



Complaints Procedure

Reviewed by and Date: Philippa Vince (June 2022)

Designated Safeguarding Lead (DSL): Philippa Vince

Contact Information

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Introduction

Toucan Education is dedicated to providing the best possible education and support for all children. This means having a clear, fair, and efficient procedure for dealing with any complaints from parents/carers or other professionals to or against the provision, so that any issues that arise can be dealt with as swiftly and effectively as possible.

All staff will be made aware of complaints procedures and expected to review this document regularly in order that they are familiar with our process of dealing with complaints and can be of the most assistance when an issue is brought to their attention.

This document explains that procedure, and the steps that it outlines should be referred to and followed by all whenever an issue arises that causes them concern. If it becomes necessary to alter the time limits and deadlines set out within this procedure, you will be advised accordingly, given an explanation and provided with revised timescales.

This document does not apply to complaints where there is another route available to make representations or appeal. This includes:

- *pupil admissions*
- *pupil exclusions*
- *statutory assessments of special educational needs and education health and care plans*
- *appeals relating to internal assessment decisions for external qualifications*
- *disciplinary issues relating to members of staff*
- *matters likely to require a child protection investigation*
- *national curriculum content*
- *complaints about services provided by other providers who may use Toucan Education's premises or facilities*
- *Toucan Education's reorganisation proposals*
- *staff grievances*
- *staff conduct issues*

Each of these follows its own process of complaints and appeals which are outlined in their relevant policies.

If there is an allegation or concern about physical or sexual misconduct towards a child, or there is a belief that a child may be at risk of serious harm, Toucan Education may immediately refer the case to child protection and welfare services as outlined in the safeguarding policy. If it is decided that there is cause for an official investigation, the decisions by these authorities will supersede those made by Toucan Education. Where the complaint relates to a safeguarding referral made by a member of staff at Toucan, the company would refer to the allegation against staff procedure.

For more information on Toucan Education's procedures for protecting our children, please read our **safeguarding policy**, and the **allegations of abuse against staff** policy.

Concerns or complaints should be brought to Toucan's attention as soon as possible to enable a proper investigation to take place. Any matter raised more than 3 months after the incident being complained of (or, where a series of associated incidents have occurred,

within 3 months of the last of these incidents) will not be considered unless the CEO Phillipa Vince decides that there are exceptional circumstances relevant to the delay in bringing the complaint to the attention of the provision.

Anonymous complaints will not be examined under this document.

Toucan Education has four stages to our complaints procedure.

- 1. Informal complaint/ query regarding the care or education of a child**
- 2. If the issue remains unresolved, the concerns will be presented in writing to the CEO Phillipa Vince.**
- 3. If the matter is still unresolved, a formal meeting should be held with the parent/Toucan representative/ School/Local authority case worker.**

The meeting minutes should be clear, factual and signed by all parties with a structured plan in order to achieve the best outcome for the child and family.

- 4. If the matter cannot be resolved to their satisfaction, then parents/ professionals have the right to report the matter to Ofsted, see details below.**

Stage 1. When an issue or concern first arises

If you have a concern about Toucan Education you should initially inform a member of staff either in person, over the telephone or face to face discussion.

You may wish to approach your child's teacher first as they will be best placed to help you either directly or by figuring out which other member of staff you should be speaking to.

We encourage parents to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding at Toucan we will always aim to acknowledge and deal with your query or issue within the first 24 hours from the complaint. The management team should acknowledge your complaint and respond to this within 24 hours. *However*, depending on the nature of the complaint, i.e. if this is a criminal offence or a safeguarding matter, this will be dealt with on an individual basis and may be dealt with under our allegations against staff or safeguarding procedures.

If your complaint is about a member of staff, you should first raise this with the child's designated teacher or if this is not appropriate the safeguarding lead Amy Graham either in person or in writing, and a meeting can be arranged with one of the identified members of staff to discuss the issue at hand.

If your complaint is about the teacher/ safeguarding lead you should raise your concern in writing to the CEO.

If your complaint is about the provision then you can contact OFSTED, the poster with contact details is available to parents either online or in the entrance porch of our hub.

Stage two

Issues to be presented in writing to the CEO

If you feel the matter is not resolved, A written explanation of your concern will need to be given to the CEO so that it is easy to see – when complaints are taken further or referred to in the future – what the initial problem was. The CEO Phillipa Vince will aim to respond directly to you at the earliest opportunity to arrange an informal meeting.

Stage 3

Formal meeting

If you feel at this point, the matter is still not resolved, a formal meeting can be arranged with parent/guardian/ School/ A representative from Toucan, a Local Authority case worker and any other professional involved with the family.

Toucan have a responsibility to ensure that you understand any future points of action that have been agreed upon in this meeting and should make a record of what has been discussed, as well as any outcomes and a plan of action, if one has been agreed.

Toucan will keep a record of all interactions with you and other staff, meetings and decisions made in reference to your complaint to get a clear understanding of how we can work with you to resolve the matter. Our safeguarding lead will also do follow up discussions after the meeting and offer impartial emotional advice and support as we understand this can be a difficult process for families.

Toucan will do their best to ensure that your concerns are dealt with appropriately and efficiently but if you cannot come to an agreement, or are dissatisfied with the outcome of your meeting, you can make a formal complaint in writing to Ofsted or the Local Authority.

Vexatious/persistent complaints

Whilst it is hoped that this document will reduce any dissatisfaction with Toucan Education, it is acknowledged that there may be rare occasions where a complainant continues to be dissatisfied with Toucan and the outcomes achieved under the complaints procedure.

Where a complainant attempts to re-open an issue which has already been dealt with under the complaints procedure, the CEO will contact them to inform them that the matter has already been dealt with and that either that stage of the policy has been exhausted or that the complaints procedure has been exhausted and the matter is considered closed. Where further correspondence is received on the same matter, this may be considered vexatious and Toucan Education will be under no obligation to respond to that correspondence.

If the complainant subsequently contacts Toucan Education about the same issue, Toucan can choose not to respond. The normal circumstance in which Toucan will not respond is if:

- Toucan has taken every reasonable step to address the complainant's needs, and Toucan's position has been clearly set out in writing together with the complainant's options

- the complainant is contacting Toucan repeatedly but making substantially the same points each time
- the complainant refuses to follow the complaints procedures
- Toucan Education reasonably believes the aim of the contact is to cause disruption or inconvenience
- that the complainant acts or communicates in an inappropriate way towards Toucan staff.

Once Toucan Education has decided that it is appropriate to stop responding, the complainant will be informed in writing.

Toucan Education will ensure when making this decision that complainants making any new complaint are heard, and that Toucan acts reasonably.

CEO– records, review and monitoring of complaints

Toucan Education will record the progress of all complaints, including information about actions taken at all stages, the stage at which the complaint was resolved, and the outcome. The records will also include copies of letters and emails, and notes relating to meetings and phone calls. This material will be treated as confidential and held centrally and will be viewed only by those involved in investigating the complaint.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law.

Toucan Education will review and evaluate all complaints no matter how far they are taken or what the outcome is to ensure that similar problems are avoided in the future or to see if they could have been managed any more effectively. All records of complaints will be kept confidential but may be inspected where appropriate by Ofsted/Local Authority if this was deemed necessary.

The CEO will review the complaints procedure every year or if a new concern arises that needs to be reflected in the policy.

Staff complaints

Staff who have a concern about a colleague or a volunteer member of staff should refer to our whistleblowing policy. The procedure for dealing with any other staff complaints or employment grievances is set out in Toucan's **staff discipline, conduct and conduct policy**.

Complaint campaigns

For the purposes of this policy, a complaint campaign is defined as a complaint from three or more separate individuals (whether or not connected with Toucan) which are all based on the same subject. Depending on the subject in question, Toucan may deviate from the procedure set out in this policy and instead:

- send a template response to all complainants and/or

- publish a single response on Toucan's website, social media or other digital medium (if applicable).

Please find contact details below if you have any questions about our complaints procedure.

Toucan Education phone number: 0191 6031005

Email address: hello@toucaneducation.com