



## Complaints Procedure

**Definition of a complaint:** A complaint is a statement from someone that they are not happy about the service provided to them by HTAFC and that they would like this to be improved.

### The complaint might be about:

- a. The behaviour of an HTAFC staff member or volunteer. If this relates to allegations that someone may have harmed a child - or be at risk of doing so - HTAFC's Child Protection Procedures should be used instead
- b. The behaviour of other children in the group - although please note the comment about child protection procedures above
- c. The level of service received
- d. The type of service received
- e. Being refused a service altogether
- f. The building or facilities
- g. Written information
- h. Service received over the telephone e.g. not being able to get through or being kept waiting
- i. A child or family member feeling that they have been treated unfairly, or in a way that is discriminatory
- j. A specific activity or outing
- k. Anything else related to the service provided at HTAFC

### Procedure for making a complaint:

1. If possible, the person should discuss the complaint with their key worker. If this is not possible - for example the complainant does not feel comfortable speaking to the key worker because the relationship is too difficult - the discussion should be with the key worker's line manager.
2. The key worker or manager will, in the first instance, try to resolve the matter informally. This is often possible and can mean that the problem is sorted out simply and more quickly.
3. If an informal solution has been tried before and has not worked, or if the complainant does not feel that informal discussions are adequate or likely to be effective, stage one of the complaints procedure should be followed.

### Stage One of Formal Complaints Procedure

4. The complainant should put their concerns in writing to their key worker or, if the key worker is the subject of the complaint, to the key worker's line manager. If they need help to do this, and a family member is not able to offer this support, help should be provided by the key worker, or, if the key worker is the subject of the complaint, by another member of staff identified by the line manager.
5. The key worker should give the written complaint to their line manager **within 24 hours**. The manager should then acknowledge the complaint **within two working days** by sending a brief letter to:
  - Thank the complainant for getting in touch & express regret that a complaint has been necessary
  - Assure them that the matter will be investigated
  - Set a provisional timescale for the investigation that is achievable, but avoids delay as much as possible
  - Explain when the manager will next be in contact
  - Offer a contact name - usually the key worker or the line manager's own name - in case the complainant has any questions in the meantime



- Make any temporary arrangements that may be necessary pending the outcome of the investigation into the complaint
6. Normally the service to the complainant should continue as normal during the investigation into the complaint. If this is not possible - e.g. because a child has had to be excluded from an activity, or because the complainant does not want to use the service at that point, or because it would not be appropriate for the key worker to continue working with the child/family - then this should be acknowledged and temporary alternative arrangements made, if possible.
  7. If the complaint is about a specific staff member, volunteer or other child/young person, then that person (and the parent/carer if the person is a child) should be informed **within two working days** - or as soon as possible - that a complaint has been made against them and the nature of the complaint. However, the person should not be informed if doing so would compromise anyone's safety or a Police investigation.
  8. The manager should normally be responsible for investigating a stage one complaint. The manager should plan the investigation according to the nature of the complaint, taking into account any witnesses or specialist opinion that should be sought. As a minimum, the complainant (and parent/carer if the complainant is a child) should be interviewed. Any person who might be the subject of the complaint should also be interviewed, provided that doing so would not compromise anyone's safety or a Police investigation.
  9. If the complaint is about a building, facilities or equipment, then this should be examined.
  10. If the complaint is about access to a service, the reasoning behind a decision to offer or not offer a particular service should be examined.
  11. 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. Discussions should be held with the Police about whether the investigation into the complaint can continue alongside their own enquiries.
  12. If it emerges at any point that a child may have been caused significant harm or may be at risk of significant harm, child protection procedures should be **instigated immediately**.
  13. The investigating manager should make notes of the investigation, including notes of any meetings that take place, and should write a report based on their findings. The report should state clearly whether the complaint is upheld or not, and should make recommendations about how the matter can be taken forward. The report should be shared with both the complainant and any specific member of staff, volunteer or other child, who may be involved. Any comments that either party may wish to make about the extent to which they accept or reject the findings of the report should be noted.
  14. Once a way forward has been agreed, this should be reviewed regularly.
  15. If either the complainant - or a person who is the subject of the complaint - is not prepared to accept the findings of the report, they should confirm this in writing. The matter then becomes a stage two complaint.
  16. A complaint also progresses to stage two if it has previously been handled within the last 12 months as a stage one complaint, but has resurfaced.

### **Stage Two of Formal Complaints Procedure**

17. A stage two complaint may come about for one of two reasons. It may be a complaint that has escalated from stage one because the complainant or a person who was the subject of the complaint wishes to challenge the findings from a stage one investigation. Alternatively, it may relate to matters that were investigated as a stage one complaint within the previous 12 months and have resurfaced.
18. Stage two complaints should be investigated either by a manager senior to the person who was investigating at stage one. Alternatively, it can be investigated by a completely



independent person who is not an employee or acting as a volunteer for HTAFC and who should be nominated by the Programme Manager of HTAFC. The investigation should be commissioned by the Programme Manager and the findings reported back to them.

19. If a complaint is to progress to stage two, the complainant - this could be the original complainant or a person who was the subject of the original complaint - should again indicate in writing that they wish to complain (or complain further) and should state the reason for this.
20. The written statement should be presented to the Programme Manager, who should then, **within two working days**, respond in writing to the complainant in the same way as indicated in the stage one procedures. In addition, the Programme Manager should provide the complainant with the name of the person who will investigate the stage two complaint.
21. The procedure for the investigation and sharing of the report should be similar to that outlined in the stage one procedure.
22. Stage two is the final stage of the complaints procedure. If any party wishes to complain further following the completion of stage two, this should be taken up with an external party e.g. local councillor, MP or a commissioning body.

**Keeping a record of the complaint:** 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. Copies of the final report should be given to the person making the complaint and to anyone who may be the subject of the complaint.

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 with a reference number. This will assist HTAFC in the process of monitoring and learning from complaints.

**Reviewed & Updated: September 2019**

**HTAFC will review this Complaints Procedure and good practice at least annually.**