Learning. In many cases, the matter will be resolved straightaway by this means to the young persons' or parents' satisfaction. If the Centre Teacher/Leader of Learning cannot resolve the matter alone, it may be necessary for him/her to consult other staff, the Head of Service or Director(s).

Complaints made directly to the Director(s), or Head of Service will usually be referred back to the Omni Centre Teacher/Leader of Learning for him/her to deal with the matter personally.

Omni Alternative Provision will use its reasonable endeavours to resolve any informal complaints within ten working days of them being raised, except where they are raised in school holidays or within two working days of their commencement where Omni Alternative Provision will use its reasonable endeavours to resolve them as soon as possible after commencement of the new school term (usually within ten working days).

Should the matter not be resolved as referred to above, or in the event that the Leader of Learning and the parents fail to reach a satisfactory resolution, then parents will be advised to proceed with their complaint in accordance with Stage Two of this procedure.

### **2.3 Stage Two - Formal Resolution**

If the complaint cannot be resolved on an informal basis as set out above, then parents should put their complaint in writing to the Omni Head of Service. The complaint should be expressed clearly and courteously. The Head of Service will investigate the complaint and will decide the appropriate course of action to take. In most cases, the Head of Service will meet or speak with the parents concerned to discuss the matter. If possible, a resolution will be reached at this stage.

The Omni Head of Service will use reasonable endeavours to speak to or meet parents within ten working days of the formal complaint being received, except where the complaint is received in school holidays or within two working days of their commencement where the Head of Service will use his/her reasonable endeavours to speak or meet with parents as soon as possible after the commencement of the new school term (usually within ten working days).

The Head of Service will keep a written record of all meetings and interviews held in relation to the complaint.

Once the Head of Service is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents will be informed of this decision in writing, giving reasons for the decision. The written decision should be provided no later than ten working days after speaking or meeting with parents to discuss the matter. The Head of Service may also arrange to meet with parents to explain the decision.

Where parents are dissatisfied with the outcome of the Head of Service's response to their formal complaint, they have the opportunity to appeal to the Omni Director(s) to convene a complaints panel.

### **2.4 Stage Three – Appeal Panel**

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can submit a request to escalate the complaint to Stage 3 – a meeting with a complaints panel appointed by the proprietor.

The panel will consist of at least three people who were not directly involved in the matters detailed in the complaint, one of whom will be independent of the management and running of the provision. If this is not possible with the current staff body, we will appoint a suitable external person.

Omni will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 30 working days of receipt of the Stage 3 request.

The committee may request the service of the governors of a local school or the LA's governor services team to assemble a committee with no prior involvement with the complaint.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs. If the complainant is invited to attend the meeting, they may bring someone along to provide support.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part; or,
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint; and,
- where appropriate, recommend changes to Omni's policies, systems, or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and Head of Service with a full explanation of their decision and the reason(s) for it, in writing. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

## 2.4 Alternative Procedures for Complaints

Complaints of a specific nature may need to be dealt with through procedures that differ from the standard process. These may be guided by statutory regulations, internal policies, or the need for external investigation.

Exceptions	Who to contact
<ul style="list-style-type: none"> <li>• Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the Designated Officer for Allegations (DOFA) who has local responsibility for safeguarding</p> <ul style="list-style-type: none"> <li>○ 0300 456 0108</li> <li>○ <a href="mailto:dofaservice@wiltshire.gov.uk">dofaservice@wiltshire.gov.uk</a></li> </ul> <p>or the Multi-Agency Safeguarding Hub (MASH). MASH – Wiltshire Council</p> <ul style="list-style-type: none"> <li>○ 0300 456 0108</li> <li>○ Out of hours 0300 456 0100</li> <li>○ <a href="mailto:mash@wiltshire.gov.uk">mash@wiltshire.gov.uk</a></li> </ul>
<ul style="list-style-type: none"> <li>• Exclusion of children*</li> </ul>	<p>Further information about raising concerns about exclusion can be found at: <a href="http://www.gov.uk/school-discipline-exclusions/exclusions">www.gov.uk/school-discipline-exclusions/exclusions</a>.</p> <p><i>*complaints about the application of the behaviour policy can be made through the provision's complaints procedure.</i></p>
<ul style="list-style-type: none"> <li>• Whistleblowing</li> </ul>	<p>We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. Please refer to the whistleblowing policy.</p>

	<p>The Secretary of State for Education is the prescribed person for whistle-blowers in education who do not want to raise matters directly with their employer. Referrals can be made at: <a href="http://www.education.gov.uk/contactus">www.education.gov.uk/contactus</a>.</p> <p>Volunteer staff who have concerns about our provision should complain through the school's complaints procedure. You may also be able to complain directly to the Local Authority or the Department for Education (see link above) for serious complaints.</p>
<ul style="list-style-type: none"> <li>• Staff grievances</li> </ul>	<p>Complaints from staff will be dealt with under Omni's internal grievance procedures.</p>
<ul style="list-style-type: none"> <li>• Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the provision's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint.</p> <p>However, the complainant will be notified that the matter is being addressed.</p>
<ul style="list-style-type: none"> <li>• Complaints about services provided by other providers who may use our premises or facilities</li> </ul>	<p>Providers should have their own complaints procedure to deal with complaints about service. Please contact them directly.</p>