



Complaints Policy

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1. What is a complaint?

New Pastures Care Farm (NPCF) takes very seriously any concern or complaint about the education or other services we provide or about the conduct of our staff. We believe that by tackling concerns at the earliest possible stage it allows us to improve relationships, enhance learning, prevent issues escalating and reduce the number of formal complaints we receive.

We define a concern as follows:

"an expression of dissatisfaction made verbally about any aspect of NPCF"

We define a complaint as follows:

"an expression of dissatisfaction made in writing about the standard of service, actions or lack of action by NPCF affecting an individual or group".

If a concern is expressed verbally, we will try to resolve it using the procedures set out below for dealing with concerns. If a complaint is made in writing, we will use the formal complaints procedure, also set out below.

2. NPCF'S principles for dealing with concerns and complaints

We will:

- take all concerns and complaints seriously;
- make every attempt to resolve concerns by informal means without the need to use formal procedures;
- publish its complaints procedure, make it easily accessible and simple to understand and use;
- be fair, open and honest when dealing with any concern or complaint;
- give careful consideration to all concerns and complaints and deal with them as swiftly as possible, keeping people informed of progress;
- resolve any concern or complaint through dialogue and mutual understanding and, wherever possible, put the interests of the child vulnerable adult above all other issues;
- provide sufficient opportunity for any concern or complaint to be fully discussed, and then resolved;

- deal with concerns or complaints in an impartial and non-adversarial manner;
- ensure a full and fair investigation of a complaint is undertaken by a person who has not been directly involved in the matter and if this is not possible we will use the service of an independent organisation
- address all the points at issue and provide an effective response and appropriate redress, where necessary;
- respect people's desire for confidentiality;
- use the outcome of a complaint to reflect on the services we provide so if necessary, they can be improved.

3. Dealing with concerns

We encourage parents and carers to make any concerns known to the relevant member of staff so that they can be addressed promptly. Almost invariably, the sooner such concerns are raised, the easier it is for an appropriate resolution to be found.

A concern may be raised with any member of staff. That person will try and resolve the matter or will refer you to the appropriate person. Many concerns are resolved immediately. If this is not possible, a member of staff will endeavour to respond to you within five working days or will give you a reasonable timeframe when an outcome is communicated to you.

The member of staff will make a written record of the concern that was raised and the date on which it was received. If you are not satisfied, you will be advised to proceed to make a formal complaint.

4. Making a complaint about the work of NPCF

Complaints should be brought to the attention of **Katie Wootton** as soon as possible. A complaint made more than three months after the event complained of will not be considered, save in exceptional circumstances.

The complaint can be made in writing by letter, by using the form in the Complaints Procedure, or in person, if written notes are made and countersigned by the complainant. Anonymous complaints will not be investigated, except in exceptional circumstances, as we are unable to respond to the complainant. (These circumstances would include serious concerns such as child protection issues or bullying allegations, where NPCF is either required to involve appropriate external agencies or might conduct an internal review to test whether there is any corroborative evidence which might trigger a formal investigation).

5. Where to send your complaint

You should send your complaint to the director of NPCF, Katie Wootton.

In the event of a complaint relating to Katie Wootton, the complaint should be sent to Stuart Wootton. This can then be investigated by an external, independent organisation if appropriate.

6. The stages of handling a complaint

Stage 1 – the complaint will be investigated by Katie Wootton or Stuart Wootton and, if resolved satisfactorily at this stage, the procedure is completed.

Stage 2 – if not resolved at Stage 1, an independent organisation will be recruited to investigate the complaint and if resolved satisfactorily at this stage, the procedure is completed.

At each stage, a similar process is used:

- investigating the complaint;
- resolving the complaint;
- providing a written response.

If a complainant is still not satisfied with the outcome when the complaint has been through all formal internal stages, the complainant has the right to complain directly to the awarding body, City & Guilds.

Copies of all correspondence with NPCF relating to the complaint can be sent to:

E: feedbackandcomplaints@cityandguilds.com

T: 020 7294 8444

Feedback and Complaints team
City & Guilds
1 Giltspur Street
London
EC1A 9DD

W: www.cityandguilds.com/feedbackandcomplaints

7. Confidentiality

All complaints will be treated as confidential. Correspondence, statements and records relating to individual complaints will be kept confidential except where the awarding body conducting the complaint may require access to these details.

However, it should be noted that if any action taken by a member of staff is the subject of a complaint, the employee should be advised of the complaint made against them, and they should be given the opportunity to respond to the complaint as part of the investigation process.

All confidential information will be securely maintained by NPCF on its premises in line with the Data Protection Policy and in line with the requirements of current Data Protection Legislation.

8. Investigating the complaint

The individuals leading each of the stages of the Complaint Procedure may delegate the investigation to an appropriately senior member of staff who has no connection with the complaint. The resolution of the complaint and a decision about any action to be taken rests with the individuals identified as responsible for each stage (as per section 8 above).

The person/s investigating the complaint must make sure that they:

- clarify the nature of the complaint and what remains unresolved;
- establish what has happened so far, and who has been involved;
- meet with the complainant, if the complainant requests a meeting;
- meet with the complainant or contact the (if the clarification or further information is necessary);
- ascertain what the complainant feels would put things right; maintain an open mind;
- conduct the investigation, analysing any relevant documents and interviewing those who may be involved;
- in the event, an employee is responding to a complaint, they are entitled to be accompanied by a work colleague
- keep written records of the investigation.

NPCF will retain written records of all of the parts of investigation at each stage, including notes of all meetings, interviews, discussions and telephone calls, in case the complaint is taken further. The information will be securely maintained by NPCF in line with our Data Protection Policy and in line with the requirements of current Data Protection Legislation.

9. Resolving the complaint

At each stage in the procedure, NPCF will keep in mind ways in which a complaint can be resolved. It may be sufficient to acknowledge that the complaint is upheld in whole or in part. Alternatively, the complaint may not be upheld, and this may be because there is insufficient evidence to substantiate the complaint. To support the resolution, it will usually be appropriate to offer one or more of the following:

- an apology (which does not imply liability);
- an explanation (especially where the complaint is not upheld);
- an admission that the situation could have been handled differently;
- an assurance that the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not recur;
- an undertaking, if necessary, to review policies or procedures in light of the complaint.

Where, as a result of the complaint, NPCF takes actions that are themselves confidential, it may be necessary to inform the complainant that the matter has been fully investigated and that the appropriate procedures are being followed (for example where staff disciplinary procedures are being followed).

10. Providing a Response

All complainants should be provided with a written response which sets out NPCF'S findings and recommendations within a target period of fifteen working days for Stages 1 and 2. Where the nature of the investigation is such that the complaint cannot be resolved within these timescales, a holding letter will be sent giving an indication of the date on which a response will be made.

NPCF will keep a written record of all formal complaints, which indicates at which stage they were resolved. The written record will include action taken as a result of the complaint (regardless of whether they are upheld).

11. Publication of the Complaints Procedure

The Complaints Procedure will be available from the farm and on our website www.newpasturescarefarm.co.uk.

12. Unreasonably persistent complainants and unreasonable complainant behaviour

There are rare circumstances where we will deviate from the Complaints Procedure. These include, but are not necessarily limited to:

- where the complainant's behaviour towards staff is unacceptable, for example, is abusive, offensive or threatening;
- where, because of the frequency of their contact with NPCF, the complainant is hindering the consideration of their or other people's complaints and/or the proper running of NPCF;
- where the complainant's complaint is clearly vexatious and/or has patently insufficient grounds;
- where the complainant's complaint is the same, similar to or based on the same facts of a complaint which has already been considered in full by NPCF.

In these circumstances, we may:

- inform the complainant that their behaviour is unacceptable or unreasonably persistent and ask them to change it;
- conduct the complaints meetings on the papers only, i.e. not hold a physical meeting;

In all cases, we will write to tell the complainant why we believe their behaviour is unacceptable or unreasonably persistent, what action we are taking.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff, or the children or vulnerable adults that attend NPCF we will consider other options, for example reporting the matter to the police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

APPENDIX 1: NPCF COMPLAINT FORM

Please complete this form and return it to Katie Wootton/Stuart Wootton, who will acknowledge its receipt and inform you of the next stage in the procedure.

Your name

Relationship to learner:

Learners name:

.....

Your address:

.....

Daytime telephone number:

Evening telephone number:

Email address:

Please give concise details of your complaint, (including dates, names of witnesses etc), to allow the matter to be fully investigated. You may continue on a separate piece of paper, or attach additional paperwork, if you wish.

Number of additional pages attached:

What action, if any, have you already taken to try to resolve your complaint? (i.e. who have you spoken with or written to and what was the outcome?)

What actions do you feel might resolve the problem at this stage?

Signature:

Date:

NPCF use only.

Date form received:

Received by:

Date and acknowledgement sent by:

Complaint referred to:

Date:

APPENDIX 2 – GUIDANCE FOR STAFF ON DEALING WITH CONCERNS

Staff who are approached by parents/carers, students or others with matters of concern must assess the seriousness of the issue and if subject to specific NPCF policies (for example over a child protection issue), follow those policies.

If a parent/carer of child or someone else expresses a concern that is within the remit of that member of staff, the member of staff should deal with the concern, resolving it where possible. If the member of staff feels unable to deal with the concern, they should listen to the concern, note it down and refer it to the relevant senior member of staff, indicating to the complainant that this is what will happen.

Each situation will be different and staff members should do all they can to:

- allay the other persons' fears;
- take the concerns seriously;
- remain calm and composed at all times;
- be fair, open and honest when dealing with any concern or question;
- give careful consideration to all concerns and deal with them as swiftly as possible;
- enter into dialogue that encourages mutual understanding and, wherever possible, puts the interests of any child above all other issues;
- respect peoples' desire for confidentiality.

If the matter has not been resolved amicably by this means, the member of staff should advise the complainant to make a formal complaint.

APPENDIX 3 - INVESTIGATION PROCEDURES FOR FORMAL COMPLAINTS

1. The investigation of an allegation or a complaint should always be carried out thoroughly and responsibly, irrespective of whether the complaint appears to be trivial or serious. The investigator must maintain an open mind and not prejudge any situation on the basis of knowledge of past events.
2. Any member of staff against whom a complaint has been made should be notified that a complaint has been received, provided with a copy of the complaint and be informed that an investigation will be carried out in which their views will be sought.
3. It is essential that there is a clear understanding of the complaint and what remains unresolved. If the complaint is not clearly stated, the investigator should clarify the nature of the complaint with the complainant and set out the issues of concern to the complainant that will be investigated.
4. Once the complaint has been confirmed, the investigator should establish whom they wish to interview and what documentation they will need to review. Arrangements should be agreed so that accurate notes can be taken of all interviews and the outcomes of the investigation be accurately recorded.
5. The complainant and the member of staff complained about should be given the opportunity to meet with the investigator, offer documentation and identify potential witnesses or sources of evidence. Any member of staff subject to the complaint should be advised that they may be accompanied work colleague when invited to be interviewed.
6. Where children are potential witnesses, discretion should be exercised over their involvement. Students should only be interviewed when the nature of the complaint is sufficiently serious to warrant it, and adult witnesses are not available. Only in extreme circumstances will younger students be interviewed.
7. Any interviews should be conducted as soon as possible to ensure that recollections are as fresh as possible and to minimise the possibility that evidence will become tainted through witnesses discussing alleged incidents with other persons. A written record must be made of all interviews.
8. In conducting interviews, the investigator must prepare the questions to be asked before the interview. These can always be supplemented during the interview. The investigator should allow the interviewees to answer in their way. Their responses should be listened to attentively. Any temptation to cut an interviewee short or to seek to 'lead' them must be resisted. The interviewee should be given the opportunity of providing other relevant information at the end of the interview. It is good practice to ask the complainant what they feel would put matters right, even if this action is not one that is eventually taken.
9. Interviewees should, however, be advised that their responses must be confined to the substance of the complaint. Any attempt by the interviewee to introduce information relating to other members of staff or issues unrelated to the complaint should be resisted.

10. The investigator should avoid reaching conclusions or passing judgement until the investigation has been completed. The investigator should complete the investigation by creating a summary of the evidence gathered and a preferred outcome for agreement.

11. Any response letter should include the following information:

- a summary of the complainant's concerns and the issues that have been investigated;
- a summary of the process undertaken;
- the outcome of the investigation;
- the reasons for that outcome, unless confidentiality would be compromised (in which case a suitably worded conclusion should be provided);
- any recommendations which, wherever possible, should be constructive and not punitive;
- potential next steps.

12. The response letter should be sent to the complainant.

13. The complainant should be advised that they may, if they are not satisfied with the response or that the appropriate procedure has been followed, request the complaint is considered at the next stage of the Complaints Procedure.