

Complaints Policy

We are committed to providing a high-quality service to all our service users. When something goes wrong, we need you to tell us about it. This will help us to improve our standards.

This policy lays out how to make a complaint and how that will be dealt with.

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that we work with. Any person, including members of the public, may make a complaint to The Family Trust about any provision of facilities or services that we deliver.

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 defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. The Family Trust takes concerns seriously and will make every effort to resolve the matter as quickly as possible. If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Chief Executive will ensure the matter is dealt with either by himself or through the Board of Trustees. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Chief Executive will deal with the issue. The ability to consider the concern objectively and impartially is important. We understand however, that there are occasions when people would like to raise their concerns formally. In this case, The Family Trust will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of The Family Trust, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions

We have an internal whistleblowing procedure for all our employees.

Complaints from staff will be dealt with under the organisation's Internal Grievance Procedures.

Complaints about staff conduct will be dealt with under the organisation's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action that may be taken; however they will be notified that the matter is being addressed.

Any Safeguarding issues will be dealt with according to our Safeguarding Policy which can be found on our website.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so. Concerns should be raised with the relevant Team Leader. If the issue remains unresolved, the next step is to make a formal complaint.

Complaints against The Family Trust staff (except the Chief Executive) should be made in the first instance, to the Chief Executive, marked "Private and Confidential". A complaint that involves or is about the Chief Executive should be addressed to the Chair of Trustees. Please mark it as "Private and Confidential".

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Stage 1

Formal complaints must be made to the Chief Executive. This may be done in person, in writing, or by telephone. A member of staff will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 working days (Monday-Friday during term time). Within this response, a member of staff will seek to clarify the nature of the complaint, ask what remains unresolved and what the complainant feels would resolve the complaint.

The Chief Executive will determine the best person to deal with the complaint if it is not themselves. This person will become the investigator.

During the investigation, the investigator will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

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At the conclusion of the investigation, the investigator will provide a formal written response within 10 working days of the date of receipt of the complaint. If the investigator is unable to meet this deadline, they will provide the complainant with an update and revised response date. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. This may include one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review the organisation's policies in light of the complaint
- an apology.

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2

Stage 2

A request to escalate to Stage 2 must be made to The Family Trust, via the Maidstone office, within 5 working days of receipt of the Stage 1 response. A member of staff will acknowledge receipt of the complaint in writing (either by letter or email) within 5 working days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

If the complaint was not dealt with by the Chief Executive at Stage 1, they will review the complaint investigation and respond to the complainant within 10 working days. If the Chief Executive investigated the complaint at Stage 1, the Chair of Trustees will review the complaint investigation and respond to the complainant within 10 working days.

If the complainant remains dissatisfied, a request to escalate to Stage 3 must be made to the Chair of Trustees, via the Maidstone office, within 5 working days of receipt of the Stage 2 response.

Stage 3

A request to escalate to Stage 3 must be made to the Chair of Trustees, marked 'Private and Confidential', via the Maidstone Office who will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 working days. Requests received outside of this time frame will only be considered if exceptional circumstances apply.

A committee of at least three impartial Trustees will be formed to hear the complaint. The Family Trust will aim to convene a meeting within 20 working days of receipt of the Stage 3

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request. If this is not possible, the Chair of Trustees will provide an anticipated date and keep the complainant informed.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs. If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. Representatives from the media are not permitted to attend.

At least 5 school days before the meeting, the Chair of Trustees will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 5 working days before the meeting. Any written material will be circulated to all parties at least 3 working days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded. The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private and minuted by an impartial team member. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken. The committee will consider the complaint and all the evidence presented.

The committee can:

- uphold the complaint in whole or in part
- or
- dismiss the complaint in whole or in part.

The committee's decision is final.

If the complaint is upheld in whole or in part, the committee will:

Decide on the appropriate action to be taken to resolve the complaint. Where appropriate, recommend changes to the organisation's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant with a full explanation of their decision and the reason(s) for it, in writing, within 10 working days. The letter to the complainant will include details of how to contact the Charity Commission if they are dissatisfied with the way their complaint has been handled by The Family Trust.

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Next Steps

If the complainant believes the organisation did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties they can contact the complaints department at the Charity Commission.

If the complaint is regarding the trustees of The Family Trust the complainant should go directly to the Charity Commission: <https://www.gov.uk/complain-about-charity>

Date reviewed: September 2021

Next review due: September 2023