

Complaint Policy

Key points and summary

1. DARE Playscheme (DARE) takes all concerns or complaints seriously. Taking informal concerns seriously at the earliest stage reduces the numbers of formal complaints and reflects the commitment to working effectively with all members of the community.
2. This policy will be operated by each playscheme that is part of DARE.
3. This policy aims to ensure that:
 - as far as possible all concerns should be dealt with as informally as possible.
 - all complaints are dealt with as quickly and sensitively as possible, and by the person best able to do so.
 - where a formal process is required, the steps involved are clearly outlined
 - individuals are aware of their responsibilities
4. The emphasis is to understand, investigate and resolve the complaint as early as possible.
5. The formal process has three stages:
 - a) Complaint heard by a member of staff
 - b) Complaint heard by the relevant Headteacher or Head of Playscheme or the Executive
 - c) Appeal heard by a Complaints Panel.

Approved by: Tunde Alabi (Director)

Approved on: December 2023

Next Review: December 2024

Responsibility for Review: Hansa Tunde-Alabi (Director) & Sohaib Harti (Operations manager)

1. Introduction and statement of intent

1. DARE Playscheme (DARE) takes all concerns or complaints seriously.

Taking informal concerns seriously at the earliest stage reduces the numbers of formal complaints and reflects the commitment to working effectively with all members of the community.

2. This policy aims to ensure that:

- as far as possible all concerns should be dealt with as informally as possible.
- all complaints are dealt with as quickly and sensitively as possible, and by the person best able to do so.
- where a formal process is required, the steps involved are clearly outlined
- people are aware of their responsibilities

2. Scope and applicability

3. This policy applies to all complaints received by the DARE, irrespective of who makes the complaint. This policy therefore applies to complaints received from parents/carers of children/young peoples and complaints from any other individual.

4. This policy applies to all staff or volunteers

5. This policy will be followed in respect of all complaints against the DARE except in the following areas (where separate policies exist):

- a) child protection allegations.
- b) disciplinary issues relating to members of staff; and
- c) allegations of abuse.

6. Should a complaint, informal or formal, reveal an issue for which other procedures exist (for example, child protection) then it will be dealt with under those procedures rather than as a complaint.

7. Please note that anonymous complaints may hinder our ability to investigate effectively. All complaints should be brought within 3 months of the date of the incident to which the complaint relates.

3. The policy

Concerns and complaints

8. It is important to distinguish between a “concern” and a “complaint”. Most concerns can be made informally to the initial member of staff and be resolved without the need to go through the formal complaint procedures. Initial concerns should be raised with the playscheme as soon as possible to allow the matter to be considered carefully, potentially including the following information (as appropriate to the issue that has been raised):

- Clarifying the nature of the concern and what remains unresolved from the perspective of the person raising the concern; and

- Establishing what has happened so far, and who has been involved, including seeking in-put from those who have been involved.

9. A concern may arise (for example):

- from uncertainty regarding the application of playscheme rules or disciplinary procedures
- from misunderstanding or misrepresentation of an incident which has taken place inside or outside the group
- where a parent believes that their child has been misunderstood or treated unfairly and feels it necessary to raise the matter so that steps may be taken to restore goodwill
- where a parent believes that their child is being bullied or has suffered some form of discrimination and brings the matter to the playscheme's notice so that action can be taken to prevent a recurrence

10. Concerns should normally be raised with the member of staff most directly involved in the situation giving rise to the concern. Parents will appreciate that it is helpful if a concern is expressed as soon as possible after the relevant incident. The staff member will respond as soon as practicable, and in any case within three working days (one Saturday constitute as one working day) if this time limit is not practicable, the complainant will be informed, and the period may be extended.

11. A complaint may arise (for example):

- when an individual has previously raised a concern and is not satisfied with the response offered; and / or
- where an individual has serious disquiet over an incident that has taken place, or a decision made in the playscheme and believes the playscheme has fallen short of appropriate standards.

12. Complaints should be recorded, either by the individual (writing to the Operations Manager) or completing the Complaint Form at the end of this document for instance), or by a member of staff following a Stage 1 meeting with the individual. Note – if the complaint concerns the Operations Manager any correspondence should be addressed to the Director

13. All complaints, including all Complaint Forms, will be held by the Operations Manager

Investigating complaints

14. The person investigating the complaint will make sure that they:

- establish what has happened so far, and who has been involved.
- clarify the nature of the complaint and what remains unresolved.
- meet with the complainant or contact them (if unsure or further information is necessary);
- clarify what the complainant feels would put things right.
- interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- conduct the interview with an open mind and be prepared to persist in the questioning; and
- keep notes of the interview.

Resolving complaints

15. At each stage in the procedure the person attempting to resolve the complaint will keep in mind ways in which a complaint can be resolved. It might be sufficient to acknowledge that the complaint is a valid complaint (in whole or in part) without admitting liability. In addition, it may

be appropriate to offer one or more of the following:

- an apology.
- an explanation.
- an admission that the situation could have been handled differently or better.
- an explanation of the steps that have been taken to ensure that it will not happen again; and
- an undertaking to review Playscheme policies considering the complaint.

16. Complainants will be encouraged to state what actions they feel might resolve the problem at any stage. An admission that the Playscheme could have handled the situation better is not the same as an admission of negligence.

17. At all stages those hearing the complaint will attempt to identify areas of agreement between the parties, and to clarify any misunderstandings that might have occurred in order to create a positive atmosphere in which to discuss any outstanding issues.

18. At any stage the Operations Manager or Directors, is able consider whether a complaint is vexatious, unreasonably persistent, or whether the complainant has engaged or is engaging in unreasonable behaviour in accordance with section 7 of this policy. If the Operations Manager or Directors, considers that the provisions of section 7 apply they may act accordingly to ensure any legitimate complaint is appropriately investigated while ensuring that any unreasonable elements or behaviour is managed.

4. Stages of formal complaint

Stage 1: Complaint heard by a member of staff

19. It is the interests of everyone that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and the playscheme can be crucial in determining whether their complaint will escalate.

20. Staff need to be sensitive to any potential actual or perceived conflicts of interest or difficulties of a particular member of staff being involved in investigating the complaint.

21. To ensure clarity of understanding, a Complaint Form needs to be completed. This ensures that there is no conflict in determining what the complaint consists of, and the action taken by members of staff.

22. The member of staff will ensure that they have investigated it appropriately. This may include a meeting with the complainant.

23. The member of staff investigating the complaint will respond to the complainant in writing, which will outline their response to the complaint and any action that has or will be taken.

24. It is normally expected that complaints will be acknowledged within five working days, and the Stage 1 process completed within fifteen playscheme days. If it is clear that the process is going to take longer than this, the reasons for this should be explained to the complainant.

25. The member of staff should update the Complaints Form and pass this to the Operations Manager for retention, alongside their written response to the complainant.

Stage 2: Complaint heard by appropriate senior member of staff appointed by the Executive Headteacher

26. The complainant should write to the Operations Manager of Playscheme giving details of either the areas of the complaint left outstanding following Stage 1 or concerning the Stage 1 process. This notification needs to be received within fifteen playscheme days of the decision from stage 1 being issued to the complainant otherwise it will be deemed that the decision is accepted and the complaint will be closed.

27. The Operations Manager may formally reject a complaint if, in their judgment, the complaint –

- Was received too long after the alleged incident for realistic investigation to take place.
- Does not identify specific actions or incidents that are capable of being investigated.
- Refers only to issues that have already been determined.
- Is vexatious; or
- Raises only minor matters that should have been resolved in discussion with the staff member involved.

28. The Operations Manager will nominate a senior member of staff to investigate these issues (the “investigating officer”) or will escalate the complaint to the Director where that is appropriate (for instance if the complaint raises issues that affect more than one centre playscheme within organisation). If the complaint is escalated to the Director

29. The investigating officer will consider both the original complaint, and the process followed during Stage 1. They will report to the Operations Manager.

30. Following the report of the investigating officer, the Operations Manager of staff can:

- Dismiss the complaint in whole or in part (including if there is insufficient evidence to uphold the complaint).
- Uphold the complaint in whole or in part.
- Decide on appropriate action to resolve the complaint; or
- Recommend changes to the playscheme’s systems or procedures.

31. The Operations Manager will put their judgement and rationale, including details of the process followed, in writing to the complainant.

32. It is normally expected that the Stage 2 process would be completed within fifteen playscheme days of Operations Manager initiating Stage 2. If it is clear that the process is going to take longer than this, the reasons for this should be explained to the complainant.

33. If the investigating officer makes any recommendations regarding changes to playscheme processes as a result of the investigation, or Operations Manager decides these are necessary following consideration of the findings of the investigating officer, the Operations Manager will be responsible for reviewing these recommendations and implementing them where appropriate. Acceptance of recommendations will be at the discretion of the Director.

34. Operations Manager should update the Complaints Form which should be

completed and for retention, along with a copy of their written response to the complainant.

Stage 3: Referral to Ofsted

35. The complainant should write to

Complaints

OFSTED
Piccadilly Gate
Store Street
Manchester
M1 2WD
0300 123 1231

5. Responsibilities under the policy

Board of Directors

The Directors are responsible for:

- monitoring the level and nature of complaints and reviewing the outcomes and associated lessons to learn annually

Operations Manager

36. The Operations Manager is responsible for:

- the effective implementation of this policy and procedures.
- where a complaint is escalated to them at Stage 2, identifying who will consider the complaint.
- reporting to the Director about the number and nature of complaints, as well as actions taken in response and lessons learned; and
- ensuring that the policy and procedure is monitored and reviewed, with recommendations for revision to the Director as appropriate.

All staff

37. All staff are responsible for:

- listening to any concerns brought to them by parents and children/young peoples.
- reassuring them that they will be dealt with as soon as possible by the appropriate member of staff.
- for informing the relevant staff of the concerns being raised: and
- passing any complaints received from other people who are not parents or children/young peoples to the

6. Complaints about the playscheme to the Social Services

38. Individuals are able to complain to the social services of their respective boroughs:

- where there is undue delay, or the DARE did not comply with its own complaints procedure when considering a complaint
- where the DARE is in breach of its funding agreement with the Secretary of State; and

39. Social Services usually expects complainants to have made their complaint directly to the playscheme first in accordance with the playschemes' own policy.

7. Vexatious and abusive complaints

40. DARE takes its responsibilities to investigate concerns and complaints seriously and will do so professionally.

41. DARE does not expect staff to tolerate unacceptable behaviour by complainants, which would include behaviour, which is abusive, offensive or threatening.

42. DARE defines unreasonably persistent and vexatious complainants as those complainants who, because of the frequency or nature of their contacts with the playscheme, hinder the ability to investigate their original complaint. The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complainant.

43. An unreasonably persistent and/or vexatious complaint/complainant may:

- arise from a historic and irreversible decision or incident.
- have insufficient or no grounds for their complaint, or refuse to specify the grounds for their complaint, and appear to be making the complaint only to annoy or for undeclared reasons.
- refuse to co-operate with the complaint's investigation process.
- refuse to accept that issues are not within the power of the playscheme or organization to investigate change or influence.
- make what appear to be groundless complaints about the staff dealing with the complaint(s);
- make an unreasonable number of contacts with the playscheme or DARE, by any means, about the complaint.
- make persistent and unreasonable demands or expectations of staff and/or the complaints process.
- harass, abuse, or otherwise seek to harass or intimidate staff dealing with their complaint.
- raise subsidiary or new issues during the investigation.
- introduce trivial or irrelevant new information and expect this to be considered.
- change the substance or basis of the complaint without reasonable justification.
- deny statements he or she made at an earlier stage.
- electronically record meetings and conversations without the prior knowledge and consent of the other person involved.
- refuse to accept the outcome of the complaint process after its conclusion and/or denying that an adequate response has been given.
- make the same complaint repeatedly, perhaps with minor differences, and insist that the minor differences make these 'new' complaints which should be put through the full complaints' procedure.
- persistently approach the playscheme or DARE (and potentially other parties such as the Local Authority) through different routes about the same issue; and
- combine some or all of these features.

44. For the purpose of this policy, harassment is the unreasonable pursuit of such actions set out in the preceding paragraph in such a way that they:

- appear to be targeted over a significant period of time on one or more members of playscheme staff and/or
- cause ongoing distress to individual member(s) of playscheme staff and/or
- have a significant adverse effect on the whole/parts of the playscheme community and/or
- are pursued in a manner which can be perceived as intimidating and oppressive by the recipient. This could include situations where persistent demands and criticisms, whilst not particularly taxing or

serious when viewed in isolation, have a cumulative effect over time of undermining confidence, well-being and health.

45. In the case of persistent or vexatious complaints and/or harassment, the playscheme will verbally inform the complainant that his/her behaviour is considered to be becoming unreasonable/unacceptable and, if it is not modified, action may be taken in accordance with this policy. This will be confirmed in writing.

46. If the complainant's behaviour is not modified the playscheme will take some or all of the following actions as necessary, having regard to the nature of the complainant's behaviour and the effect of this on the playscheme community:

- inform the complainant in writing that his/her behaviour is now considered by the playscheme to be unreasonable/unacceptable and, therefore, to fall under the terms of this Section 7.
- inform the complainant that all meetings with a member of staff will be conducted with a second person present and that notes of meetings may be taken in the interests of all parties.
- inform the complainant that, except in emergencies, all routine communication with the complainant to the playscheme should be by letter or electronic mail only
- in the case of physical, or verbal aggression warn the complainant about being banned from the playscheme site; or proceed straight to a ban.
- consider informing the police who may seek to take further action under anti-harassment / malicious communication legislation.

8. Appendices

Appendix One: Complaint Form

DARE: Complaint form

Please complete and return to the Operations Manager who will acknowledge receipt and explain what action will be taken.

Your Name:	
Children/young people's Name:	
Your relationship to the children/young people:	
Address:	
Daytime phone number:	
Mobile phone number:	
Please give details of your complaint:	
What action, if any, have you already taken to try and resolve the complaint? Who did you speak to and what was the response?	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details:	
Signature	
Date	

Playscheme use only	
Date acknowledgement sent:	
Who sent acknowledgement:	
Signature:	
Please complete the following, acknowledge the stages of the complaints procedure that have been followed and make any comments as necessary	
Stage 1 (complaint heard by staff)	<div></div> Date: Signature:
Stage 2 (complaint heard by senior member of staff)	<div></div> Date: Signature:
Stage 3 (OFSTED)	<div></div> Date: Signature:

All functions of the complaint's procedure must adhere to the requirements of Data Protection requirements and the Freedom of Information Act 2000.

Please complete and return this form to the playscheme office in a sealed envelope addressed to Operations Manager/ Director (as appropriate).