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Spring 2023	JO	JR	Annual	Spring 2024

## **Learning to Listen Complaints Procedure for Parents/Carers**

**Website [www.learningtolisten.co.uk](http://www.learningtolisten.co.uk)**

**Address – East Hall Farmhouse, St Pauls Walden, Hitchin, SG4 8DL**

This policy only fully applies to parents/carers of registered students and students themselves, at the provision. If complaints are raised by persons other than parents/carers, they will be dealt with under Learning to Listen’s formal complaints policy.

All staff will be made aware of complaints procedures and expected to review this document regularly in order that they are familiar with our process of dealing with complaints and can be of the most assistance when an issue is brought to their attention.

This document explains that procedure, and the steps that it outlines should be referred to and followed by all students and their parents/carers whenever an issue arises that causes them concern. If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly, given an explanation, and provided with revised timescales.

If there is an allegation or concern about physical or sexual misconduct towards a student, or there is a belief that a student may be at risk of serious harm, the provision may immediately refer the case to child protection and welfare services. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by the provision and outlined in this document.

Where the complaint relates to a safeguarding referral made by a member of staff at the provision, any consideration of that complaint by the provision, will be limited to a review of the reasonableness of the decision to make the referral, in light of the evidence available to the member of staff at that time and in light of the provision’s safeguarding policies.

For more information on Learning to Listen’s provision for protecting our students, please request our child protection and safeguarding policies, available from the main office.

Anonymous complaints will not be examined under this document- please refer to our formal complaints policy, available from the office.

## **Process of raising a complaint**

If you have a concern that you would like to take up with the provision you should initially inform a member of staff either in person, over the telephone or in writing. You may then be invited to an informal meeting with the member of staff most appropriate for dealing with your concern.

You may wish to approach your child's coach first as they will be best placed to help you either directly or by figuring out which other member of staff you should be speaking to. We encourage parents/carers to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding.

A written explanation of your concern will need to be given to the staff member that you speak to, so that it is easy to see – when complaints are taken further or referred back to in the future – what the initial problem was.

If your complaint is about a member of staff, you should first raise this with the Managing Director either in person or in writing, and a meeting can be arranged to discuss the issue at hand.

## **First Stage- Informal Meeting**

Once a concern has been raised you may be invited to attend an informal meeting with a member of staff or the Managing Director to discuss your concerns.

You are welcome to bring a friend, partner or, in the case of a student who has raised a concern, a parent/carer to this meeting. It may be appropriate for a student to attend the meeting if their parent/carer has raised a concern, depending on the nature of the issue.

Staff have a responsibility to ensure that you understand any future points of action that have been agreed upon in this meeting and should make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

All staff will do their best to ensure that your concerns are dealt with appropriately and efficiently but if you cannot come to an agreement, or are dissatisfied with the outcome of your meeting, you can make a formal complaint in writing to the Managing Director.

There is no suggested time-scale for resolution at this stage given the importance of dialogue through informal discussion although it would be expected that most issues would be resolved within 20 provision days.

## **Second Stage - Formal Complaint**

### **Step 1**

If you do not feel that your concern has been dealt with as you would like, are unhappy with the outcome of your informal meeting or feel that the issue is serious

enough that it warrants it, you can make a formal complaint in writing to the Managing Director

If your complaint is about the Managing Director you should go straight to Step 2 of this procedure.

Your written complaint should provide sufficient detail of the issues to allow the Managing Director to investigate and respond to the complaint. You should also set out what you feel would resolve the complaint. The Managing Director should acknowledge your complaint in writing within 5 provision days.

They may already be aware of the situation. They will outline their decision if there is one to be made, and any action to be taken as a result of your complaint. The Managing Director may call you in for a meeting to discuss the issue outcome, possible solutions, or to explain what has or will happen as a result of your complaint.

The Managing Director will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint. If the complaint is against a member of staff, the Managing Director will talk to that staff member. If it is an allegation of abuse, a formal investigation may be instigated by the provision.

Please refer to our safeguarding policy, available from the main office, for an outline of this procedure.

The Managing Director will respond to you in writing within 20 provision days outlining their response to your concern, and any action that has or will be taken. If they have decided not to take any further action on the issue, they will explain what they have decided, how they have reached this decision, and will outline your right to take the matter further and the steps to be taken.

## **Step 2**

If, having spoken to the Managing Director, you are dissatisfied with the outcome of your complaint or your complaint is about the Managing Director, you may lodge your complaint with our independent designated person, Sarah Ilaria Northe within 5 provision days of the outcome of step 1.

The complaint must be in writing, and it should explain your concern in sufficient detail and the steps that have led up to you taking this course of action. You should also set out the actions you feel would be necessary to resolve the complaint.

If the complaint is against a member of staff, that member of staff will be given the opportunity to write a response, which will be sent to the independent designated person within 10 provision days of the complaint being lodged with them.

The independent designated person will respond to you in writing within 20 provision days outlining their response to your concern, and any action that has or will be taken. If they have decided not to take any further action on the issue, they will

explain what they have decided, how they have reached this decision, and will outline your right of appeal and how you can start your appeal

### **Third Stage - Appeals**

If you would like to lodge an appeal following the outcome of a formal complaint at step 2, this will be taken to the appeals panel. You should write to the independent designated person to exercise this right within 5 provision days of the outcome at Step 2.

If no request for an appeals panel hearing is received within 5 provision days, it will be deemed that the decision is accepted, and the complaint will be closed.

If an appeals panel is requested, the independent designated person will acknowledge your appeal and make the necessary arrangements and will usually convene the appeals panel within 20 provision days from the acknowledgement being sent.

Where it is not possible to find a mutually convenient date within that timescale, the provision will take reasonable steps to agree a time and date mutually convenient to all parties. The chair will ensure that all parties to the appeal have access to the same documentation and set out a timetable to support the collation and circulation of documents.

Any supporting documentation relevant to the complaint must be submitted to the appeals panel by both parties at least 5 provision days before the appeals panel hearing. You are entitled to be accompanied to the appeals panel hearing and should notify the chair in advance if you intend to bring anyone with you.

### **Appeals Panel**

The appeals panel will be made up of the independent designated person managing director, and one panel member who is independent of the management and running of the provision. No person can sit on the appeals panel if they have had any former knowledge or involvement in the case that is being dealt with at that time.

The chair of the panel will be nominated from within the group of panel members. All panel members will be familiar with and have access to the complaints policy. The panel will give careful consideration to how the complainant can be made to feel most comfortable presenting to the panel, especially in the case of a student having to present or explain information.

## **Appeals Procedure**

The Appeals Panel will determine the procedure to be followed to ensure that it is best placed to deal with the issues arising from the complaint. The procedure for an appeal is usually as follows:

- The complainant and Managing Director will enter the hearing together.
- The chair will introduce the panel members and outline the process.
- The complainant will explain the complaint.
- The Managing Director and panel will question the complainant.
- The Managing Director will explain the provision's actions.
- The complainant and panel will question the Managing Director.
- The complainant will sum up their complaint.
- The Managing Director will sum up the provision's actions.
- The chair will explain that both parties will hear from the panel within 5 provision days.
- Both parties will leave together while the panel discusses their decision.
- The chair of the panel will notify the complainant of the panel's decision in writing within 5 provision days of the appeal hearing. The letter will set out the decision of the panel together with the reasons underpinning that decision.

The letter will set out the panel's recommendations. The appeals panel may:

- dismiss all or part of the complaint
- uphold all or part of the complaint
- decide on the appropriate action to be taken to resolve the complaint
- evaluate all the evidence available and recommend changes to the provision's systems or procedures as a preventative step against similar problems arising in the future.

The panel's decision is final. If you are unhappy with the outcome, you may wish to put your complaint to an independent ombudsman.

## **Vexatious | persistent complaints**

Whilst it is hoped that this document will reduce any dissatisfaction with the provision, it is acknowledged that there may be rare occasions where a complainant continues to be dissatisfied with the provision and the outcomes achieved under the complaints procedure.

In this case please refer to our formal complaints policy, appendix three.

### **Records, review, and monitoring of complaints**

The provision will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls.

This material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint or on the review panel. Records of complaints will be kept securely, only for as long as necessary and in line with data protection law.

Learning to Listen will review and evaluate all complaints no matter how far they are taken or what the outcome to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively.

All records of any complaints will be kept confidential but may be inspected where appropriate by any inspection body.