

External Complaints Policy

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| Document Control | | | |
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| Version | Author | Date | Changes/Updates |
| V0.1 | Laura Tyers | 28.03.24 | Draft policy written |
| V0.2 | Deborah Archer | 03.04.24 | Formatted and 'Unresolved Complaint' and 'Review & Monitoring' added – Page 6 |
| V0.3 | Deborah Archer | 03.04.24 | Page 5 – two months changed to one month – timescale for response. Appendix A Complaints Procedure Flowchart added |
| V1 | Deborah Archer | 22.05.24 | Sentence added to Flowchart re informal resolution. Trustees approved at Board meeting – 16.05.22 |
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1. Introduction

Camphill Wakefield welcomes all constructive feedback on its activities, whether positive or negative, and understands that, from time to time, people or organisations external to Camphill Wakefield may feel their expectations have not been met by the organisation, its staff or students. This procedure aims to provide a mechanism which will deal with any such complaints in a timely and open way.

This procedure applies to all external parties who wish to make a complaint regarding Camphill Wakefield.

2. Exclusion

This procedure is not to be used by staff or students. Staff should seek to resolve any complaints they have, informally in the first instance, or otherwise in accordance with the relevant Grievance Policy. Vexatious and malicious complaints (i.e., repeated or persistent complaints which are trivial or untrue, made purposely to abuse this complaints procedure) or those accompanied by abusive or aggressive behaviour will not be dealt with under this procedure.

3. General principles

We will:

- Deal with all complaints impartially;
- Process complaints within specific time frames set out in this procedure or explain why we are unable to do so;
- Deal with complaints in a polite and straightforward way;
- Maintain confidentiality throughout the complaints process, revealing information to others only to the extent necessary to complete a proper investigation and make a considered response and keeping the record of the complaint separate from other records;
- Ensure that no complaint made in good faith will be used to a complainant's disadvantage in the future.

4. How to make a complaint

Informal Resolution

Concerns can often be resolved satisfactorily and dealt with quickly on an informal basis. Individuals are encouraged to contact the person most directly involved in the circumstances surrounding their concern as soon as possible after the situation arises and to seek informal resolution of any concerns they have, in the first instance.

As much useful information should be provided as possible to help the issue be clearly understood. The staff member will attempt to resolve the concern and take any action they deem necessary.

A record of the concern and the action taken to resolve it will be recorded on the organisation's Databridge system, using the Event Log feature.

Formal complaint

If the person making the concern is not able to resolve informally, is otherwise dissatisfied with the outcome of any attempt at informal resolution, or it is not appropriate for the matter to be dealt with informally, a formal complaint may be submitted in writing and sent to feedback@camphill.ac.uk.

Formal complaints must be submitted within one month of the incident to which the complaint relates occurring, or, if an informal concern has been raised, within one month of the last date on which the complainant had engaged with Camphill Wakefield regarding their informal concern.

The complainant will receive an acknowledgement within 3 working days and will be advised how the organisation intends to process their complaint.

5. Consideration

Formal Complaints: Stage One - Early Resolution

Most complaints will be considered at Stage One in the first instance. This stage will consider minor or straightforward complaints where there is an opportunity to quickly identify the substance of the complaint and identify an appropriate solution. It may not be appropriate for more complex or sensitive complaints to be dealt with at Stage One and in such instances, these may be considered at Stage Two in the first instance.

The Communications and Marketing Manager will consider all complaints at this stage and will respond to the complaint within one month of receipt of receiving the complaint determining one of the following outcomes:

- The complaint is upheld;
- The complaint is partially upheld;
- The complaint is not upheld; or
- The complaint will be escalated to the next stage.

The response to the complainant will explain the reasons as to why the complaint has been upheld or why it has not been upheld. The response will also outline what action will be taken.

All documentation will be recorded and filed.

Formal Complaints: Stage Two – Investigation

More complex or sensitive complaints, or complaints escalated from Stage One will be considered at Stage Two of this procedure. For these complaints, the Communications and Marketing Manager will commission a full investigation, appointing an investigator to review the circumstances outlined in the complaint and the evidence provided by the complainant. The investigator will normally be a member of SLT.

The complaint investigator may make such further enquiries as required to complete their investigation. They will submit an investigation report summarising their findings to the Communications and Marketing Manager.

A full response will usually be made within one month of receipt of the complaint. If the investigation cannot be completed in that time for good reason, for example if the matter is complex, the complainant will be advised of a revised timescale.

The Communications and Marketing Manager will respond determining one of the following outcomes:

- The complaint is upheld;
- The complaint is partially upheld;
- The complaint is not upheld.

The response will outline the reasons for the decision and also outline what action will be taken.

All documentation will be recorded and filed.

6. Appeal

Individuals may appeal against a decision made under Stage Two of the procedure on the following grounds:

- Lack of procedural fairness: this can include bias or perceived bias, procedural irregularity or other administrative error or failure which has led to a material disadvantage.
- New evidence or evidence that was not available when the case was considered during earlier stages of the procedure; the appeal must specify the reasons why such evidence was not, or was not able to be, disclosed earlier.
- Manifest unreasonableness of the decision: this applies where there is evidence to show that the outcome reached at Stage Two was not a reasonable conclusion that a similar process of consideration might have reached.

To lodge an appeal, it must be put in writing and sent within two weeks of the conclusion of consideration at Stage Two to feedback@camphill.ac.uk stating 'Complaint Appeal' in the subject heading of the email.

Any submitted appeal must clearly demonstrate how the grounds of appeal apply. The burden of proof is on the person making the appeal to demonstrate that the original outcome is no longer appropriate.

All evidence must be presented with the appeal submission.

Appeals will be considered by the Chief Executive Officer. In the event of the complaint relating to the Chief Executive Officer, it will be considered by the Chair of Trustees.

The Chief Executive Officer will consider all the evidence and, within one month, decide whether to reject or uphold the appeal. The response will also outline what action will be taken (if applicable).

Where applicable, the Chair of Trustees will be supported throughout the process by the Clerk to the Trustees.

The decision of the Chief Executive Officer (or Chair of the Trustees) is final.

Appendix A contains a flow chart summarising the complaints procedure.

7. Unresolved Complaint

Following the Appeal, and not before, if the complainant feels that the matter has not been dealt with fairly or investigated properly, having exhausted Camphill Wakefield's procedures, they may wish to refer their complaint to Ofsted or the ESFA. This should be done in writing.

Contact details are:

Ofsted

<https://www.gov.uk/complain-about-school>

ESFA

Email: complaints.ESFA@education.gov.uk

8. Review and monitoring

The policy will be reviewed annually by the Communications and Marketing Manager for approval by the Board of Trustees.

APPENDIX A – Formal Complaints Procedure Flowchart

This procedure is to be followed where a formal complaint has been made or there has been no satisfactory resolution of a concern raised.

