



Westgate Family Supporters Service (WFSS)

Complaints Policy (Issue 1 February 2019)

At WFSS we are committed to providing the best service possible. We recognise the importance of establishing and maintaining good relationships with all who we work with: parents, teachers, school staff, carers and the wider community. We are aware, however, that there may be occasions when people have concerns or complaints and the following procedure sets out the steps that should be followed in order to resolve these as quickly and informally as possible.

Complainants are encouraged to follow through each stage of the procedure, as appropriate, in order to resolve their concerns. If WFSS Steering Group Members (SGMs) are approached regarding a complaint, they should be mindful not to act in an individual capacity outside the formal procedure.

STEP 1: Informal

Please start by telling the WFSS Leader¹ about your concern. This is usually the best and quickest way of resolving issues.

- It is recommended that you make an appointment to speak to the WFSS Leader as soon as possible as this will give both parties the opportunity to talk about the issue in an appropriate manner and without being interrupted.
- It is important to recognise that the Service is a busy organisation and it may not be possible to offer an appointment straight away.
- The purpose of this meeting should be to establish the nature of the concern and to seek a realistic resolution to the problem.
- It is good practice for the WFSS Leader to make a brief written record of the concern raised and any actions agreed.

STEP 2: Informal: escalation

If you feel dissatisfied with the outcome of discussions with the WFSS Leader, please ask for an appointment to meet with the Associate Vicar of St Peter's Church (the parent charity of WFSS).

- The purpose of this meeting should be to establish the nature of the ongoing concern, what has been discussed with the WFSS Leader so far and any actions arising from the initial meeting.
- It is in everyone's interest, particularly the child or children, for concerns to be sorted out quickly and smoothly. However, it may be that the Associate Vicar will need to look into what has happened at and since the initial meeting before they can suggest how your concern might be resolved. If this is the case, it should be agreed how and within what timescale they will contact you to let you know the outcome of their enquiries and what actions they have taken/propose to take.
- It is good practice for the Associate Vicar to make a brief written record of the concern discussed and what has been agreed and to write to the complainant summarising this.

It is hoped that most problems will have been resolved at this stage through the informal process.

¹ Usually the Children and Families Worker



STEP 3: Formal - complaint letter to the Associate Vicar of St Peter's

If you feel that the issue you have raised has not been resolved through the informal process and you wish to pursue it further you may raise it through the formal procedure. To do this you must write a formal letter of complaint to the Associate Vicar of St Peter's. Your letter should set out clearly the concern which has previously been discussed and why you feel that the issue is unresolved. It is also helpful if you can set out in your letter what resolution you are seeking.

Moving to the formal complaints procedure is a serious step. In consideration of future relationships everyone concerned will need to concentrate on finding a resolution to the issue and negotiate an agreement as to how this can best be achieved.

The Associate Vicar will consider the complaint and in doing so should:

- o establish what has happened so far, and who has been involved;
- o clarify the nature of the complaint and what remains unresolved;
- o meet or contact you if they need further information;
- o clarify what you feel would put things right if this has not been set out in your letter;
- o interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish; conduct any interview with an open mind and be prepared to persist in the questioning;
- o keep notes of any interview for the record. The Associate Vicar will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is valid in whole or in part. In addition, it may be appropriate to offer one or more of the following:
 - o an apology;
 - o an explanation;
 - o an admission that the situation could have been handled differently or better (please note this is not an admission of negligence);
 - o an assurance that the event complained of will not recur;
 - o an explanation of the steps that have been taken to ensure that it will not happen again;
 - o an undertaking to review policies in light of the complaint.

It may also be the case that the complaint may not have any substance and is therefore considered to be unfounded or unsubstantiated.

The Associate Vicar will discuss the outcome of their consideration of your complaint with you and should send a detailed written response within 20 working days. Where this proves unrealistic you will be informed in writing and given an estimate of how long it will take to provide a detailed response.

Concerns or complaints specifically about the Associate Vicar or Member of the WFSS Steering Group

Where you are unhappy about the decision the Associate Vicar has made about your complaint, this does not become a complaint about the Associate Vicar. However, if the complaint is about the conduct of the Associate Vicar, and you feel that it has not been resolved at the informal stage then you should move directly to Step 4 of the procedure and write to the Chair of WFSS Steering Group. A complaint that is specifically about the conduct of an individual member of the WFSS Steering Group, and which has not been resolved at the informal stage, should also proceed directly to Step 4 and be made by writing to the Chair of the WFSS Steering Group.



STEP 4: Formal – complaint letter to Chair WFSS Steering Group

If you are not satisfied with the response of the Associate Vicar or you have a concern or complaint that is specifically about the Associate Vicar and which has not been resolved at the informal stage, then you must write a formal letter of complaint to the Chair of the WFSS Steering Group. WFSS will provide you with the name of the Chair and you should write to him or her at the WFSS postal address, marking the correspondence 'urgent, private and confidential'.

- The Chair should acknowledge receipt of the letter within 5 working days.
- For complaints specifically about the Associate Vicar, the Chair will arrange for the complaint to be investigated, either by him/herself or his delegate on the WFSS Steering Group.
- In investigating the complaint, the Chair will follow steps similar to Stage 3 and may involve other members of the WFSS Steering Group.

Time limits

Complaints need to be considered and resolved as quickly and efficiently as possible. As such, unless there are exceptional circumstances, complaints made under this procedure will ordinarily be rejected if they are not brought within 12 months of the incident or action which is the reason for the complaint. Exceptional circumstances will be determined by the Associate Vicar/Chair of Governors on a case by case basis, and legal advice may be sought in this regard.

Safeguarding referrals

WFSS has a duty to safeguard and promote the welfare of all persons who make use of their service. This includes making referrals to the appropriate organisation, usually the Local Authority's children's social care services, if they have a concern about the welfare of a child or vulnerable adult. It is not for WFSS to investigate or make a judgment about possible abuse or neglect but they must refer any concerns they may have. As such, any response to or investigation in relation to a complaint about a safeguarding referral made by WFSS will be limited to considering whether the appropriate action was taken at the time the referral was made on the basis of the information available to the referrer at that time and in accordance with the safeguarding policy.

Allegations of abuse

Allegations of abuse against a member of WFSS must be reported to the Associate Vicar immediately. Allegations of abuse against the Associate Vicar must be reported to the Safeguarding Officer of St Mary's w. St Peter's Church immediately.

Vexatious complaints

The majority of complaints are resolved through a properly managed complaints procedure. However, there are occasions when:

- despite all stages of the procedure having been followed, the complainant remains dissatisfied. If a complainant tries to reopen the same issue the Chair may write informing them that all stages of the procedure have been exhausted and the matter is considered to be closed.
- complainants behave in an unreasonable manner when raising and/or pursuing concerns. In these circumstances WFSS may seek legal advice about taking action under Anti-Harassment Legislation.



Appendix 1 **Protocol for complaint heard by WFSS Steering Group**

As part of Step 4 of the complaints process, the Chair may call for the complaint to be heard by the WFSS Steering Group.

The remit of the Steering Group (hereinafter called 'the Panel') in relation to complaints:

The can:

- Dismiss the complaint in whole or in part;
- Uphold the complaint in whole or in part;
- Decide on the appropriate action to be taken to resolve the complaint;
- Recommend changes to WFSS systems or procedures to ensure that problems of a similar nature do not recur.

There are several points which members of the Panel need to be mindful of:

- a) It is important that the appeal hearing is independent and impartial and that it is seen to be so. Therefore, no WFSS member may sit on the Panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. If this would reduce the panel to less than three members then the District Church Council of ST Peter's Church will appoint additional members. In deciding the make-up of the Panel, WFSS members need to try and ensure that it is a cross-section of the categories of member and sensitive to the issues of race, gender and religious affiliation.
- b) The aim of the hearing, which will be held in private, will always be to resolve the complaint and achieve reconciliation between WFSS and the Complainant. However, it has to be recognised that the Complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the Complainant that his or her complaint has been taken seriously.
- c) An effective panel will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The panel Chair will ensure that the proceedings are as welcoming as possible. The layout of the room will set the tone and care is needed to ensure the setting is informal and not adversarial.

Roles and responsibilities for the Panel

The role of the Chair

- Check that the correct procedure has been followed;
- Set the date, time and venue of the hearing, ensuring that dates are convenient, as far as practicable, to all parties and that the venue and proceedings are accessible;
- Collate any written material and send it to the parties at least five working days in advance of the hearing;
- Meet and welcome the parties as they arrive at the hearing;
- Make a written record of the proceedings;
- Notify all parties of the Panel's decision.

The Chair of the Panel has a key role, ensuring that:

- The remit of the Panel is explained to the parties and each party has the opportunity of putting their case without undue interruption;
- The issues are addressed;



- Key findings of fact are made;
- Parents and others who may not be used to speaking at such a hearing are put at ease;
- The hearing is conducted in an informal manner with each party treating the other with respect and courtesy;
- The Panel is open minded and acting independently;
- No member of the Panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- Each side is given the opportunity to state their case and ask questions;
- Written material is seen by all parties. If a new issue arises all parties should be given the opportunity to consider and comment on it.

The procedure for the hearing

1. The Complainant may make an oral statement as part of the presentation of his/her complaint and may call witnesses to supplement the written complaint. The Complainant is asked to notify the Chair of any witnesses to be called in advance of the hearing and establish the relevance of their evidence to the complaint under consideration. It will be the responsibility of the Complainant to make contact with any witnesses they wish to call, once the relevance of their evidence has been established, and to notify them of the date, time and venue of the meeting.

2. Witnesses are only required to attend for the part of the hearing in which they give their evidence.

[POINTS 3-5 ONLY RELATE TO COMPLAINTS AGAINST THE ASSOCIATE VICAR].

3. The Associate Vicar will have the opportunity to ask questions of the Complainant and any witnesses. The Panel may also ask questions.

4. The Associate Vicar may make an oral statement about the complaint and as part of his/her presentation may call witnesses. The Associate Vicar is asked to notify the Clerk of any witnesses to be called in advance of the hearing and establish the relevance of their evidence to the complaint under consideration.

5. The Complainant will have the opportunity to ask questions of the Associate Vicar and any witnesses. The Panel may also ask questions.

6. In cases where a formal complaint has been considered by the Chair under Step 4 of the procedure, the Chair of Governors/investigator may make an oral statement and be asked questions.

7. When the Chair is satisfied that all issues raised by the Complainant have been clarified for the benefit of all parties, he/she will invite the Associate Vicar and the Complainant to make final statements about the complaint if they so wish.

8. Either party may request an adjournment of the hearing at any stage and this may be allowed on the grounds that further inquiries are necessary, but it should also be borne in mind that a speedy resolution of the complaint is usually desirable and advantageous.

9. All parties to the hearing will then withdraw. The Panel, advised by the Chair, will then deliberate. If it is necessary to recall either party or any witnesses to assist with clarifying any particular point of uncertainty, this may only be done with both parties present.

Notification of the Panel's decision

The Chair of the Panel needs to ensure that the Complainant is notified of the Panel's decision in writing, including the reasons for the decision. This will usually be within five working days, unless there are exceptional circumstances which prevent this, in which case



the Complainant will be notified of this and the reason for delay.
The Panel's decision is to be regarded as final.