



# Staff Complaints Procedures

2018

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### **Safeguarding Statement:**

The operation of safeguarding is the responsibility of all staff working with young people in the capacity of GLAS Ltd and therefore also an adequate understanding of the processes set up to manage this, in particular, the referral processes but equally, the early identification of issues and managing expectations of vulnerable children where confidentiality is concerned. Ideally no one should ever feel able to cause harm to another whether psychologically or physically either in or outside of the facility and a culture of vigilance is expected to be supported by all Staff, volunteers and subcontractors working directly with children. The level of urgency can require anything from a discussion about early intervention to immediate action depending on what level the risk is at. There are multiple levels of authority to which a case can be referred including the home office.

Safeguarding concerns (as oppose to danger) should be dealt with by informing the designated safeguarding lead.

### **Description:**

This document is an outline and description of the procedures for students making an official complaint about the treatment experienced while at GLAS Ltd. For the benefit of the student's, a simplified step by step account of the procedure will be presented in their induction and a step guide included in the induction pack. For the extra benefit of student's, it is company policy that a poster will be on the wall in the main training room which outlines the steps necessary to register a complaint and who to go to should they wish to do this.

### **The following issues are covered by this policy: -**

Each of the following areas has its own company policy/procedure which will be used as a benchmark for any complaint about the service.

- Discrimination of any kind

- The handling of the intervention
- Safeguarding issues

**The following issues are [not] covered by this policy: -**

- Allegations against staff

Allegations against staff in the sense of the following points are covered by the **allegations policy** and (section 24) in the **GLAS Ltd safeguarding policy**.

Where an adult has: -

- Behaved in a way that has harmed a child or may have harmed a child;
- Possibly committed a criminal offence against or related to a child; or
- Behaved in a way that indicates s/he may pose a risk of harm to children

If any of the above conditions are present, then this must be reported immediately to the LADO who can be contacted on these numbers Luton 01582 548069

Hertfordshire 07580 744515.

**Policy Statement:**

The following details outline the company's policies with regards to complaints.

- All complaints will be handled fairly without prejudice.
- Commissioning organisations should be made aware of the complaints if the formal procedure is used.
- All complaints will be handled in compliance with the procedures outlined in the subsequent sections of this document.
- Only complaints [which are not] Allegations against staff as defined in 'GLAS Ltd safeguarding policy', 'GLAS Ltd Allegations policy' and this document can be dealt with under this policy document.
- Every effort will be made to ensure that adequate information is available for students to take complaints outside of the organisation (See whistleblowing policy).
- This policy and the subsequent procedures shall be reviewed on a yearly basis as outlined at the bottom of this document and in the header and footer.
- All complaints will be initially assessed for the possibility of an informal solution through mediation and/or reasonable adjustments.

**PROCEDURES:**

It is company policy to assess whether the complaint or grievance can be dealt with informally if appropriate. If this is not possible to then the person dealing with the issue should proceed with the formal procedures outlined in this document. (This involves working through the procedures outlined in section 2 to continue through section 3 below if necessary)

1. **General Description:** situations covered by this procedure
  - 1.1 The quality and appropriateness of the intervention
  - 1.2 Discrimination on the grounds of race, sex, sexual orientation, religion, disability, age, gender reassignment, marital status or ethnic origin; or
  - 1.3 Treatment by others including harassment and bullying; or
  - 1.4 Their health and safety or a breach of statutory rights; or
  - 1.5 any other issue effecting their well-being,
  
2. **Informal Procedure**
  - 2.1 Students should, if comfortable in doing so, discuss the grievance or complaint with their tutor on an informal basis first. The Tutor will discuss any concerns with the student and attempt to resolve the matter within a reasonable timescale. Where it is not possible for the student to talk to their tutor, or if the grievance concerns the tutor, the student should instead talk to the next most senior person. The details of who this is, is included in the student induction pack
  - 2.2 Where the informal procedure is used, both parties should keep a written record of the meeting including what was discussed and any proposed action. (In this case and if necessary the tutor or manager dealing with the complaint should take notes, verify them with the student and supply the student with a copy of the notes).
  - 2.3 If the grievance has not been resolved or cannot be settled informally, the matter should be dealt with, according to the formal grievance procedure.
  - 2.4 If the student is not comfortable discussing the issue with the relevant tutor it may be discussed informally with another member of staff.
  - 2.5 If the student is not comfortable discussing this with any member of staff, then the issue may be referred directly outside of the organisation to the commissioner of the service who ever that may be (*the student's key worker or referring body*) so that they may act on behalf of the student. If this is the case, then: -
    - 2.5.1 the immediate member of staff who is made aware of this must report to the complaints officer who will ensure the issue is forwarded to the key worker or referring body.
    - 2.5.2 The student may make the referral themselves. (information boards in GLAS Ltd contain contact information for students to access independently should they wish to refer outside the organisation)

### 3. **Formal Procedure:**

#### 3.1 Written Statement

3.1.1 The aggrieved student must first produce a written statement detailing the nature of the grievance to their immediate tutor or to the facilities Complaints officer which is Chris Lodder without unreasonable delay. (in this case a written statement may be a verbal statement recorded by a third party on behalf of the student)

3.1.1.1 Unreasonable delay would be a length of time which had passed making it too difficult to assess the complaint adequately and fairly.

3.1.1.2 A copy of the written statement should be shared with the commissioning organisation at the earliest opportunity.

3.1.2 Where it is the complaints officer who is the subject of the Grievance, the student should instead send/give the written statement to their key worker or referring agency who will then decide on how to proceed. (this advice [must] be given by the member of staff who is made aware of the situation)

#### 3.2 Grievance Meeting

3.2.1 Upon receiving the written statement, the complaints officer will arrange for a formal meeting to be held to discuss the grievance. The formal meeting will be held without unreasonable delay and usually no longer than 5 working days after the statement of grievance is received.

3.2.2 The meeting must not take place if the complaints officer has not had a reasonable opportunity to consider their response to the information. (reasonable opportunity can only be defined in the context and size of the information related to the complaint)

3.2.3 Before the meeting, a thorough investigation of the facts relating to any grievance must take place. Any requests for anonymity and confidentiality should be taken seriously. (it should be made clear that confidentiality cannot be guaranteed should the facts arising constitute a reportable offence - see '*reporting procedures*')

3.2.4 IF THE STUDENT IS UNDER 16 they must be accompanied by a responsible and appropriate adult. IF THE STUDENT IS OVER 16 they may, following a reasonable request, be accompanied by a responsible person, The companion may not, however, answer questions on behalf of the student.

3.2.5 The students chosen companion [will] be able to address the meeting to put or sum up the case as well as confer with the student during the meeting. They [may not], however, address the meeting if the student does not wish them to do so or prevent the complaints officer from explaining their case.

- 3.2.6 GLAS Ltd reserves the right to refuse to accept a companion whose presence may undermine the grievance process. (a written response should be given if this is the case)
- 3.2.7 Everyone involved shall make every effort to attend the meeting. If the student fails to attend the grievance hearing without explanation or seems to make insufficient efforts to attend, then the hearing may proceed in their absence.
- 3.2.8 If possible, the student should explain how they think the grievance could be resolved.
- 3.2.9 If a further investigation of the matter is required, then the meeting should be adjourned to a later date before a decision is taken about how to deal with the student's grievance.

### 3.3 Outcome of meeting

- 3.3.1 Following the meeting and investigation and without unreasonable delay the complaints officer shall set out in writing the outcome of the hearing and any action they intend to take to resolve the grievance (if appropriate).
- 3.3.2 The Complaints officer [must] also inform the student of their right to appeal if they are not satisfied with the action taken and who they should contact to do this. (see complaints made outside of the organisation - below)
- 3.3.3 Any action taken shall be monitored and reviewed, as appropriate, to ensure it effectively deals with the issue.

### 3.4 Appeals

- 3.4.1 Students have the right to appeal where they feel their grievance has not been satisfactorily resolved.
- 3.4.2 The request for an appeal must state the grounds for the appeal and should be submitted to the Complaints officer Chris Lodder in writing within 1 working week of receiving written confirmation as to the outcome of the grievance meeting.
- 3.4.3 The Complaints officer will arrange a further meeting to discuss the appeal within a reasonable time of receiving the request for an appeal. The Student will be informed of the time and place of the appeal in advance.
- 3.4.4 The appeal meeting, wherever possible, will be chaired by an independent person who has not previously been involved in the case. This appeal hearing is not a re-hearing of the original appeal but a consideration of the specific areas of dissatisfaction in relation to the original grievance.

- 3.4.5 IF THE STUDENT IS UNDER 16 they must be accompanied by a suitable adult. IF OVER 16 the student has the right to be accompanied at the appeal meeting and the outcome of the appeal meeting shall be communicated to the student in writing within 5 working days. Decisions made at this point are final and the grievance procedure is concluded.
- 3.4.6 If the matter is more complicated and requires evidence that cannot be gathered in the stated time frame this must be communicated to the
- 3.4.7 student and a reasonable timeframe must be set.

#### 4. **Confidentiality**

- 4.1 Grievances will be handled with as high a degree of confidentiality as is practicable.
- 4.2 Confidential records of the grievance will be kept in the students personnel file in accordance with General Data Protection Regulation. Copies of meeting notes will be provided to the student, although GLAS Ltd reserves the right to withhold certain information (e.g. to protect a witness).

#### 5. **Special Cases**

- 5.1 Where a grievance is raised during the disciplinary process, the disciplinary process may be suspended so the grievance can be dealt with first.
- 5.2 The above procedure shall not be used for collective grievances.
- 5.3 [A separate procedure can be referred to for issues involving bullying, harassment or whistle blowing.]

For Complaints procedures, outside of GLAS Ltd refer to the commissioner of the specific student. (see student files)

#### 6. **Person/s responsible for The Procedure**

- 6.1 GLAS Ltd internal complaints
  - Name:** Chris Lodder
  - Position:** Director
  - Contact tel:** 07951 946303
  - Email:** chris@glasuk.com

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<b>Authorised By:</b>	<b>Position:</b>	<b>Date:</b>	<b>Signature:</b>
Chris Lodder	Director		