

## Complaints Policy

<b>Policy Reference:</b>	A7
<b>Version Number:</b>	9
<b>Applies to:</b>	All services
<b>Associated documents:</b>	Child protection Policy Adult Safeguarding Policy Admissions Policy Exclusions Policy Grievance Policy Disciplinary Policy Placement End Policy Response letter templates, tracker, and process checklists
<b>Approved by:</b>	Incident and safeguarding Committee
<b>Implementation date:</b>	May 2023
<b>Next review due by:</b>	May 2024
<i>This policy has been reviewed to ensure it promotes safeguarding and does not present barriers to participation or disadvantage any protected groups</i>	

## 1. Aurora Contacts

Role	Name	Contact Details
<p>Head Office/Central Team Function Leads:</p> <p><i>If you have a complaint about an Aurora central team member and do not want to approach them directly</i></p>	<p>Business Development Director: Kat Carter</p> <p>Chief Finance Officer: Rebecca Northall</p> <p>Estates Director: Nick West</p> <p>People Director (HR): Jane Jarvis</p> <p>Quality Assurance Director: Lesley Dalglish</p>	<p>The Aurora Group, Unit 13, Twigworth Court Business Centre, Tewkesbury Road, Gloucester GL2 9PG</p> <p>Email: <a href="mailto:info@the-aurora-group.com">info@the-aurora-group.com</a></p> <p>Telephone: 020 3617 0170</p>
<p><b>People Director</b></p> <p><i>If you have a complaint about the Operations director or a central function lead and do not want to approach them directly</i></p>	Jane Jarvis	<p>People Director, The Aurora Group, Unit 13, Twigworth Court Business Centre, Tewkesbury Road, Gloucester GL2 9PG</p> <p>Email: <a href="mailto:info@the-aurora-group.com">info@the-aurora-group.com</a></p> <p>Telephone: 020 3617 0170</p>
<p><b>General enquiries</b></p> <p><i>If you are unsure who to contact or need any assistance with this policy</i></p>		<p>Email: <a href="mailto:info@the-aurora-group.com">info@the-aurora-group.com</a></p> <p>Telephone: 020 3617 0170</p> <p>Post: The Aurora Group, Unit 13, Twigworth Court Business Centre, Tewkesbury Road, Gloucester GL2 9PG</p>

## 2. Summary of changes since previous version of policy

- › Full policy review

## 3. Aims

The Aurora Group aims to meet its statutory obligations when responding to complaints from a child, young person, vulnerable adult relative, visitor, regulatory body, or stakeholder acting with the authority of a child, young person or adult.

When responding to complaints, we aim to:

- › Be impartial and non-adversarial.
- › Address all the points at issue and provide an effective and prompt response.
- › Treat complainants with respect.
- › Keep complainants informed of the progress of the complaints process.
- › Consider how the complaint can feed into service or group improvement evaluation processes.
- › Ensure that the service quality is not compromised, withdrawn or reduced as a result of making a complaint in good faith
- › Provide a clear process of escalation which ensures a full and fair investigation at all stages with escalation to an independent person or panel, where necessary at stage 3.

Complaints provide an opportunity to closely review our services, care, and practices and to ensure promotion of a culture of continual quality improvement and risk reduction. The outcome of complaint investigations enables us to identify actions to improve our services and implement changes within a service or group through lessons learnt. Though not used to apportion blame, investigations may uncover information about serious matters that may indicate a need for disciplinary action.

We try to resolve concerns or complaints by informal means wherever possible. Where this is not possible, formal procedures will be followed. We will then make all efforts to resolve complaints at the formal stage wherever possible.

The group will aim to resolve complaints at the earliest possible stage and where this is not possible give the complainant the opportunity to follow the complaints procedure in full where necessary.

To support this, we will ensure we publicise the existence of this policy and make it available on our website.

## 4. Legislation and statutory requirements

This document meets the requirements set out in part 7 of the schedule to the [Education \(Independent School Standards\) Regulations 2014](#), which states that we must have and make available a written procedure to deal with complaints from parents of pupils.

It is also based on guidance published by the Education and Skills Funding Agency (ESFA) on [creating a complaints procedure that complies with the above regulations](#), and refers to [good practice guidance on setting up complaints procedures](#) from the Department for Education (DfE).

It meets the requirements of the [Children's Homes \(England\) Regulations 2015](#) and the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: [Regulation 16](#)

## 5. Scope

This policy applies to all complaints received by any service or function within The Aurora Group and establishes a clear procedure for effective and efficient complaint management.

The group will resolve concerns through day-to-day communication as far as possible.

A **concern** is defined as “an expression of worry or doubt over an issue considered to be important for which reassurances are sought”.

A **complaint** is defined as “an expression of dissatisfaction however made, about actions taken or a lack of action by Aurora or its employees”.

The group intends to resolve concerns and complaints informally where possible, at the earliest possible stage.

Complaints may relate to any aspect of education, care, professional competencies or to any of the administrative or support services and may be made by telephone, in person, in writing or by email to any member of The Aurora Group personnel.

Any person, including members of the public, may make a complaint to The Aurora Group about any provision of facilities or services that we provide. Complaints may also be made by a third party acting on behalf of a complainant if they have appropriate consent to do so. Complaints may also be received via an external regulator.

This policy does not cover complaints procedures relating to:

- Admissions
- End of placement
- Exclusion (from Education provision)
- Statutory assessments of special educational needs (SEN)
- Safeguarding matters
- Whistleblowing
- Staff grievances
- Staff discipline

Please see our separate policies for procedures relating to these types of complaint.

## 6. Principles for investigation

When investigating a complaint, we will try to clarify:

- What has happened?
- Who was involved?
- What the complainant feels would put things right

Staff will have the necessary basic training and updates in communications and complaints handling in order to ensure that complaints are communicated and dealt with sensitively and courteously at all levels.

## 7. Time Scales

Whilst we indicate specific timeframes within this policy, as each complaint requires bespoke management, these may not be practical in all cases. As such, each complaint will be managed individually and within realistic timeframes. Where further investigations are necessary, revised time limits may need to be set. The complainant will be sent details of any new deadline and an explanation for the delay. It is important to note that if other bodies are investigating aspects of the complaint, for example the police, local authority, safeguarding teams or tribunals, this may impact our ability to adhere to the timescales within this policy or result in the procedure being suspended until those public bodies have completed their investigations.

Please note working days within this policy exclude weekends, bank holidays and school/college holidays where applicable.

The complainant must raise the complaint within 3 months of the incident. If the complaint is about a series of related incidents, they must raise the complaint within 3 months of the last incident.

We will consider exceptions to this time frame in circumstances where there were valid reasons for not making a complaint at that time, and if the complaint can still be investigated in a fair manner for all involved.

When complaints are made out of term time in an educational setting, we will consider them to have been received on the first day of the following term.

If at any point we cannot meet the time scales we have set out in this policy, we will:

- Set new time limits with the complainant.
- Send the complainant details of the new deadline and explain the delay.

## 8. Summary of complaints procedure

Aurora have adopted a 3-stage process for dealing with complaints:

- Stage One – Informal Stage
- Stage Two – Formal Written Stage
- Stage Three – Panel Hearing

## 9. Stage 1: Informal stage

Some complaints represent a minor concern for the complainant, and these may include general comments, suggestions or criticisms about a service. Many issues can be resolved informally, without the need to use the formal stages of the complaint's procedure. The Aurora Group takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

Complaints falling into this category will normally be made to 'front line staff' and will be seen as issues that can be addressed and resolved either immediately or relatively quickly. Staff receiving such complaints should attempt to address and resolve the concern, inform their line manager of the issues and actions taken and ensure that they continue to meet the needs of the child/young person or adult. To resolve the concern at this stage there may be several attempts to find a satisfactory resolution and ongoing communication will be maintained to ensure that all issues are understood and addressed. Informal complaints will be followed up with an email to outline what steps have been taken by the staff member dealing with the issue and they will inform the service lead to ensure the details are noted on the complaints log.

An informal complaint can be made in person, in writing (e.g., email) or by telephone.

If you have difficulty discussing a concern with a particular member of staff, you may wish to raise the matter with the Service Lead (or function director, such as finance, estates etc if your complaint relates to a member of the central team); we will respect your views. Similarly, if the member of staff directly involved feels unable to deal with a concern, the recipient will refer you to another staff member. The member of staff allocated may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

The Service Lead's contact details can be found in section one of this policy. If the complainant is unsure who to complain to, they should contact the group head office as outlined in section 1 of the policy and they will ensure a recipient is appointed.

If the complainant is unhappy with the resolutions provided by the service and wishes to proceed to the next stage of the procedure, they should inform the service lead as soon as possible and where a formal response has been provided, within **10 working days** of the response.

We also understand that there are occasions when people would like to raise their concerns formally. In this case, The Aurora Group will attempt to resolve the issue internally, through the stages outlined below.

## 10. Stage 2: Formal written stage

The formal stage involves the complainant putting the complaint into writing by email or letter. A template is provided in appendix A to support with this process if required. Your complaint should provide details such as:

- Relevant dates and times
- The names of witnesses of events
- What the complainant feels would resolve the complaint

The letter or email should be submitted alongside copies of any relevant documents in support of the complaint.

Formal complaints must be made to the Service Lead (unless they are about the Service Lead), see contact details in section 1 of the policy.

The Service Lead will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) **within 2 working days**. This will be copied to the Operations Director.

The Service Lead (or delegated team member) referred to as 'the investigating officer' will then conduct an investigation.

The investigating officer will:

- provide the complainant the opportunity to 'meet' to clarify their specific concerns and desired outcomes. Any meeting or discussion (if preferred) with the complainant should be fully documented/ minuted and a copy of the record/minutes provided to the complainant as an accurate record of the discussions, making clear the agreed areas for investigation.
- review relevant records and documentation.
- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- keep a written record of any meetings/interviews in relation to their investigation.
- ensure that the investigation report has been quality assured by a peer who is not involved in the complaint to confirm that the process has been completed and has been robust.

Where possible the investigation should be completed **within 20 working days of the acknowledgement**. If necessary, the investigating officer will liaise with the complainant to seek further clarity and may extend this period to gain further information or evidence.

A formal and detailed response should be sent to the complainant within the agreed timescale. The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of recommendations/actions the service and/ or Aurora will take to resolve the complaint.

This letter will be issued from the Service Lead (but may be signed in their absence) and signpost the complainant as to the course of action available to them should they remain dissatisfied with the outcome of the stage 2 investigation. This may result in further discussion, additional investigation at stage 2 or the option to escalate to stage 3 where we believe there is no further meaningful investigation/action that we can undertake at the conclusion of the stage 2.

If the complainant is not satisfied with the response and wishes to proceed to the next stage (stage 3) of this procedure, they should inform the Service Lead in writing within **5 working days** of receipt of the final response.

If the complaint is about the Service Lead, the Operations Director will complete all the actions at stage 2. If the complainant is unsure who to write to, or if they require support or assistance raising a formal complaint, they should contact general enquiries. Please refer to the the key contacts page in section 1 of this policy.

All complaints made at this stage will be recorded on the service's complaints log.

## 11. Stage 3: Review panel

Complaints will be escalated to the stage 3 panel hearing stage if the complainant is not satisfied with the response to the stage 2 complaint.

The panel will be appointed by or on behalf of the proprietor (or the CEO for central complaints) and will consist of at least 3 people who were not directly involved in the matters detailed in the complaint. At least 1 panel member will be independent of the management and running of the service.

An administrator appointed by the panel will minute the meeting and support with panel arrangements, record keeping, correspondence and meeting organisation.

The panel will have access to the existing record of the complaint's progress.

The complainant must have reasonable notice of the date of the review panel; however, the review panel reserves the right to convene at their convenience rather than that of the complainant. We will **aim to find a date within 20 working days of the request**, where possible.

The complainant must be allowed to attend the panel hearing and be accompanied if they wish. However, if the complainant rejects the offer of 3 proposed dates without good reason, we will set a date and the hearing will go ahead using written submissions from the complainant.

Neither the complainant nor The Aurora Group will bring legal representation as the panel meeting is not a form of legal proceedings. The aim of the panel hearing is reconciliation and to put right things that may have gone wrong. However, we recognise there are occasions where legal representation may be appropriate during panel hearings. For example, if an employee is a witness in a complaint, they may be entitled to bring union or legal representation.

If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than 3 days prior the hearing.



At the panel meeting, each individual will have the opportunity to give statements and present their evidence, and witnesses will be called, as appropriate, to present their evidence where required.

The panel, the complainant and the service/The Aurora Group representative(s) will be given the chance to ask and reply to questions. Once the complainant and service representative(s) have presented their cases, they will be asked to leave, and evidence will then be considered.

If possible, the Panel will resolve the complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out. The decision of the Panel will be final.

The panel will then put together its findings and recommendations from the case. The panel will also provide copies of the minutes of the hearing and the findings and recommendations to the complainant and, where relevant, the individual who is the subject of the complaint, and make a copy available for inspection by the proprietor and Service Lead.

The panel chair will inform those involved of the decision in writing **within 7 working days**.

## 12. Referring complaints on completion of this procedure

If the complainant is unsatisfied with the outcome of The Aurora Group's complaints procedure and the complaint is regarding a service not meeting the regulatory standards, please see further sources of support and advice:

**Schools:** The complainant can refer their complaint to the DfE if the complaint is regarding a school not meeting standards set by the DfE in any of the following areas:

- Education,
- Pupil welfare and health and safety,
- School premises,
- Staff suitability,
- Making information available to parents, or
- The spiritual, moral, social or cultural development of pupils.

The DfE will consider reports of a major failure to meet the standards. Where appropriate, it can arrange an emergency inspection to look at pupil welfare and health and safety, and make sure that the school deals with serious failings.

For more information or to refer a complaint, see the following webpage: <https://www.gov.uk/complain-about-school>

**Children's Homes.** The complainant can get in touch with Ofsted at enquiries@ofsted.gov.uk or 0300 123 4666 to complain about a childcare provider. Ofsted's role is to make sure that the childcare provider is following all registration requirements and take action if necessary.

Ofsted will review the information you provide and decide what to do. They may carry out an immediate inspection, ask the provider to take action or work with other agencies to look at any issues. However, they will not contact you to let you know the outcome.

**Further Education Colleges:** The complainant can contact the Education and Skills Funding Agency (ESFA). <https://www.gov.uk/complain-further-education-apprenticeship>

**Adult Residential Services:** The complainant can contact: The Local Government and Social Care Ombudsman. More information can be found on the CQC webservice: <https://www.cqc.org.uk/contact-us/how-complain/complain-about-adult-social-care-service>



## 13. Persistent complaints

### 13.1 Unreasonable or persistent complaints

Most complaints raised will be valid, and therefore we will treat them seriously. We will not normally limit the contact complainants have with our service; however, we will act to protect staff from behaviours that are deemed unacceptable such as verbal or physical abusive, harassment, offensive or threatening behaviours or threats. Any behaviour that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the service will be deemed unreasonable. This includes but is not limited to:

- Has made the same complaint before, and it has already been resolved by following The Aurora Group complaints procedure.
- Makes a complaint that is obsessive, persistent, harassing, prolific, defamatory, or repetitive.
- Knowingly provides false information.
- Insists on pursuing a complaint that is unfounded, or out of scope of the complaint's procedure.
- Pursues a valid complaint, but in an unreasonable manner e.g., refuses to articulate the complaint, refuses to co-operate with this complaint's procedure, or insists that the complaint is dealt with in ways that are incompatible with this procedure and the time frames it sets out
- Introduces trivial or irrelevant information which they expect to be considered and commented on and /or raises large numbers of detailed but unimportant questions and insists they are fully answered.
- Changes the basis of the complaint as the investigation goes on.
- Makes a complaint designed to cause disruption, annoyance or excessive demands on the service's or group's time
- Seeks unrealistic outcomes, or a solution that lacks any serious purpose or value.
- Makes unjustified complaints about staff who are trying to deal with the issues and seeks to have them replaced.
- Publishes unacceptable information on social media or other public forums.

#### Steps we will take

We will take every reasonable step to address the complainant's concerns, providing a clear statement of our position and their options. We will maintain our role as an objective arbiter throughout the process, including when we meet with individuals. We will follow our complaints procedure as normal (as outlined above) wherever possible.

If the complainant continues to contact the service or group in a disruptive way, we may put communications strategies in place. We may:

- Provide a communications strategy which may including giving the complainant a single point of contact via an email address.
- Limit the number of times the complainant can make contact, such as a fixed number per term.
- Ask the complainant to engage a third party to act on their behalf, such as [Citizens Advice](#)
- Put any other strategy in place as necessary.

#### Stopping responding

We may stop responding to the complainant when all of these factors are met:

- We believe we have taken all reasonable steps to help address their concerns.

- › We have provided a clear statement of our position and their options.
- › The complainant contacts us repeatedly, and we believe their intention is to cause disruption or inconvenience.

Where the complaint is made about a child or young person who is not on roll at an Aurora school or college, we may close the complaint and cease responding at any stage during the complaint where we believe we have exhausted all avenues to address the complaint.

Where we stop responding, we will inform the individual that we intend to do so. We will also explain that we will still consider any new complaints if they are within the scope of the policy.

In response to any serious incident or threat of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from our services.

## 13.2 Duplicate complaints

If we have resolved a complaint under this procedure and receive a duplicate complaint on the same subject from a partner, family member or other individual, we will assess whether there are aspects that we hadn't previously considered, or any new information we need to consider.

If we are satisfied that there are no new aspects, we will:

- › Tell the new complainant that we have already investigated and responded to this issue, and the local process is complete.
- › Direct them to the DfE or CQC as applicable if they are dissatisfied with our original handling of the complaint.

If there are new aspects, we will follow this procedure again.

## 13.3 Complaint campaigns

Where a service receives a large volume of complaints about the same topic or subject, especially if these come from complainants unconnected with the service, the service may respond to these complaints by:

- › Publishing a single response on the service's or group's webservice
- › Sending a template response to all the complainants

If complainants are not satisfied with the school's response, or wish to pursue the complaint further, the normal procedures will apply.

## 14. Record-keeping and confidentiality

The service will record the progress of all complaints pertaining to their provision, including information about actions taken at all stages, the stage at which the complaint was resolved, and the final 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 securely and will be viewed only by those involved in investigating the complaint, reviewing the complaint process, or on the review panel.

This is except where the secretary of state (or someone acting on their behalf) or the complainant requests access to records of a complaint through a subject access request under the terms of the Data Protection Act, or where the material must be made available during a school inspection or police investigation.

Records of complaints will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices, and The Aurora Group retention schedule.

The details of the complaint, including the names of individuals involved, will not be shared beyond those who need to know in case a review panel needs to be organised at a later point.

**Consent** –Individuals' personal information is protected in line with the requirements of the UK General Data Protection Regulation and Caldicott principles. The child or young person to whom a complaint relates must give their consent before any information relating to their own care and/or treatment is shared with a third party and whilst this should be in a written form, verbal consent is permitted so long as it is recorded and logged. The complainant and/or child or young person are entitled to a full explanation as to why consent is being sought.

Consent may not be needed in situations where the child or young person is unable to consent, for example if they are too young (assuming the complainant has parental responsibility). No confidential information will be given to a third party unless deemed to be in the 'best interest' of the child or young person at the time.

## 14.1 Complaints Log

Services will keep an anonymised log of the complaints registered under the complaints procedure and make the number of complaints made in the previous year (academic year for schools/colleges) available to stakeholders on request. The number of complaints received will include those made directly to a service and those which are received centrally or via a regulatory body.

## 15. Learning lessons

The Operations Director will review any underlying issues raised by complaints with the service lead or specific members of the local senior leadership team where appropriate, and respecting confidentiality, will determine whether there are any improvements that the service can make to its procedures or practice to help prevent similar events in the future.

The Aurora Group will receive regular reports on the types of complaints received in each service in order to support the development of appropriate support structures, and to inform any improvements to procedures or practices.

The group's Incident and Safeguarding Governance Committee will review any underlying themes and issues raised by complaints across the group and determine whether there are any improvements that services or functions can make to their procedures or practice to help prevent similar events in the future.

## 16. Monitoring arrangements

The Operations Director will monitor the effectiveness of the service's complaints procedure in ensuring that complaints are handled properly.

The Operations Director will track the number and nature of complaints, and review underlying issues as stated in the section entitled 'Learning lessons'.

The group's Incident and Safeguarding Governance Committee will monitor the effectiveness of the complaints policy in ensuring that complaints are handled properly across the organisation.

The group's Incident and Safeguarding Governance Committee will track the number and nature of complaints, and review underlying issues as stated in the section entitled 'Learning lessons'. Where appropriate learning will be shared across the group and necessary policy, or practice changes will be implemented.

## 17. Roles & Responsibilities

### 17.1 The complainant

The complainant will get a more effective and timely response to their complaint if they:

- › Follow these procedures.
- › Co-operate with the service and The Aurora Group throughout the process and respond to deadlines and communication promptly.
- › Treat all those involved with respect.
- › Do not publish details about the complaint on social media.

### 17.2 The Service Lead

- › Will acknowledge the complaint.
- › Where a complaint is raised by a third party, they will ensure they have the consent of the child or young person involved where applicable.
- › Ensure that the complaint is within scope.
- › Investigate and aim to resolve an informal complaint as soon as possible.
- › Where an immediate resolution cannot be found the service lead will conduct a thorough investigation or will appoint an investigating officer to undertake this work.
- › Record the complaint using the service's complaints log.
- › Ensure the complaints file is maintained and update the complaints log as necessary.
- › Correspond with the complainant to review timescales where necessary and conclude the complaint once investigated.
- › Ensure that the service quality is not compromised, withdrawn or reduced as a result of a complaint.

### 17.3 The Investigating Officer

When an individual is appointed to look into the complaint and establish the facts. They will:

- › Interview all relevant parties, keeping notes.
- › Consider records and any written evidence and keep these securely.
- › Prepare a comprehensive report to the service lead or Operations Director which includes the facts, recommendations, and potential solutions.
- › Ensure that the investigation report has been quality assured to confirm that the process has been robust and so reduce the need for further escalation.

### 17.4 The Review Panel Administrator

The administrator will:

- › Be the contact point for the complainant and the review panel, including circulating the relevant papers and evidence before complaints committee meetings.
- › Arrange the complaints hearing.
- › Record and circulate the minutes and outcome of the hearing.

## 17.5 The Review Panel Chair

The panel chair will:

- Chair the meeting, ensuring that everyone is treated with respect throughout.
- Make sure all parties see the relevant information, understand the purpose of the committee, and are allowed to present their case.
- Inform the complainant of the decision in writing.

## 18. Support, Advice and Communication

Guidance and support on handling complaints at service level is provided the Operations Director and the HR Business Partner. At group level, the People Director and Central HR Business Partner can advise and support. Training will be provided for any staff undertaking an investigation.

## 19. Monitoring Arrangements

This policy will be reviewed every two years by the incident and Safeguarding Governance Committee

## Appendix A – Complaint Form

<p><b>Complaint Form</b> Please complete and return to a named staff member, marking your envelope or email PRIVATE &amp; CONFIDENTIAL</p> <p>We will acknowledge receipt and explain what action will be taken next.</p>	
Your name:	
Child's/Young Person's name (if relevant):	
Your relationship to the child/young person (if relevant):	
Address:	
Postcode:	
Day time telephone number:	
Evening telephone number:	
Please give details of your complaint, including whether you have already spoken to anybody at the school [college] about it.	
What actions do you feel might resolve the problem at this stage?	
Are you attaching any paperwork? If so, please give details.	
Signature:	Date:

## Appendix B – Complaints flow chart

