

HR5: COMPLAINTS POLICY

1. We are very proud of our Company, but we do know that no-one gets things right all of the time. We are committed to provide the absolute best for all our customers and service users and this includes responding quickly and appropriately to concerns raised.
2. We value the good relations we enjoy with schools, parents and the community, including Early Years providers and other professional organisations. These good relations are based on mutual respect and a willingness to listen to other points of view. The purpose of this complaints policy is to provide a framework for a structured opportunity for all concerned to express and resolve concerns and thus to improve provision.
3. We aim to resolve concerns:
 - a. through informal discussion whenever possible
 - b. quickly with an agreed timescale and a named contact
 - c. successfully and positively so that relationships are strengthened
 - d. with confidentiality, discretion and, above all, care for any involved children or young people
 - e. using investigations which are open and fair to all.
4. The company will exercise discretion when dealing with anonymous, abusive or malicious complaints.
5. It is in the best interest of all parties that any concern is expressed and resolved quickly and at the earliest possible stage.
6. There are specific procedures for certain other complaints (e.g. EHCP's, accusations of child abuse, admissions, exclusion) which must be followed in those cases - this procedure is intended for those complaints which do not appear to fall into any of the existing categories.
7. The procedure has three stages, but every effort should be made to resolve issues at the earliest possible stage:

1 Local Resolution	Most concerns are easily resolved informally by discussion with an employee at local level. More difficult or complex concerns may take more than one discussion.
---------------------------	---

2 Investigation by Head of Service	If the matter is not resolved through discussions with an employee, a letter of complaint should be written to the Head of Service who will make an investigation and respond to the complaint. If the complaint is directed at the Head of Service, then the Service Director should be written to.
3 Complaint to the Company	If, after careful attempts, a resolution is not achieved, the complaint will be heard by the Managing Director, who will make all efforts to resolve the matter satisfactorily. The Managing Director's decisions are final.

Local Resolution

8. We are happy to receive suggestions and to talk about concerns which help us to identify areas of success and areas in which we could improve. Where a concern is brought to our attention it can often be resolved with a single conversation. Sometimes an issue is more complex and will take more than one discussion to resolve.
9. The experience of the first contact between the complainant and the company can be crucial in determining whether the complaint will escalate. To that end, employees are made aware of the procedures so they know what to do when they receive a complaint.
10. If a complainant indicates that he/she would have difficulty discussing a complaint with a particular member of staff then another employee will be chosen. Where the complaint concerns the Team Manager, the first contact should refer the complainant to the Head of Service.
11. If an approached employee feels too compromised to deal directly with a complaint, they should consider referring the complainant to another employee. The other employee may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.
12. Where the first approach is made to a manager, they should refer the complainant to the appropriate person and advise them about the procedure. Managers should not act unilaterally on an individual complaint outside the formal procedure.
13. The company should be given reasonable time to respond and will contact the complainant with an answer within 5 working days. Any resolution at this stage is referred to as a 'local resolution' and this way of dealing with concerns means solving, explaining, clearing up or settling complaints directly with complainants. It will not usually result in conduct or capability action being taken against an individual member of staff and the complaint will be closed after the process is complete.

14. Occasionally despite the best efforts of all parties these discussions do not resolve the concern, which then may become a formal complaint.

Investigation by Head of Service

15. The complainant will be asked to confirm the complaint in writing by email , clearly marked "COMPLAINT" to enquiries@cognus.org.uk, we will then ensure that your complaint is sent to the appropriate Head of Service who will make direct contact with you. The Head of Service will copy relevant papers to any employees named in the complaint.
16. It may be useful for mediation to occur at this point, which could involve an agreed third party. Any concerns should be raised as soon as possible after the event. At this point, the complainant may be dissatisfied with the way the complaint was handled at stage one as well as pursuing their initial complaint. The company should be given reasonable time to respond and will contact the complainant with an answer within 10 working days.

Complaint to the Managing Director

17. This can be made only if the complainant has:
 - sought to resolve the concern through approaches as described in Stages 1 and 2
 - allowed reasonable time (normally no more than four weeks) for investigation of the concern
 - accepted any reasonable offer to discuss the result of the investigation
 - taken part in any process of mediation
 - put the complaint clearly in writing (within six weeks of the event)
18. The Managing Director has a responsibility to hear and make decisions on formal complaints which have not been resolved at the earlier stages. The complainant needs to put their complaint in writing by email to tracey.burley@cognus.org.uk, clearly marked as "COMPLAINT". The Managing Director, will convene a meeting to hear and resolve within 21 days.
19. At the Managing Director's discretion, two Non-Executive Directors of the company may also be asked to attend to assist in review of the issue and agreement of a resolution.
20. The Resolution Meeting 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 company's systems or procedures to ensure that problems of a similar nature do not recur.
21. It is important that the meeting is impartial and that it is seen to be so. The aim of the meeting, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the company and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
 22. An effective meeting will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The Managing Director will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone, and care is needed to ensure the setting is informal and not adversarial.
 23. Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The meeting needs to be aware of the views of the child and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the meeting, if any, the child needs to attend.
 24. The Managing Director needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response within 10 days. The letter needs to explain if there are any further legal rights of appeal and, if so, to whom they need to be addressed.
 25. All information relating to stages 2 and 3 of the Complaints policy should be retained, for review by internal and external audit processes. A quarterly summary of any Stage 2 or Stage 3 complaints should be reported to the Audit and Risk Sub-Committee of the Board by the Managing Director.