



Equine Learning CIC (ELCIC) – Complaints Procedure

The difference between a concern and a complaint:

- A 'concern' may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.
- A complaint may be generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. ELCIC will take informal concerns seriously and make every effort to resolve the matter as quickly as possible. There are occasions when complainants would like to raise their concerns formally. In those cases, ELCIC's formal procedure should be invoked through the stages outlined within this procedure. For appeals against permanent exclusions, please refer to the Exclusion Policy.

Timescales

We aim to resolve any complaints in a timely manner. Timescales for each stage of the Complaints Procedure are set out below in the relevant paragraphs.

Policy Aim & Statement

Aim

The aim of this policy is to ensure that a concern or complaint by a parent/carer is managed sympathetically, efficiently and at the appropriate level and resolved as soon as possible. Doing so is good practice, it is fair to those concerned and it helps to promote parents' and students' confidence in our ability to safeguard and promote welfare. We will try to resolve every concern or complaint in a positive way with the aim of resolving the issue in a transparent manner. The school expects that most concerns can be resolved informally and guarantees to treat seriously and confidentially all concerns whether raised informally or formally.

Statement

We need to know as soon as possible if there is any cause for dissatisfaction. We recognise that a difficulty that is not resolved quickly and fairly can soon become a cause of resentment, which could be damaging to relationships and also to our centre ethos. We intend that parents and students should never feel – or be made to feel – that a complaint will be taken amiss or will adversely affect a student or his/her opportunities at the centre. The policy, however, distinguishes between a concern or difficulty which can be resolved informally and a formal complaint which will require further investigation.

Complaints Procedure

Stage 1: Informal Complaints

1. Concerns:

- Most concerns, where a parent/carer seeks intervention, reconsideration or some other action to be taken, can be resolved informally. Examples might include dissatisfaction about some aspect of teaching, disciplinary matters or issues outside the classroom.
- Parents/carers should raise the concern initially with the Headteacher. She will ensure that informal complaints are resolved within 10 working days of being raised.

2. Unresolved concerns:

- A concern which has not been resolved by informal means within ten working days from the receipt of the complaint can be notified as a formal complaint in accordance with Stage 2 below.

3. Record of concerns:

- In the case of concerns raised under Stage 1 of this procedure, the only record of the concern and its resolution will be file notes by the person dealing with the complaint and/or file correspondence between the person raising the concern and the respondent.

Stage 2: Formal Complaints

4. Notification

- An unresolved concern under Stage 1, or a complaint which needs investigation, or a more serious dissatisfaction with some aspect of the centre's policies, procedures, management or administration should be set out in writing with full details and sent with all relevant documents and full contact details for the attention of the Director. Should a formal written complaint be received by another member of the centre's staff, this should be immediately passed to the Director.

5. Acknowledgement

- The complaint will be acknowledged in writing normally within 3 working days of receipt during term time and as soon as practicable during the holidays. The acknowledgement will indicate the action that is being taken and the likely timescale for resolution.

6. Investigation and resolution

- The Director may deal with the matter personally or delegate a senior team member to act as "investigating officer." The "investigating officer" may request additional information from the complainant and will fully investigate the issue. In most cases the Director, or investigating officer, will meet or speak with the parent/carer to discuss the matter.

7. Outcome

- The aim is to inform any complainant of the outcome of an investigation and the resolution to the complaint within 15 working days from the receipt of the complaint. Please note that any complaint received during a school holiday or within 15 working days of the end of term or half term may take longer to resolve.

8. Record of complaints

- Written records will be kept of any meetings and interviews held in relation to the complaint.

9. Unresolved Complaints

Where the complainant is not satisfied with the school's response to their complaint then a meeting will be arranged with the relevant partner school or support worker to discuss the matter further.

Stage 3 – Meeting with relevant support staff

10. Request

- A request for a complaint to be taken to relevant partner schools or support workers must be made in writing and within ten (10) working days of the date of the ELCIC decision made at Stage 2.

11. Acknowledgement

- Where a request for a partner school or support worker to be involved is received, the centre will within 3 working days, refer the matter to the partner school / support worker. ELCIC will acknowledge, in writing, receipt of the request within 3 working days and inform the complainant of the meeting date.

12. Meeting

- ELCIC will aim to convene a meeting as soon as possible, normally no later than 20 working days after receipt of the Stage 3 request.

13. The Remit of the Meeting Panel

The Panel can:

- dismiss the complaint in whole or in part
- uphold the complaint in whole or in part
- decide on the appropriate action to be taken to resolve the complaint
- recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur

The aim of the meeting, which will be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. ELCIC will ensure that the proceedings are as informal as possible.

14. Attendance

The following are entitled to attend a hearing and submit written evidence;

- the parents/carers and/or one representative
- the Director and/or one representative
- a representative from the partner school or the student's support worker

16 Evidence

All parties will be given the opportunity to submit written evidence in support of their position including;

- documents
- chronology and key dates
- written statements setting out further detail

The evidence will be considered by the Director and partner school / support worker along with the initial submission.

All written evidence must be received by the Director and the partner school / support worker no later than 5 working days in advance of the Panel Hearing.

17. Roles and Responsibilities

The Role of the Clerk:

The clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible
- collate any written material and send it to the parties in advance of the hearing
- meet and welcome the parties as they arrive at the hearing
- record the proceedings
- notify all parties of the decisions
- check that the correct procedure has been followed

The Role of the Support Worker / Partner School Representative

This is a key role, ensuring that:

- the remit of the meeting is explained to the parties and each party has the opportunity of putting their case without undue interruption
- the issues are addressed
- key findings of fact are made
- parents or others who may not be used to speaking at such a meeting are put at ease
- the meeting is conducted in an informal manner with each party treating the other with respect and courtesy
- the school representative / support worker is open minded and acting independently;
- each side is given the opportunity to state their case and ask questions;
- written material is seen by all parties. If a new issue arises it would be useful to give all parties the opportunity to consider and comment on it.

18. Decision

The Director will work in partnership with the school representative / support worker to reach a decision, and make any recommendations within ten working days of the hearing. The decision reached is final.

19. Notification of the Decision

The findings of the meeting will be sent, in writing, by the Clerk, to the parents/carers and where relevant, to the person complained about. The letter will state the reasons for the decision reached and any recommendations made.

20. Record Keeping

The school concerned will keep a record of all appeals, decisions and recommendations of the Complaints Panel.

21. Vexatious Complaints

If properly followed, a good complaints procedure will limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. Please see Appendix 4 and 5 for further details of how such complaints will be dealt with and examples of behaviour, which will not be tolerated.

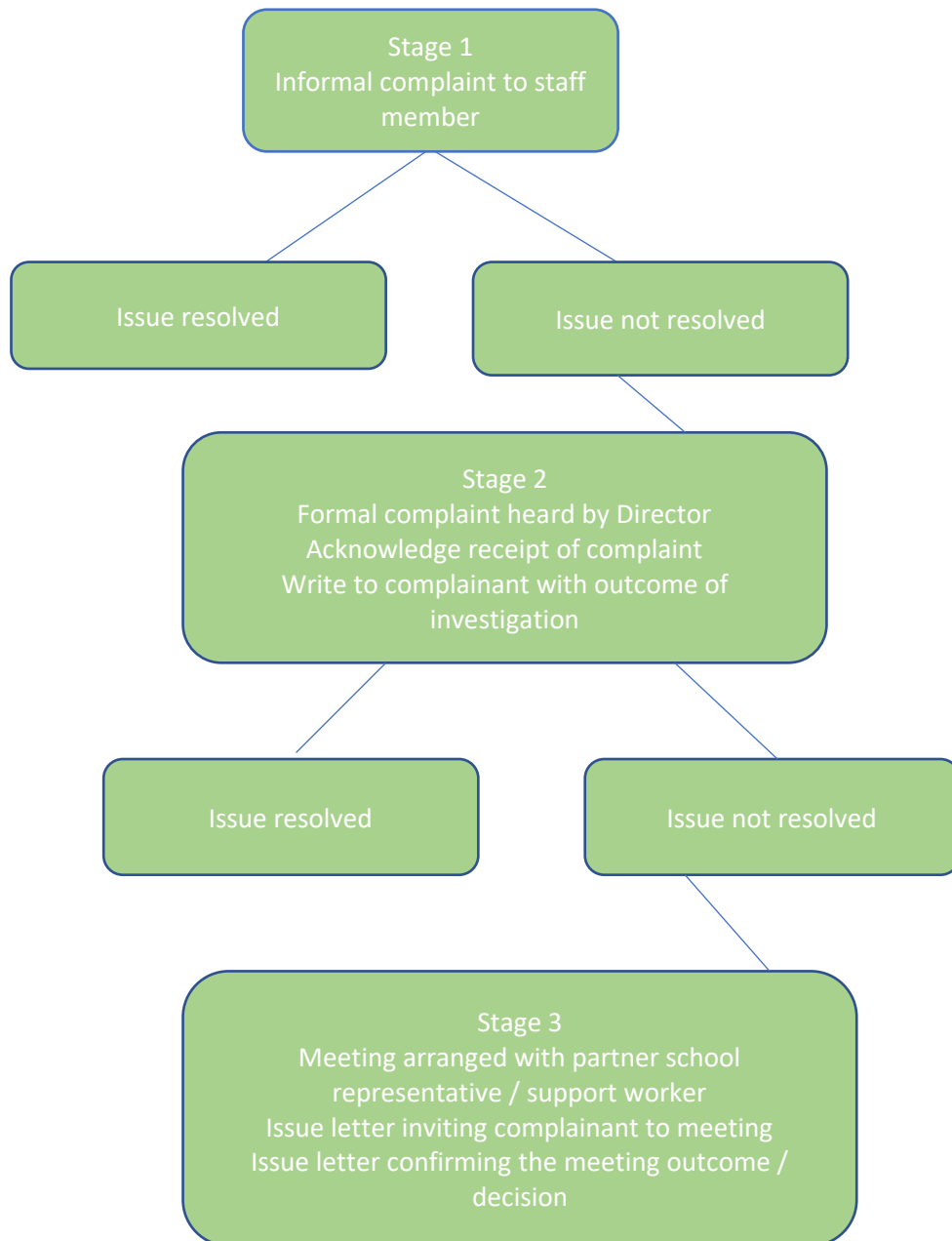
Appendix 1

Parental Complaints Policy Checklist - Checklist for a stage 3 meeting:

- The hearing is as informal as possible
- Witnesses are only required to attend for the part of the meeting in which they give their evidence
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses
- The Director may question both the complainant and the witnesses after each has spoken
- The Director will then explain the explain ELCIC's actions and be followed by ELCIC's witnesses
- The complainant may question both the Director and the witnesses after each has spoken
- The partner school representative / support worker may ask questions at any point
- The complainant is then invited to sum up their complaint
- The Director will then sum up ELCIC's actions and response to the complaint
- The complainant leaves while the Director and partner school representative / support worker decides on the issues
- The complainant will hear the outcome of the meeting within a set time- scale

Appendix 2 - Parental Complaints Policy - Summary of dealing with complaints

- If a formal complaint is made, Stage 2 of the process is automatically invoked.
- For the purposes of this policy, a "working day" is defined as a weekday during term time, when ELCIC's education programme is open.
- The definition of "working day" excludes weekends and Bank Holidays.



Appendix 3

Parental Complaints Policy – Centre Complaint Form. Please complete and return to Nicola Hepburn, the Director, who will acknowledge receipt and explain the complaints process.

Your Name	
Pupil's Name	
Your relationship to the pupil	
Address	
Phone number	
Date of complaint	
Please give brief details of your complaint	
What action, if any, have you already taken to try to resolve your complaint? (Who did you speak to and what was their response?)	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details	
Signature	
Date	

Appendix 4

Parental Complaints Policy - Policy on unacceptable behaviour

The Director recognises that se is the last resort for complainants. The Director also has a duty to ensure the safety and welfare of pupils, parents and staff. The Director is committed to dealing with all complaints fairly and impartially and to providing a high quality service to those who make them. The Director does not expect the school's staff to tolerate behaviour by complainants, which is unacceptable, for example, which is abusive, offensive, or threatening, and it will take action to protect staff from that behaviour. This applies to unacceptable behaviour on any part of the centre premises.

If the Director considers that a complainant's behaviour is unacceptable the complainant will be told why their behaviour is deemed to be unreasonable and will be asked to change it. If the unacceptable behaviour continues the Headteacher will take action to restrict the complainant's contact with school.

Unacceptable actions and behaviours

These are some of the actions and behaviours of unreasonable and unreasonably persistent complainants, which the centre may find problematic. It is by no means an exhaustive list:

- foul and abusive language towards staff, other parents and pupils
- behaviour that staff consider to be harassing and intimidating, including in person, over the telephone, by email or any other type of communication
- undermining ELCIC policies by actively encouraging pupils to ignore staff requests
- making unnecessarily excessive demands on the time and resources of staff, by, for example, excessive telephoning or sending emails to numerous staff, writing lengthy complex letters every few days and expecting immediate responses
- combinations of some or all of these.

The decision to restrict access to our centre will be taken by the Director. Any restrictions imposed will be appropriate and proportionate. The options most likely to considered are:

- requesting contact in a particular form (for example, email only);
- requiring contact to take place with a named member of staff;
- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their conduct.

In all cases we will write to tell the complainant why we believe his or her behaviour is unacceptable, what action we are taking and the duration of that action. Where a complainant continues to behave in a way which is unacceptable, we may decide to terminate contact with that complainant and discontinue any investigation into their complaint. However the Director will seek to limit any detriment to any pupils who attend the centre, as far as is reasonable within these circumstances e.g. access to parents evenings, newsletters, and any other correspondence.

Where the behaviour is so extreme that it threatens the immediate safety and welfare of ELCIC's staff, 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 5

Parental Complaints Policy - Policy on unreasonably persistent complainants

The Director recognises that she is the last resort for complainants. The Director is also accountable for the proper use of public money and charitable donations and as such must ensure that money is spent wisely and achieves value for complainants and the wider public.

The Director is committed to dealing with all complaints fairly and impartially and to providing a high quality service to those who make them. As part of this service it does not normally limit the contact complainants have with the centre. However, there are a small number of complainants who, because of their frequent contact with the centre, hinder consideration of their complaint and the smooth running of the centre. Such complainants are referred to as 'unreasonably persistent complainants' and, exceptionally, the Director will take action to limit their contact with centre.

Actions and behaviours of unreasonable and unreasonably persistent complainants

These are some of the actions and behaviours of unreasonable and unreasonably persistent complainants which schools often find problematic. It is by no means an exhaustive list:

- refusing to specify the grounds of a complaint, despite offers of assistance with this from the centre's staff.
- refusing to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- refusing to accept that issues are not within the remit of a complaints procedure despite having been provided with information about the procedure's scope.
- insisting on the complaint being dealt with in ways which are incompatible with the adopted complaints procedure or with good practice.
- making what appear to be groundless complaints about the staff dealing with the complaints, and seeking to have them replaced.
- changing the basis of the complaint as the investigation proceeds and/or denying statements he or she made at an earlier stage.
- introducing new information which the complainant expects to be taken into account and commented on, or raising large numbers of detailed questions which are particularly time consuming and costly to respond to and insisting they are all fully answered.
- electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved.
- adopting a 'scattergun' approach: pursuing a complaint or complaints with the ELCIC and, at the same time, for example with a councillor/the Local Authority etc.
- making unnecessarily excessive demands on the time and resources of staff whilst a complaint is being looked into, by for example excessive telephoning or sending emails to numerous centre staff, writing lengthy complex letters every few days and expecting immediate responses.
- submitting repeat complaints, after complaints processes have been completed, essentially about the same issues, with additions/variations which the complainant insists make these 'new' complaints which should be put through the full complaints procedure.
- refusing to accept the decision – repeatedly arguing the point and complaining about the decision.
- combinations of some or all of these.

The decision to restrict access to ELCIC will be taken by the Director and will normally follow a prior warning to the complainant. Any restrictions imposed will be appropriate and proportionate. The options we are most likely to consider are:

- requesting contact in a particular form (for example, emails only);
- requiring contact to take place with a named member of staff;
- restricting telephone calls to specified days and times; and/or
- asking the complainant to enter into an agreement about their future contacts with us.

In all cases where we decide to treat someone as an unreasonably persistent complainant, we will write to tell the complainant why we believe his or her behaviour falls into that category, what action we are taking and the duration of that action. We will also tell them how they can challenge the decision if they disagree with it. If we decide to carry on treating someone as an unreasonably persistent complainant and we are still investigating their complaint six months later, we will carry out a review and decide if restrictions will continue.

Where a complainant whose case is closed persists in communicating with us about it, we may decide to terminate contact with that complainant. In such cases, we will read all correspondence from that complainant, but unless there is fresh evidence which affects our decision on the complaint we will simply acknowledge it or place it on the file with no acknowledgement. New complaints from people who have come under the unreasonably persistent complainant's policy will be treated on their merits.