

13. Complaints Policy

FUNdays Club recognises that everyone who comes to our project has the right to a high standard of service and a right to complain if they are not happy with the standard of service they receive. Learning from complaints helps us to improve the service we provide. The purpose of this policy and procedure is to:

- a.** Help us to provide a service of the highest standard to all those who come to FUNdays Club
- b.** Help us to ensure that children and families using or wishing to use the project know they have a right to complain about our service if they need to
- c.** Help us to deal with complaints in a positive way and use them to improve our service
- d.** Set out the issues that could be covered under this procedure
- e.** Set out the steps that children, young people and their families should take if they wish to make a complaint
- f.** Set out how we can deal with complaints in a fair and consistent way

This policy and procedure applies to all children, young people and families attending or wishing to attend FUNdays Club.

It is not intended to be used by staff or volunteers who are unhappy about their own experience in the workplace. In these circumstances, staff should use the *Grievance Procedure* found in section four of the Employee Handbook and volunteers should use the *Complaints Procedure for Volunteers* found in the Volunteers Handbook.

It is also not intended to cover concerns that staff or volunteers may have about issues of possible malpractice or wrongdoing in the workplace. These should be dealt with under the *Whistle Blowing Procedure* found in section four of the Employee Handbook.

If anyone, whether staff member, volunteer, child/young person or family member, is concerned that a child or children may be at risk of harm, they should use FUNdays Club's *Child Protection Policy & Procedures* as outlined in the *Child Protection & Safeguarding Policies and Procedures Handbook* rather than this complaints policy and procedure.

Dealing with Complaints - Initial Concerns:

- FUNdays Club recognises the difference between a concern and a complaint. A concern is an issue that can usually be sorted out informally and requires little or no recording; any member of FUNdays Club staff can carry this out. FUNdays Club will always take informal concerns seriously and act upon concerns raised at the earliest stage. FUNdays Club will always aim to resolve concerns in a way that all parties concerned are satisfied. FUNdays Club strives to minimise the need for formal complaints.
- Whilst this policy lays out the formal procedures for dealing with complaints, the underlying principle is that concerns ought to be handled, if at all possible, without the need for formal procedures. The requirement to have a complaints procedure need not in any way undermine efforts to resolve the concern informally.
- In most cases, an individual member of FUNdays Club staff will be approached first. FUNdays Club staff will aim to resolve issues on the spot, including apologising where necessary. If it becomes apparent to a FUNdays Club member of staff that a concern might develop into a complaint, or a concern is in fact a complaint, this must be passed on to a FUNdays Club Manager.

Dealing with Complaints - Formal Procedures:

- The formal procedures will need to be invoked when initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further.
- The member of staff who has responsibility for the operation and management of the FUNdays Club complaints procedure is the FUNdays Club Manager who is approached first known from here on as the Complaints Co-ordinator.

Impartiality: FUNdays Club Directors will be aware of any formal complaints proceeding taking place but the content shall not be discussed so impartiality can be maintained should the matter need taking further.

Aims: By having in place an effective Complaints Procedures we aim to:

- Encourage resolution of problems by informal means wherever possible;
- Provide a clear and simple structure;
- Ensure impartiality;
- Be non-adversarial;
- Allow swift handling with established time-limits for actions and keep people informed of progress;
- Ensure a full and fair investigation by an independent person where necessary;

- Respect people's desire for confidentiality;
- Address all the points at issue and provide an effective response and appropriate redress, where necessary;
- Provide information to the FUNdays Club Directors and Managers so that services can be improved.

Investigating Complaints: At each stage the complaints coordinator should ensure 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;
- Keep notes of the interview (including date and names of those present).

Resolving Complaints: At each stage in the procedure the complaints coordinator and all those involved should bear 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:

- An apology;
- An explanation;
- An admission that the situation could have been handled differently or better;
- An assurance that there will be no reoccurrence;
- An explanation of the steps that have been taken to ensure that it will not happen again;
- An undertaking to review FUNdays Club policies in light of the complaint;
- A refund;
- A discounted or free service being provided.

Complainants should be encouraged to state what actions they feel might resolve the problem at any stage.

- An admission that FUNdays Club could have handled the situation in a different way is not the same as an admission of negligence.
- An effective procedure will identify areas of agreement between the parties. It is also of equal importance to clarify any misunderstandings that might have occurred as this can create a positive atmosphere in which to discuss any outstanding issues.

Vexatious Complaints: If properly followed, this policy should limit the number of complaints that become protracted. However, there will be occasions when, despite all stages of the procedures having been followed, the complainant remains dissatisfied. If the complainant tries to reopen the same issue, the FUNdays Club Director should inform them in writing that the procedure has been exhausted and that the matter is now closed.

Time-Limits: Complaints need to be considered, and resolved, as quickly and efficiently as possible and realistic time limits will be set for each stage. However, where further investigations are necessary, new time limits can be set and the complainant sent details of the new deadline and an explanation for the delay.

14. Complaints Formal Procedure

The Stages of Complaints: FUNdays Club procedure follows four stages. A flow chart of the stages can be found below. An outline of the FUNdays Club stages, together with time limits are set out underneath

STAGE	ACTION	TIME LIMIT
Stage 1	On the spot informal discussion	Immediate
Stage 2	Informal complaint heard by FUNdays Club Manager	Meeting will take place within 5 working days of complainant making contact with FUNdays Club Manager
Stage 3	Formal complaint heard by FUNdays Club Manager	Meeting will be arranged within 5 working days of written complaint being received by FUNdays Club Manager
Stage 4	Formal complaint heard by FUNdays Club Director not previously involved.	Date for meeting will be sent within 10 working days of formal written complaint being received by the another FUNdays Club Director
Outcome	FUNdays Club Director must inform the complainant of the outcome.	Within 28 days of the date the complaint was made.

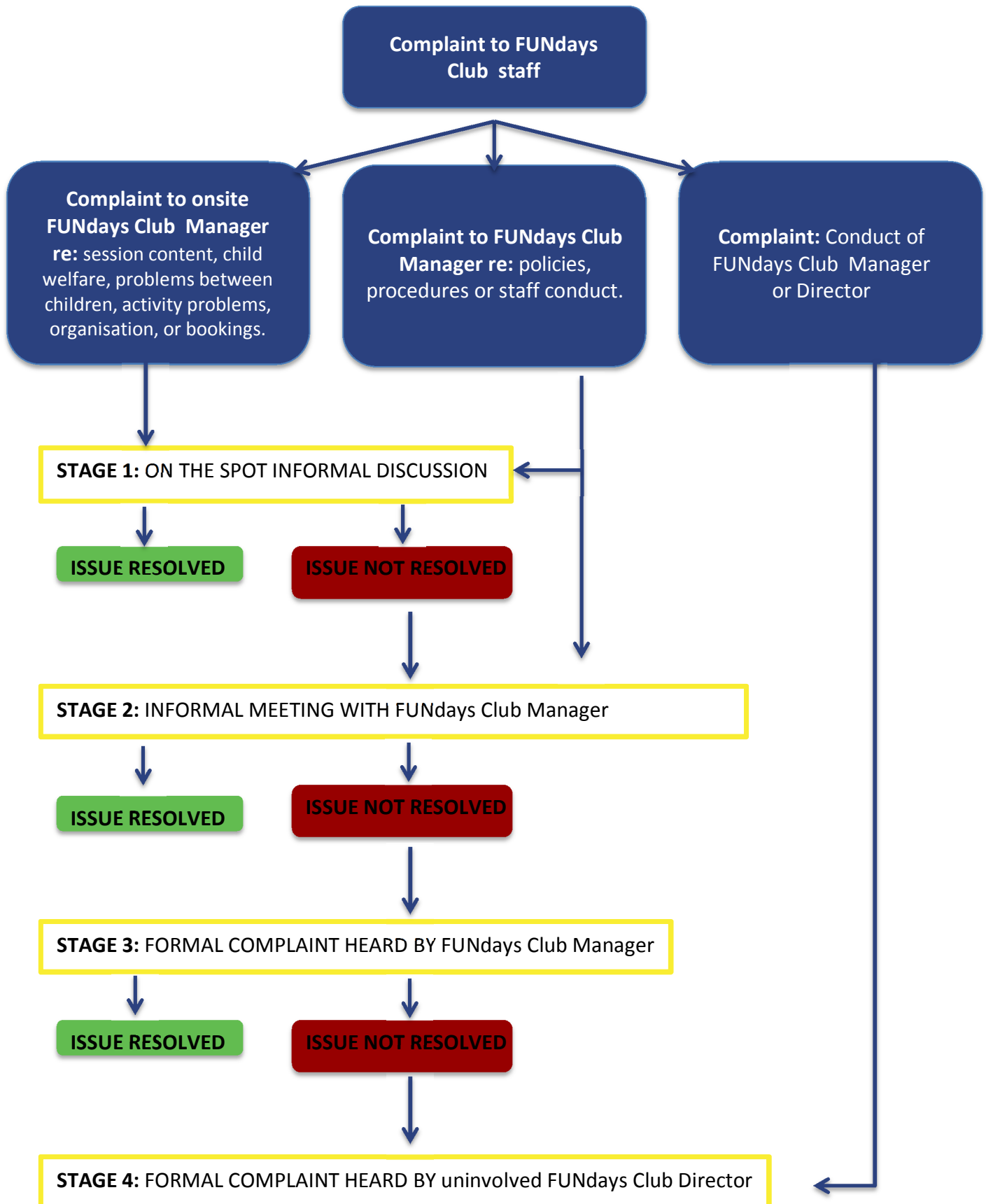
- Procedures for each stage can be found below in 'Complaints Procedure Detail'
- Any unsatisfied complainant can always take a complaint to the next stage. Some procedures may allow for an additional stage if Ofsted, Local Authority or other external agency provides an independent appeal or review. This will be decided at the fourth stage.
- Where the complaint is against a FUNdays Club Manager then the first step will be for the complainant to write a formal letter to a FUNdays Club Director and move straight to Stage Four.
- If a complaint is in regards to any of the criteria held within the Ofsted 'Requirements for the Childcare Register: childcare providers on non-domestic or domestic premises,' a complainant can take their complaint to Ofsted at any point.

Ofsted Contact Details:

Ofsted National Business Unit
Piccadilly Gate
Store Street
Manchester
M1 2WD

Helpline: 0300 123 1231
Website: www.ofsted.gov.uk/parents

Complaints Procedure Flowchart





Managing and Recording Complaints: FUNdays Club will keep a written record, for a period of three years, including the outcome of the investigation and the action FUNdays Club took in response.

- FUNdays Club will make available to Ofsted, on request, a summary of complaints made in relations to the 'Requirements for the Childcare Register: childcare providers on non-domestic or domestic premises' in the past 12 months and the action that was taken as a consequence.
- A complaint may be made in person, by telephone, by email or in writing. The person handling it in the first instance should record details of the complaint. At the end of a meeting or telephone call, the member of staff dealing with the complaint should ensure that the complainant and FUNdays Club have the same understanding of what was discussed and agreed. A brief note of meetings and telephone calls can be kept and a copy of any written response added to the record. A record should also be kept of the final outcome.
- The complaints co-ordinator is responsible for the records and holds them as according to the data protection and record keeping policy.
- Complaints made publicly online via FUNdays Club website or social media:
 - FUNdays Club would first like to invite parents, carers and others to make direct contact via telephone, email or in person when making a complaint. In either instance, the complaints procedures will be enacted as stated in this policy.
 - Any online complaints that are inflammatory, abusive, harassing, obscene, disrespectful or hateful in nature will be removed. FUNdays Club reserves the right to revoke a parent's/carer's registration both online and offline in this instance, including a child's place and booking.
 - Response of outcome to online complaints will be made within the same forum online unless the complaint is removed due to the above-mentioned reasons.

Review: The FUNdays Club Directors will monitor the level and nature of complaints through their meetings. The Managing Director will review the outcomes on a regular basis to ensure the effectiveness of the procedure and the Directors will agree changes where necessary. Where complaints information is shared with staff, names of children and /or parents and carers shall not be used.

As well as addressing an individual's complaints, the process of listening to and resolving complaints will contribute to FUNdays Club improvement. When individual complaints are heard, FUNdays Club may identify underlying issues that need to be addressed. The monitoring and review of complaints by the FUNdays Club Directors can be a useful tool in evaluating FUNdays Club service.

Publicising the Procedure: There is a legal requirement for the Complaints Policy to be publicised. Details of the Complaints Policy will be available:

- From the pick-up point at the end of a FUNdays Club booking
- From the FUNdays Club web site

15. Complaints Procedure Detail

Stage 1: On the spot discussion with FUNdays Club Manager:

- It is in everyone's interest that complaints are resolved at the earliest possible stage and the experience of the first contact between the complainant and FUNdays Club can be crucial in determining whether or not a complaint will escalate. Therefore, all FUNdays Club staff need to be fully aware of the procedures as laid out in this policy.
- FUNdays Club will respect the views of a complainant who indicates that he/she will have difficulty discussing the complaint with a particular FUNdays Club Director. In such cases, the Complaints Co-ordinator will refer the complaint to the other FUNdays Club Director. Where the complaint concerns a FUNdays Club Director, the Complaints Co-ordinator should refer the complaint to the other FUNdays Club Director.
- Equally, should the FUNdays Club Director directly concerned feel too compromised to deal with a complaint, the Complaints Co-ordinator may refer the complainant to the other FUNdays Club Director. The ability to consider the complaint objectively and impartially is crucial. A FUNdays Club Director may also feel it is more appropriate for an effective outcome if the Managing Director deals with the complaint.
- Where the first approach is made to a FUNdays Club staff member (not Manager), the next step would be to refer the complainant to the appropriate person and advise them about the procedure. FUNdays Club staff should not act unilaterally on an individual complaint outside the formal procedure or be involved in the early stages in case they are needed to sit in on a later stage.
- The other FUNdays Club Director will not be informed of the complaint unless it is resolved at this stage in order to maintain impartiality.

Stage 2: Complaint heard by FUNdays Club Manager - Informal:

- If either the complainant or the FUNdays Club Manager feel that a meeting is required as an on the spot discussion at stage 1 does not resolve the issue, the FUNdays Club Manager will arrange for a meeting to take place to discuss the matter.
- Notes of the meeting, including outcomes, will be written up by the FUNdays Club Manager and kept as a record.

Stage 3: Complaint heard by FUNdays Club Manager - Formal:

- If the complainant is dissatisfied by the way that the complaint was handled at Stage 1 and 2, and may wish to include this in their complaint, along with the initial complaint then stage 3 will begin.
- A complainant must put their complaint in writing clarifying the nature and content of their complaint.
- A meeting time will be arranged that is convenient for both parties to discuss all the issues raised in the written complaint. Only those issues in writing will be discussed and addressed at the meeting. If additional issues begin to arise in the meeting then the FUNdays Club Manager can adjourn the meeting and the additional complaint information to be included in writing for an additional stage 3 meeting. Alternatively, the FUNdays Club Manager can decide that a stage 4 meeting is more likely to resolve the issue.
- Notes during and after the meeting will be made by the FUNdays Club Manager, or another appropriate person, and kept as a record, including the outcomes of the meeting.

Stage 4: Complaint heard by other FUNdays Club Director - Formal:

- The complainant should write to a FUNdays Club Director giving details of the complaint.

Remit of the Stage 4 Meeting: The other FUNdays Club Director can:

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

There are several points for the other FUNdays Club Director to remember:

- It is important that the appeal hearing is independent and impartial and that it is seen to be so.
- The aim of the meeting, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between FUNdays Club and the complainant. However, it has to be recognised that the complainant may not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations that will satisfy the complainant that his or her complaint has been taken seriously.
- Many complainants feel nervous and inhibited in a formal setting. Parents/carers often feel emotional when discussing an issue that affects their child. The FUNdays Club Director 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.
- Extra care needs to be taken when the complainant is a child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The FUNdays Club Director needs to be aware of the views of the child and given them equal consideration to those of adults. Where the child's parent/carer is the complainant, it would be helpful to give the parent/carer the opportunity to say which parts of the hearing, if any, the child needs to attend.

Roles and Responsibilities

The role of the FUNdays Club Director before the meeting:

- Set the date, time and venue, ensuring that the dates are convenient to all parties and that the venue proceedings are accessible
- Collate any written material and send it to the parties in advance of the meeting
- Check that the correct procedure has been followed

The role of the third party clerk, or other appropriate person, during the meeting: Complaints can be clerked if the FUNdays Club Director feels it appropriate. The clerk will be required to:

- Meet and welcome the parties as they arrive
- Record the proceedings

The role of the FUNdays Club Director during the meeting: The FUNdays Club Director has a key role ensuring that:

- The remit of the meeting 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/carers and others who may not be used to speaking at such a meetings are put at ease
- The meeting is conducted in an informal manner with each party treating the other with respect and courtesy
- The FUNdays Club Director is open minded and acting as independently as possible
- 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 it would be useful to give all parties the opportunity to consider and comment on it.

The role of the FUNdays Club Director after the meeting:

- The FUNdays Club Director needs to ensure that the complainant is notified of their decision and response, in writing; this is usually within a set deadline, which is publicised in the procedure. The letter needs to explain if there are any further rights of appeal and, if so, to whom they need to be addressed.

Checklist for a Stage 4 Meeting: The FUNdays Club Director needs to take the following points into account:

- The meeting will be managed in a way, that as far as possible, makes everyone feel comfortable and at ease.
- Witnesses are only required to attend for the part of the meeting in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The FUNdays Club Director may question both the complainant and the witnesses after each has spoken.
- The FUNdays Club Manager is then invited to explain FUNdays Club actions and be followed by the FUNdays Club witnesses.
- The complainant may question both the FUNdays Club Manager and the witnesses after each has spoken.
- The FUNdays Club Director may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The FUNdays Club Director is then invited to sum up FUNdays Club actions and response to the complaint.
- Both parties leave together while the FUNdays Club Director decides on the issues.
- The FUNdays Club Director explains that both parties will hear from them within a set time scale.

FUNdays Club will review this Complaints Procedure and good practice at least annually.