**Complaints and Procedure policy**

Liberty in the Wild Ltd



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| **Approved by:** | Kamilla Woodburn-Minott and Liz Crowford |  |
| **Last reviewed on:** | April 2024 |
| **Next review due by:** | April 2025 |

The purpose of this procedure is to provide a robust process for dealing with complaints relating to Liberty in the wild or its employees, including the provision of facilities or services.

This procedure also includes a provision for dealing with vexatious, malicious or repetitive unfounded complaints.

1. **Scope**

This complaints procedure is not limited to parents or carers of children that are registered at Liberty in the wild. Any person, including members of the public, may make a complaint to Liberty in the Wild about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions, see Appendix 5 for a full list), we will use this complaints procedure. This procedure is not to be used when considering complaints from staff. In such instances, liberty in the wild’s grievance policy should be applied.

**2. Aims of Procedure**

The aim of this procedure is to:

* Achieve informal resolution wherever possible;
* Resolve general complaints efficiently and effectively;
* Provide a transparent process for dealing with complaints, both formally and informally;
* Ensure that all stages of the procedure will be investigatory rather than adversarial;
* Ensure that every complaint is heard and handled appropriately;
* Deal with complaints sensitivity, impartiality and confidentiality;
* Allow redress where necessary and provide information for the Liberty in the wild Management team to improve services.

**3. Complaints Procedure**

The majority of issues raised by parents, carers, the community, visitors, volunteers or pupils, are concerns rather than complaints.

A concern may be defined as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’.

A complaint may be defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’.

It is in everyone’s interest that all concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Liberty in the Wild takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the centre’s nominated complaints administrator, will refer you to an alternative member of staff. Similarly, if the member of staff directly involved feels unable to deal with a concern, the complaints administrator will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, Liberty in the Wild will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

**3.1. How to Raise a Concern or Make a Complaint**

A concern or complaint can be made in person, in writing (by letter or email) or by telephone.

For ease of use, a template complaint form is included with this document (Appendix 1). If you require help in completing the form, please contact the centre’ office. You can also ask third party organisations, such as Citizens Advice to help you.

**3.2. Anonymous Complaints**

We will not normally investigate anonymous complaints unless there are exceptional circumstances, for example if there were serious child protection concerns or bullying allegations where the centre would either involve appropriate external agencies or else conduct its own internal review to test whether there is any corroborative evidence which might trigger a formal investigation. The Directors or Chair of our advisory board , if appropriate, will determine whether the complaint warrants an investigation.

**3.3. Timescales**

You must raise the complaint within one week of the incident arising. We will consider complaints made outside of this time frame if exceptional circumstances apply.

You must explain clearly and as fully as possible, including any action taken to date.

You must allow Liberty in the Wild a reasonable time to deal with the matter and recognise that some circumstances may be beyond our control.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

**3.4. Complaints Procedure Outside of Term Time**

We will consider complaints made outside of term time to have been received on the first day of term, after the holiday period.

If a complaint is already going through the procedure and this is interrupted by a holiday the procedure will be paused until the holiday has ended. If the procedure is close to concluding as the holiday approaches, we will make reasonable attempts to get the procedure to an end prior to the holiday period but this may not always be possible.

**3.5. Resolving Complaints**

At each stage in the procedure, Liberty in the Wild wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

* an explanation;
* an admission that the situation could have been handled differently or better;
* an assurance that we will try to ensure the event complained of will not repeat;
* an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made;
* an undertaking to review the relevant liberty in the wild policies in light of the complaint;
* an apology.

When we inform you of the outcome of your complaint, we will tell you as much of the details as we can, but possibly not everything. Telling you all the details may prejudice any employee complained about and affect their ability to carry out their job effectively. The release of too much information might prevent us from the use of our disciplinary or capability procedures or contravene the employee’s employment or data protection rights.

The procedure is designed to resolve any concerns with the minimum of conflict. To do this it is important that everyone has confidence in it and that it secures the “closure” of any complaint or concern.

It is unhelpful if a complaint is broadcast to the liberty in the wild community. Therefore, the centre will make it clear to any person who raises a concern, that the centre will treat the matter confidentially and will ask the complainant to do the same. The complainant must refrain from publicising the details of their complaint on social media.

**3.6. Withdrawal of a Complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing (by letter or email).

**3.7. Safeguarding**

Where a complaint highlights a clear child protection or safeguarding concern, a referral to the centres Designated Safeguarding Lead (DSL) will take place immediately.

**3.8. The Formal Stages of the Complaints Procedure**

Liberty in the Wild has a clear procedure for receiving enquiries, concerns and complaints so that they are directed to the appropriate people to be dealt with.

Informal attempts to resolve the situation should have been made including, if needed, mediation, before a complaint is escalated to the formal stages.

**Stage 1**

Formal complaints must be made to a Director (unless they are about the Director), via the LITW Directors email (directors@libertyinthewild.co.uk) or phone line ( 01564 330221 ). This may also be done in person, in writing (by letter or email, and preferably on the Complaint Form).

The Director will record the date the complaint is received and opened and will acknowledge this with the complainant in writing (by letter or email) within **5 working centre days**.

Within this response, the director will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The director can consider whether a face-to-face meeting is the most appropriate way of doing this.

**Note**: The director may delegate the investigation to another member of the centre’s management team but not the decision to be taken.

During the investigation, director (or investigator) will:

* 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
* wherever possible these should be read and agreed with those being interviewed and signed to confirm this has happened

At the conclusion of their investigation, the director will provide a formal written response within **15 working centre days** of the date of receipt of the complaint.

If the director is unable to meet this deadline, they will provide the complainant with an update and revised response date.

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 actions Liberty in the Wild will take to resolve the complaint, see 3.5. above.

The director will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

**Stage 2**

If you are not satisfied with the subsequent outcome of Stage 1 then you have the option of writing to the Chair of the Advisory Board – Dr Sarah Douglas, stating the reason why you are dissatisfied with the outcome. You must do this within **10 working days** of receiving the written response.

The independent consultant will respond normally within **10 working days** to inform you of the action that will be taken to further investigate your complaint and when you can expect to hear the outcome of the investigation.

**Further Recourse**

If you remain dissatisfied following the completion of Stage 2 you may take further recourse to Warwickshire Local Authority, Local Government Ombudsman, Ofsted or Department of Education as appropriate.

**Record Keeping**

The centre undertakes to keep detailed written records of all complaints and these will indicate at what stage a complain was resolved. Records of complaints are to be kept for a minimum of five years.

**Policy for managing serial and unreasonable complaints or contact**

Liberty in the Wild is committed to dealing with all concerns or complaints fairly and impartially, and to providing a high-quality service to those who raise them. We will not normally limit the contact complainants have with our centre. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

Liberty in the Wild defines unreasonable behaviour as that which hinders our consideration of concerns or complaints because of the frequency or nature of the contact with the centre, such as, if the person contacting the centre:

* refuses to articulate their concern or complaint or specify the grounds of a concern or complaint or the outcomes sought by raising the concern or complaint, despite offers of assistance;
* refuses to co-operate with the investigation process;
* refuses to accept that certain issues are not within the scope of the complaints procedure;
* insists on the concern or complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice;
* introduces trivial or irrelevant information which they expect to be taken into account and commented on;
* raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
* makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
* changes the basis of the complaint as the investigation proceeds;
* repeatedly raise the same concern or complaint (despite previous investigations or responses concluding that the concern or complaint is groundless or has been addressed);
* refuses to accept the findings of the investigation into that complaint where the centre’s complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
* seeks an unrealistic outcome;
* makes excessive demands on liberty in the wilds time by frequent, lengthy and complicated contact with staff regarding the concern or complaint in person, in writing, by email and by telephone while it is being dealt with;
* uses threats to intimidate;
* uses abusive, offensive or discriminatory language or violence;
* knowingly provides falsified information;
* publishes unacceptable information on social media or other public forums.

Those contacting the centre should try to limit their communication with the centre while their concern or complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

If the centre feels the contacts are unreasonable, have made this clear and the behaviour continues, the director will write to the person raising the concern or complaint explaining that their behaviour is unreasonable and ask them to change it. For people who excessively contact Liberty in the Wild as described above and cause a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing (by letter or email). This may include barring an individual from Liberty in the Wild premises.