



# LEICESTER TIGERS Foundation

## Complaints Procedure

The Leicester Tigers Foundation aims to provide a high quality service in partnership with our learners and relatives, and to actively seek their opinion regarding the quality of provision received.

Complaints are a measure of learners satisfaction and should be used to improve the quality of services.

To this end The Foundation endeavour to:

- Record complaints and ensure that they are brought swiftly to the attention of the staff, and Senior Management
- Resolve any complaint as fully and quickly as possible but by **no later than 28 days formally**. The information gained will be used to improve the quality of services through Staff meetings

### Complaints

Complaint is an expression of dissatisfaction from the learner, their relative or other representative.

The **complaints procedure** is designed to:

- Be accessible
- Be simple to understand and to use
- Allows quick handling of the complaint within specified time limits
- Ensure all parties involved are kept informed
- Ensure a full and fair investigation
- Address all points at issues and provide an effective response
- Provide information to managers and staff so that services can be improved

The Foundation acknowledges that regardless of how well staff undertake their job, there will always be occasions where the individual may slip up, whether there are misunderstandings between the worker and the learner/their family or whether the learner/their family may be dissatisfied for any other reason or simply if there has been a personality clash.

The following complaints procedure applies in these circumstances as well as for the learner, parents and carers.

It is the express desire of the Foundation to resolve any difficulties with the learner, their family or any party with a legitimate interest in the welfare of the learner (and others whose lives come into contact with the Foundation) as speedily as possible in the best interests of all concerned.

It is for this reason that the first part of the Complaints Policy is:-



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## **Informal resolution.**

To resolve any complaint informally, The Foundation expects the staff member (on whom the complaint is focused) to meet with the complainant with the intention of problem solving and moving the relationship/resolution forward. Staff will be especially aware of any power dynamics in this situation and act with sensitivity and discretion at all times. In the case of a complaint from a neighbour etc. the Foundation manager will take responsibility for instigating the informal meeting. The complaint will be recorded in the complaints book at this stage.

The complainant will be given the opportunity to express their complaint fully and the staff member (or manager in the case of a complaint from a neighbour etc.) given the opportunity to respond fully. From this position it is hoped it may be possible to identify where things have gone wrong and make agreements to prevent a similar situation reoccurring. A review date will be set for the individuals concerned to meet again; usually after four to six weeks, to ensure the relationship is continuing smoothly.

At this informal stage of the complaint it may be necessary or more comfortable for the complainant to have a facilitator present. This could be an Independent Advocate, the learner's social worker, a different member of staff with whom the learner/their family feels comfortable or the staff member's line manager. The learner's social worker will be informed of the outcome of this informal approach. It is not appropriate for legal representative to act as an accompanying adult at this stage nor at the formal stage of the process.

Should it not prove possible to resolve the complaint informally, the **formal process** will be instituted. Should this be necessary, the Foundation Manager will be required to conduct a formal investigation into the complaint. The complainant will be asked to complete a complaints form.

The complainant will be formally interviewed by the Foundation Manager and contemporaneous notes taken of the meeting. These notes will be signed and dated by the complainant as a fair and accurate representation of what they have said. The Foundation Manager will then undertake further formal interviews, as required, following the same process, with any other person relevant to the investigation.

All interviewees will be given the opportunity to have another person present at these interviews. For the learner/their family it might be another family member, an Independent Advocate, Social Worker etc. For the staff member it might be a work place colleague of similar work status.

If, at any point during the investigation, it appears that a criminal offence may have been committed, the matter should be reported to the police immediately. Discussions should be held with the police about whether the investigation into the complaint can continue alongside their own enquiries and this is led by the Police themselves not the Homes staff.

If it emerges at any point that a learner may have been caused significant harm or may be at risk of significant harm, child protection procedures should be instigated immediately.

The Foundation Manager will feed back within ten working days the results of their investigation to the complainant, the learner's Social Worker and the staff member along with what (s)he intends to do about their findings. This decision will also be confirmed in writing.

Should the complainant be dissatisfied with the outcome of the investigation, they have a **right of**



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**appeal.** A decision to appeal must be put in writing to the Trustee and must give reasons as to why the complainant feels a review of the decision is necessary e.g. fresh or overlooked evidence, bias etc.

The Trustee will then review the investigation process and collated evidence, conduct any further investigations (s)he feels appropriate and report back to all parties concerned within ten working days. The appeal decision will be confirmed in writing. The complaints book will be completed at this stage.

At the time of writing the Foundation Managing will also advise the complainant as to what further steps they might wish to take should they remain dissatisfied with the final decision.

Should the complaint be made against the Foundation Manager, a Trustee will conduct the first stage of the formal interview. Should the complainant be dissatisfied with the outcome of the formal investigation and wish to appeal against the decision, an independent consultant will be appointed to consider the appeal so that the integrity of the final appeal to The Trustee is retained.

In order that complaints are treated with the appropriate level of attention, The Foundation requires complaints to be managed within prescribed timescales by the Foundation manager and a Trustee:

- A response to the initial complaint must be forthcoming within forty eight hours.
- The informal meeting must take place within five working days of receipt of the complaint.
- A formal meeting will take place within ten working days of receiving notification from the complainant of the informal process being unsuccessful. (This may be at the end of the test period to resolve the complaint informally). Feedback from the formal meeting will be provided within ten working days.
- Should an appeal be considered by the complainant, this will be convened within two weeks of receiving the notification. Feedback from the appeal will be provided within ten working days.
- An appeal will be considered out of time if the complainant has not made representation within three months of the date of the formal complaint being responded to.

Regardless of whether a complaint is dealt with formally or informally, accurate notes should be made by the key worker or investigating manager of each stage of the process, including records of meetings.

If the complaint leads to any disciplinary action or a referral to a Statutory Authority, copies of the notes made during the investigation and the report of the investigation (together with any notes relating to the outcome) should be kept confidentially on the file of any person who is the subject of the complaint.

Anonymous summary notes of any complaint should also be kept on the complaints file. This will help the Foundation in the process of monitoring and learning from complaints.

As soon as the management of the complaint has been brought to a satisfactory conclusion, the completed formal complaints form must be copied to the Trustees.



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NB: This policy/procedure will be updated every year or before if changes in conditions/legislation are applicable.

This policy was reviewed by Sam Swift in January 2023 (no amendments needed)