

Phoenix Learning & Care Ltd
First Floor, Rolle Quay House, Rolle
Quay, Barnstaple, Devon, EX31 1JE

Oakwood Court College
7/9 Oak Park Villas, Dawlish, EX7 0DE
5/7 St James Rd, Torpoint, PL11 2BJ



Policy Number 41

COMPLAINTS POLICY, FOR PARENTS/CARERS OR PROFESSIONALS

Help is available for anyone wanting to make a complaint - advocates, social workers, Independent Reviewing officers

We welcome complaints, because views and experiences of our service are important. We are always willing to listen and will try to resolve any concerns/complaints about the home or our staff. We will not discriminate or treat anyone differently because they wish to complain.

All our staff are trained to handle complaints sensitively and confidentially and will carefully write down what is said; If the problem cannot be resolved within 24 hours to the complainants satisfaction or it is a serious matter then it will be dealt with as a formal complaint.

If a complaint is about the safety of a learner, the designated person will be told straight away and the complaint may be referred to the Safeguarding Adults/Child Protection team.

The Manager will monitor all complaints and identify patterns, the information will be used to improve the unit policies and work with our students. The manager will keep a record of the outcomes of complaints and show it to OFSTED/CQC when asked.

Phoenix learning and Care Ltd could suspend a member of staff who fails to report any concerns relating to the safety of a student, suspicions or evidence of abuse, to a manager. At any time a complaint can be made to OFSTED/CQC.

Framework of Principles

The Complaints procedure strives to;

- Encourage resolution by informal means wherever possible
- Be easily accessible and publicised
- Be simple to understand and use
- Be impartial
- Be non-adversarial

www.phoenixlearningcare.co.uk

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Registered number: 03586426

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- Allow swift handling with established time limits for action and keeping people informed of progress
- Ensure a full and fair investigation by an independent person where necessary
- Respect an individual's desire for confidentiality
- Address all the points at issue and provide an effective response and appropriate resolution where required
- Provide information to the colleges senior management team so that services and education can be improved.

Investigating Complaints

The following is considered best practice in ensuring that the individual investigating a complaint adequately covers all aspect of the issue;

- Establish what has happened so far and who has been involved
- Clarify the nature of the complaints and what remains unresolved
- Contact the complainant and potentially meet with them – especially if the investigator is unsure of any information or if further details are required)
- Clarify what the complainant requires to put things right
- Interview those parties involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- Conduct an interview with an open mind and be prepared to persist in questioning
- Keep notes of the interview or arrange for an independent note taker to record the minutes of the meeting

Resolution of Complaints

At each stage of the process an open mind should be kept in which a complaint can be resolved. It is sometimes sufficient to acknowledge that the complaint is valid in whole or in part. In addition it might be appropriate to offer one or more of the following;

- An apology
- An explanation
- An admission of how the situation could have been handled differently or better
- An assurance that the event complained of will not occur again including an explanation of the steps taken to ensure a similar occurrence can't happen again
- An undertaking to review policies, where applicable, in light of the complaint

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Oakwood Court Colleges Complaints Procedure

Each parent, guardian, carer, learner or any other person has the right to make representations by way of comments, compliments or complaints. This procedure is designed to be used for both minor and major complaints.

If during the investigative stage (or any other stage) it is felt or required that external agencies should be involved, including the police and other external agencies, the matter will be referred without delay and these agencies for assistance. The complaints procedure may need to be paused at this point.

If a complaint is made a record is maintained in the college's complaints folder. Information recorded includes the;

- name of the complainant
- date of the complaint
- nature of the complaint
- action taken
- outcome of the complaint

Details will be kept whether they were resolved at the preliminary stage, or whether they proceeded to a panel hearing.

All correspondence, statements and records of complaints are to be kept confidential.

Each complainant has access to the following procedures;

- Oakwood Court College's complaints procedure and the services of an independent representative/advocate
- The complaints procedure of the applicable local authority
- The local area office for Ofsted
- Also any other Organisations representing the interests of young adults attending the college

Any person who is the subject of a formal complaint is precluded from taking any part in the investigation other than as a witness.

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Any Learner or Parent may be accompanied if they wish.

It is explicit within this procedure that any reprisals against a learner will not be tolerated and will be considered to be an act of gross misconduct.

This procedure is designed to allow a complaint to be fully addressed and without delay. The complaint will be fully responded to within a maximum of 28 days. The complainant will be kept informed throughout the process. The complainant and parents can be accompanied to a hearing if they wish.

The complaints procedure consists of three stages;

First stage – Informal – Complaint heard by a member of staff

It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the college can be crucial in determining whether the complaint will escalate.

Employees will endeavour to deal with the matter of concern in an informal manner as soon as possible after receiving the complaint but within the same day, helping the complainant to negotiate a positive outcome. Where the complainant indicates, or due to the nature of the complaint, it would be inappropriate for the individual staff member to discuss it then the complaint should be handled by another member of staff or the Principal. Where appropriate the complainant can be referred to the Director of Education.

Similarly if the individual staff member considers that they are compromised in handling the initial complaint the complainant should be referred to another staff member based on their ability to consider the complaint objectively and impartially.

If the first approach is made to a Director of Education by the complainant. The Director of Education should refer the complainant to the appropriate person and advise the complainant about the procedure. Director of Education should refrain from acting unilaterally on an individual complaint outside the formal procedure or be involved at early stages in case they are needed to sit on a panel at a later stage of the procedure.

If a learner makes a complaint, Oakwood Court College will:

- Support the learner to obtain an advocate.

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- Ensure any information communicated to the learner is appropriate to their age and understanding.

At this stage it may be sufficient to resolve the matter by means of:

- Apology.
- Explanation.
- Admission that the situation could have been handled better.
- Assurance that the event would not occur again.
- Explanation of steps taken to ensure that it would not happen again.
- Acknowledgement that improvements could be made to develop the service the college offers and this would be taken to the Director of Education .

The Manager will look into the issues raised by the complainant and provide a response. If the complaint is about a Manager then the appropriate Line Manager will deal with the complaint.

The response will be made within 10 working days of receiving the complaint. Depending on the complexity of the complaint this may not be always possible. In that scenario the Manager/Line Manager investigating the complaint will contact the complainant.

Second stage – Formal written complaint

If the complaint could not be resolved at Stage one then the complaint will be heard by the Principal or an Investigating Officer, a manager from within the company, who does not know the complainant nor has been involved with the handling of the complaint thus far.

It is helpful at this stage if the Complaint can be put in writing. The student, parent or guardian will be helped if necessary to put in writing details of their concern.

This written complaint will then responded to by the Principal within 7 days of receipt.

The Principal may delegate (An investigating Officer) the task of collating any information required to consider the response to the Complaint but not the decision, or action to be taken.

If the complaint is about the Principal, the learner, parent or guardian can address their written complaint straight to the Director of Education.

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Third stage – Formal complaint heard by the Director of Education

If the complainant is not satisfied with the response from the Principal, the complainant should write to the Director of Education to request that their complaint is considered further and a reply must be made within 20 working days

At times it may be appropriate that the complainant attends and has the opportunity to address the Panel whose remit is then to make recommendations to the CEO of Phoenix Learning and Care Ltd who has 15 working days to make the final response to the complainant.

That concludes the Phoenix Learning and Care Ltd Complaints Procedure. However, if the complainant is still dissatisfied with the outcome of the complaint or thinks that the complaint has not been dealt with properly then the complainant can contact at any stage:

- OFSTED
- CQC
- Devon Education Funding Authority

Annex A shows a form that a complainant may wish to use to raise their complaint.

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Annex A – Complaint Form

Please complete and return to the Principal who will acknowledge receipt and explain what action will be taken.

Your Name:
Learner's Name (if relevant):
Your relationship to the learner (if relevant):
Address:
Postcode:
Day time telephone number:
Evening telephone number:
Please give details of your complaint.
What action, if any, have you already taken to try and resolve your

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complaint. (Who did you speak to and what was the 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:

Official Use

Date acknowledgement sent:

By whom:

Complaint referred to:

Date:

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