

**REMARKABLE**

**REDEFINING WHAT'S POSSIBLE**

## **Complaints Policy**

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This policy should be read in conjunction with the following policies:	
1.	Whistle Blowing Policy
2.	Safeguarding Policy
3.	SEND Policy
4.	Grievance Policy
5.	Harassment Policy
6.	Disciplinary Policy

**References & Further Resources**

List using Harvard referencing format (see notes).

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## Foreword

Remarkable Autism Ltd.'s (Remarkable) Complaints Policy is based on the firm belief that those who use our services, parents and any other person who has sufficient interest in the organisation, should be able to complain if any aspect of our services or activities does not meet the high standards that they have a right to expect. The Complaints Policy is one of a range of policies and procedures that aim to give stakeholders a voice and to encourage the full participation and involvement of service users.

Remarkable Autism Limited aims to achieve the highest standards in all our activities, but there will be occasions when complaints arise. We take all complaints very seriously and are committed to ensuring that they contribute to the continuous improvement and development of our services.

A written document cannot cover every eventuality or circumstance that might arise. If you have any queries, you can seek advice from a member of the Senior Leadership Team, they will provide guidance on any aspect of the complaint process and aim to demonstrate good practice in handling them.

In the spirit of continuous improvement, we have built in a review mechanism for the procedure and the way in which it operates. If you have any comments about the Complaints Policy, please address them to the Chief Executive Officer (CEO) at Remarkable Autism Limited's registered office.

## Introduction

Remarkable takes all complaints seriously. Complaints give us important feedback on how well we are meeting the needs of people who use our services, by giving them a voice. A strong complaints system enables us to listen to what our customers are saying in order to change things so that children and young people with an Autism diagnosis have equal rights and opportunities in a changing world.

Compliments and suggestions for how to do things better, also help us to improve our services.

## Definitions:

A concern may be identified 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. Remarkable 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 Head of Service will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Head of Service will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Remarkable will attempt to resolve the issue internally, through the stages outlined within this policy.

This policy does not cover complaints procedures relating to:

- Admissions
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Suspension & permanent exclusion
- Whistle-blowing
- Staff Grievances
- Staff Discipline

Please see our separate policies for procedures relating to the above listed topics.

## Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to Remarkable about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures, we will use this complaints procedure.

## Children Who Want to Complain

Whenever a child indicates that they wish to make a complaint they will be supported by their Key Worker or an advocate. The complaints procedure should be followed with consideration for the child's wishes. The child may need help to make a complaint and they should be aware that they can complain via their placing authority and should be assisted by a Remarkable member of staff. A copy of the complaints procedure should be supplied to the child in an accessible format.

## 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 the appropriate consent to do so.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 3 of the procedure.

Complaints against school staff (except the Head of Service) should be made in the first instance, to the Head of Service via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about a Head of Service should be addressed to the Chief Executive Officer, via the school office. Please mark them as Private and Confidential.

Complaints about the Chief Executive Officer, any individual Governor, Trustee or the whole Governing Body or Trustee Board should be addressed to the Clerk to the Governors & Trustees via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure, [Appendix 1](#). If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with the equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

## Anonymous Complaints

We will not normally investigate anonymous complaints. However, the Head of Service or CEO, if appropriate, will determine whether the complaint warrants an investigation. If you feel unable to disclose your name then please refer to our whistleblowing policy.

## Time scales

You must raise the complaint within three months of the incident or, where a series of incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this period if exceptional circumstances apply.

### Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

### Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by Remarkable, other than complaints that are dealt with under other statutory procedures, including those listed below:

Issue	Procedure
Person or Organisation dissatisfied with any aspect of Remarkable services or activities that do not fall within the definition of any of the below.	Complaints Procedure
Complaints about Remarkable Autism Limited or Children's Services.	Complaints Procedure
Staff Grievance relating to any aspect of work or conditions of employment.	Grievance Procedure
Staff complaint relating to bullying or harassment.	Grievance Procedure Harassment Procedure
Malpractice or fraud taking place within the company.	Whistleblowing Procedure
Volunteer misconduct	Disciplinary Procedure
Suspected or alleged adult abuse.	Safeguarding Procedure Whistleblowing Procedure
Suspected or alleged child abuse	Safeguarding Procedure Whistleblowing Procedure
Staff Misconduct	Disciplinary Procedure Whistleblowing Procedure
Alleged or suspected criminal offences committed by Remarkable employees and matters which should be reported to the police.	Disciplinary Procedure Whistleblowing Procedure

If other bodies are investigating aspects of the complaint, for example the Police, Local Authority (LA) safeguarding teams or tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Remarkable in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

When a complaint is received, 'Complaint Recording Form' – [Appendix 1](#) must be completed. One copy to be kept in the Complaints Log – [Appendix 4](#), stored in the Chief Executive Officers' office and a copy to be kept by the relevant complaints officer. 'Complaint Outcome Form' – [Appendix 2](#) should be completed once the complaint has been resolved and this must be filed in the Complaints Log with a copy being retained by the relevant complaints officer.

Staff employed by Remarkable must not act as advocates for complainants when a complaint is being made about a Remarkable service as this might involve a conflict of interest. They can however, assist people with a learning disability to have the support they want (including outside advocates) when making complaints or suggestions, in finding someone to act as an advocate.

Where services are registered with the Care Quality Commission, or Department of Health & Social Services and Public Safety, service users must be provided with the address and telephone number of the relevant regulatory agency, and supported to make contact with these where appropriate.

Where the CEO or other Senior Leaders considers a complaint to be deliberately repetitious or vexatious, they may, at any stage of the Complaints Procedure, review such a complaint and give a decision without a formal investigation.

Again, if the complaint is substantially the same as a previous complaint made by the same complainant within six months, the CEO or other Senior Leader may choose not to investigate.

Complaints will be recorded centrally in order to identify any pattern of complaint relating to all or a group of service users. This record will contain minor complaints in addition to serious complaints, and will be accessible to all staff for them to make appropriate entries in a timely fashion. The central information will be regularly reviewed and summarized. The summary will be regularly considered by the Senior Leadership Team and a copy of the summary will be submitted to the Care Quality Commission annually.

## Dealing with a complaint

Complaints should not be confined to serious matters. Relatively minor 'grumbles' or concerns, including those dealt with on the spot, for example, food served cold, should also be recorded. While some 'grumbles' may be quickly dealt with, they are sometimes ignored and may indicate an underlying problem caused by faulty work procedures, faulty training or potential Service User needs which require investigation and support.

Some complaints can be handled quickly and easily. Others are more serious or difficult to sort out and may go through several stages of the procedure before they are resolved.



It is up to the person making the complaint ('the complainant') to decide at which stage they want the complaint dealt with, and whether they want to take it further. Remarkable will inform the complainant of their rights at any stage of the procedure.

A complainant can enter the Complaints Procedure at any stage.

### **Withdrawal of a Complaint**

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

### **Complaints Procedure**

On a day-to-day basis, people who use Remarkable services will raise worries or concerns, or talk about things that have upset them.

All Remarkable staff have a responsibility to resolve complaints as quickly as possible.

#### **Complaints Procedure – Stage 1:**

Formal complaints must be made to the Head of Service (unless they are about the Head of Service), via the school office. This may be done in person, in writing or by telephone.

The Head of Service will complete the 'Complaint Recording Form' and file this in the Complaints Log' and a copy will be sent to the CEO. The letter of complaint must also be filed in the complaints log. The Head Service will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Within this response, the Head Service will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Head of Service can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The Head of Service may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the Head of Service (or 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.

- At the conclusion of their investigation, the Head of Service will provide a formal written response within 15 schools days of the date of receipt of the complaint.
- If the Head of Service is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any further actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Remarkable will take to resolve the complaint.

Once resolved the Complaint Outcome Form must be completed and filed in the Complaints Log and a copy sent to the CEO.

The Head of Service will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about a Head of Service the CEO will complete all the actions at stage 1.

If the complaint is about the CEO, a suitably skilled Governor or Trustee will be appointed to complete all actions at stage 1.

Complaints about the CEO, member of the Governing Body or Trustee Board must be made to the Clerk, via the school office.

If the complaint is:

- Jointly about the Chair and Vice Chair of Trustees or Governors or,
- The entire Governing Body or Trustee Board or,
- The majority of the Governing Body or Trustee Board.

Stage 1 will be considered by an independent investigator appointed by the Governing Body. At the conclusion of their investigation, the independent advisor will provide a formal written response.

### **Complaints Procedure – Stage 2:**

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 – the CEO will contact the complainant within 5 school days to discuss the reasons they feel dissatisfied and arrange a meeting if possible or agree further actions by telephone or email.

The meeting should identify those issues which remain unresolved, the CEO will review the evidence provided in stage 1. If for any reason the complainant

does not wish to meet then all unresolved issues will need to be responded to in writing.

If necessary the CEO may seek to identify further sources of evidence in order to explore the complaint in more detail.

The CEO will draft a response which should be agreed by an appropriate member of the Board of Trustees to ensure there has been appropriate exploration and learning from the issues raised.

The response will be provided to the complainant within 20 school days of the stage 2 meeting.

If the complaint is about the CEO or any Trustee or member of the Governing Body, the complaints procedure moves to stage 3 (missing stage 2).

### **Complaints Procedure – Stage 3:**

If the complainant is dissatisfied with the outcome at stage 2 and wishes to take the matter further, they can escalate the complaint to stage 3 – a meeting with members of the Governing Body's complaints committee, which will be formed of the first three impartial Governors available. This is the final stage of the complaints procedure.

A request to escalate to stage 3 must be made to the Clerk, via the school office within 10 days of receipt of the stage 2 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the stage 3 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of three Governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the complaints committee. If there are fewer than two Governors from Remarkable available, a

Trustee of Remarkable can make up the committee. Alternative, an entirely independent committee may be convened to hear the complaint at stage 3. 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.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 days before the meeting, the Clerk 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 6 school days before the meeting.

Any written material will be circulated to all parties at least 6 school 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.

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
- Dismiss the complaint in whole or in part

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

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

The chair of the committee will provide the complainant and Remarkable with a full explanation of their decision and the reason(s) for it, in writing, within 15 school days. The letter to the complainant will include details of how to contact Ofsted if they are dissatisfied with the way their complaint has been handled by Remarkable.

An updated Complaint Outcome Form should be completed and included in the Complaints Log.

If the complaint is:

- About the CEO or Chair/Vice Chair (Trustee/Governors) or
- The entire Governing Body or Trustee Board or
- The majority of the Governing Body or Trustee Board

Stage 3 will be heard by a committee of independent Governors or Trustees.

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. Where appropriate, it will include details of actions Remarkable will take to resolve the complaint. The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

## Complaints to an Outside Organisation

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed stage 2.

- Care Quality Commission (CQC) - Care Quality Commission, CQC National Correspondence, PO Box 1258, Newcastle upon Tyne, NE99 5AU
- Social Services

- Adult Learning Inspectorate
- Department of Health, Social Services and Public Safety
- OFSTED (for Children's Services) – OFSTED, Royal Exchange Buildings, St Ann's Square, Manchester, M2 7LA

## Reviewing and Monitoring Complaints

Line managers must make sure that any action agreed as a result of a complaint is carried out.

A Complaints Log will be kept of all complaints received to monitor if they were resolved and within given timescales. The CEO will use this to write an annual report for the Trustees/Governing Body.

The complaints co-ordinator can also ask for feedback from complainants on how their complaint was handled and if it was resolved to their satisfaction. This will help us to find out if any changes need to be made to the complaints procedure.

The Senior Leadership Team reviews the complaints received with a view to continuous improvement.

## Recording Compliments

Whoever receives the compliment is responsible for feedback to the relevant service. The compliment must be kept in a 'Compliments File' within the service. If it is deemed appropriate an acknowledgement of the compliment can be made using 'Compliment Recording Form' – [Appendix 3](#).

## Policy Impact

We have a rolling programme for reviewing our Company policies. We regularly review the impact of our policies on the needs, entitlements and outcomes for students, service users, staff and parents.

## Appendix 1 - Complaint Recording Form

Service Name:					
Name of Complainant Address  Tel. No.  Name of Representative				Details of Person Receiving Complaint Name  Work Address  Tel. No. Job title	Date and name of person acknowledging complaint
Monitoring Information					
<input type="checkbox"/> Male	<input type="checkbox"/> Female	<input type="checkbox"/> Service User	<input type="checkbox"/> Parent/Carer	<input type="checkbox"/> Other	
Complaint About:		<input type="checkbox"/> Service User	<input type="checkbox"/> Staff	<input type="checkbox"/> Other ( <i>specify</i> )	
Type of Complaint (tick all that apply)			<input type="checkbox"/> Harassment <input type="checkbox"/> Abuse		
<input type="checkbox"/> Delay in receiving a service (D) <input type="checkbox"/> Breach of confidentiality (C) <input type="checkbox"/> Inadequate facilities (IF) <input type="checkbox"/> Ill-treatment (IT) <input type="checkbox"/> Political (P)		<input type="checkbox"/> Sectarian (S) <input type="checkbox"/> Sexual (Sx) <input type="checkbox"/> Physical (PH) <input type="checkbox"/> Racial (R) <input type="checkbox"/> Emotional (E)		<input type="checkbox"/> Inefficiency/ineffectiveness (IF) <input type="checkbox"/> Service Issue: Denial/withdrawal/change of service (Ser) <input type="checkbox"/> Behavioural: Nuisance Conduct/attitude/manner (B) Other (please specify) (O) <input type="checkbox"/> Fundraising Conflict (FC)	
Was the complaint referred under another procedure?:    Yes <input type="checkbox"/> No <input type="checkbox"/> Please specify					
Details of the complaint ( <i>please continue on additional paper if necessary</i> ):					
Date and Name of person complaint passed on to if appropriate.					

## Appendix 2 Complaint Outcome Form

Service Name:				Date Complaint Received: Date of Outcome
Name of Complainant		Details of Person Receiving Complaint		Was the complaint resolved at
Address				Stage 1 <input type="checkbox"/> Yes <input type="checkbox"/> No
Tel. No.		Name		Stage 2 <input type="checkbox"/> Yes <input type="checkbox"/> No
Name of Representative		Work Address		Stage 3 <input type="checkbox"/> Yes <input type="checkbox"/> No
		Tel. No. <i>Job title</i>		Was the complainant satisfied  <input type="checkbox"/> Yes <input type="checkbox"/> No
Please provide further details about the complaint outcome/further action here:			Was the Complaint - Upheld: <input type="checkbox"/> Upheld Partially: <input type="checkbox"/> Not Upheld: <input type="checkbox"/>	
Please specify if any changes have been implemented following the outcome of this complaint:				
Date and name of person sending resolution letter to complainant:				
Signed: _____ Date: _____  Name: Contact Telephone No. Name and Signature of Data Input Person:				



## Appendix 3 Compliment Recording Form

Service Name:					
Name Address  Tel. No.  Name of Representative		Details of Person Receiving Compliment Name  Work Address  Tel. No. Job title	Date and name of person acknowledging Compliment		
Monitoring Information					
<input type="checkbox"/> Male	<input type="checkbox"/> Female	<input type="checkbox"/> Service User	<input type="checkbox"/> Parent / Carer	<input type="checkbox"/> Other	
Compliment About:	<input type="checkbox"/> Service User	<input type="checkbox"/> Staff	<input type="checkbox"/> Other (specify)		
Details of the compliment:					
Date and Name of person compliment passed on to if appropriate.					

## Appendix 4 Complaints Log

Date	Complainant	Summary of Complaint	Action Taken
This register must be referred to at each regular Senior Leadership Team meeting for review.			