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Reviewed by:	Name: Moira Lambert Date:10/7/22

Alternative formats: Large print (18pt) or audio (mp3) format of this document available by emailing moiralambert@orpheus.org.uk

Whole Centre Complaints Policy

Policy statement

The Orpheus Centre is committed to excellence in delivering education, housing and care. We set high standards for ourselves and seek to meet them. We are also committed to being open and honest and fair with our supporters.

Scope

This policy covers your feedback, whether you are a supporter, student, parent, volunteer or member of the public. Complaints may be about our services or fundraising including third parties fundraising on our behalf. (This excludes volunteers fundraising “in aid of” Orpheus, but let us know if there is an issue of concern.)

Staff with a complaint should follow the Grievance Policy in the Employee Handbook or the Whistleblowing Policy.

Roles and responsibilities

Chair of Trustees

The Chair of Trustees, Howard Webber, is responsible for complaints about the Chief Executive.

Chief Executive Officer

The CEO, Dr Rachel Black, is responsible for complaints about the named managers below or a Trustee. They will make adequate resources available to implement this policy. They will carry out any needed remedial action or changes to this policy.

Senior Managers

Senior Managers will make sure that the policy is implemented within their team. The names manager for complaints in the following teams is:

Learning, care and housing: Chloe Smith, Principal.

Finance and IT: Richard Clark, Head of Finance and Resources.

Human Resources: Jay Cross, Head of HR.

Fundraising: Moira Lambert, Chief Operating Officer.

Employee Responsibilities

Orpheus staff are expected to respond positively to complaints. They must tell you about the Complaints Policy. They must follow the process below.

Aims of Policy

Your feedback helps us to learn from our mistakes and make improvements to our services. We aim to investigate all complaints thoroughly and to take any needed actions.

Principles

All complaints will be taken seriously and dealt with quickly.

We will respect your confidentiality during the complaints process unless the situation means we must tell other people about the problem (e.g. safeguarding concerns). We will not usually act on anonymous complaints. However, the Chief Executive or Chair will decide if the complaint should be investigated.

We will make reasonable adjustments if needed, to enable you to access and complete this complaints process. Please let us know if you need this kind of help.

If you are a student, and need help making your complaint you can ask your tutor. They cannot make the complaint for you but can help you to make the complaint yourself.

People who raise a concern or make a complaint will be protected from discrimination, harassment or disadvantage.

Making a complaint

First Step – Informal Complaint

If you are not happy with the service or treatment you receive it is always best to raise the matter immediately with the member of staff you are dealing with. Tell them exactly what you are unhappy about and ask for their help in putting it right. Many problems can be resolved quickly and informally in this way.

If the staff member to whom you are speaking cannot resolve the complaint immediately they will pass the complaint to the relevant manager in writing.

Second Step – Formal Complaints Procedure

Formal complaints should be made to the relevant manager (above) in person, by phone (01883 744 644) or by email/letter to The Orpheus Centre, North Park Lane, Godstone, RH9 8ND, executiveadmin@orpheus.org.uk.

If the complaint is about the Chief Executive, then your complaint may be made to the Chair of Trustees, Howard Webber via the contact details above.

Complaints made in writing (by post or email)

We will acknowledge the complaint in writing within 5 working days, confirming that we will seek to resolve the complaint within 20 working days. At this stage further contact with you will only be made where we do not have enough details to take the complaint forward.

Complaints made by telephone or in person

We will gather the facts using open questions. At the end of the conversation we will summarise the discussion to confirm that we have understood the situation. If we are familiar with the area of the complaint, we will then try and resolve the complaint at this point. If you are satisfied with our action that is the end. In any case we will take your contact details and acknowledge the complaint in writing within 5 working days including a summary of the conversation and confirmation that the complaint will be dealt with within 20 days.

Extension of information gathering period

In exceptional circumstances, we may need more than 20 days to gather all the information. For example, this might happen if a key member of staff is on annual leave or sick. If this happens, we will contact you in writing outlining the situation. If your complaint is about fundraising we will send a copy of this letter to the Fundraising Regulator.

Our procedures

A member of our management team will investigate. They will be independent of the service you are complaining about. They will report back to the Chief Executive.

If the complaint is about a Trustee it will be investigated by the Chief Executive. If the complaint is about the Chief Executive it will be investigated by the Chair of Trustees.

1. We will first consult with the relevant staff, including the Chief Executive. Then we will inform the Chair of Trustees of the situation.
2. We will investigate the complaint. We will gather any relevant facts about the complaint. We may also contact external authorities (e.g. local authority safeguarding teams). If a third party is involved (for example a volunteer, supplier or contractor), we will also speak to them.

If the complaint raises possible serious issues we will seek legal advice. If legal action is taken at this stage we will consider suspending investigation of the complaint until legal proceedings are settled.

3. The investigation of the complaint will determine what action needs to be taken.
4. We will take care to record all the key points and file these with the case.
5. Having gathered all the relevant information, we will set out the nature of the complaint and determine what action needs to be taken.
6. We will give you the outcome of the investigation in writing. The letter will outline our Appeals process and how to contact regulators. There are two possible outcomes:
 - a. The complaint is justified. We will then write to you within 20 working days of your original complaint to apologise and let you know that the complaint has been used to improve on our future activities and how this will be done. We will also instigate action to prevent any recurrence of the problem and will follow our disciplinary process as outlined in the Staff Handbook (where applicable). Apologising for what has happened is not necessarily an admission of liability.

- b. The complaint is not justified. We will write to you to explain that we will not be changing our practices and give clear reason(s) for our position. We will always take complaints very seriously and assure you the investigation will be as thorough as possible. Accurate records will be kept of all investigations which we have carried out.

In the event that the complaint is not resolved to your satisfaction

If you are unhappy with the result of the investigation you have the right to appeal to the Chief Executive within 5 working days of the date of our reply.

Appeals must be made in writing. to the Chief Executive at rachelblack@orpheus.org.uk or Dr Rachel Black, The Orpheus Centre, North Park Lane, Godstone, RH9 8ND.

The Chief Executive Officer will review the complaint and investigation, and may interview you and/or the manager investigating the complaint before reaching a decision.

In the case of a complaint against a trustee, the appeal will be reviewed by an independent committee of three charity trustees.

In the case of a complaint against the Chief Executive, the appeal will be reviewed by three Orpheus trustees, excluding the Chair.

Within 10 working days from the date of your written appeal a reply from the Chief Executive Officer will be sent to you detailing the outcome.

If you are still not happy

If you believe we acted unlawfully or unreasonably in the exercise of our duties under education law, you can contact the Department for Education to consider whether the Orpheus Centre has adhered to education legislation and any statutory policies connected with the complaint.

You can do this online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to the Department for Education, Piccadilly Gate, Store Street, Manchester M1 2WD.

You may also raise a complaint with Ofsted at: <https://contact.ofsted.gov.uk/online-complaints> or by telephone on: 0300 123 1231.

If you are unhappy with the result of the investigation and your complaint is about fundraising, the Fundraising Regulator will deal with all complaints that are concerned with a breach of the Fundraising Code of Practice provided that you have complained to the charity concerned but are not satisfied with the answer received.

In the event that you are not happy with our response, you should contact the Fundraising Regulator within 2 months of receiving it. You can do this online using their [complaints form](#).

If your complaint relates to the domiciliary care service, you can refer your complaint to the Local Government Ombudsman if you remain dissatisfied. You can do this by emailing: advice@lgo.org.uk, by visiting their website at: www.lgo.org.uk, by telephone on: 0300 061 0614 or by writing to The Local Government and Social Care Ombudsman, PO Box 4771, Coventry CV40EH.

Our domiciliary care service is registered with and regulated by the Care Quality Commission (CQC). The CQC cannot get involved with individual complaints about providers but they welcome feedback concerning care services.

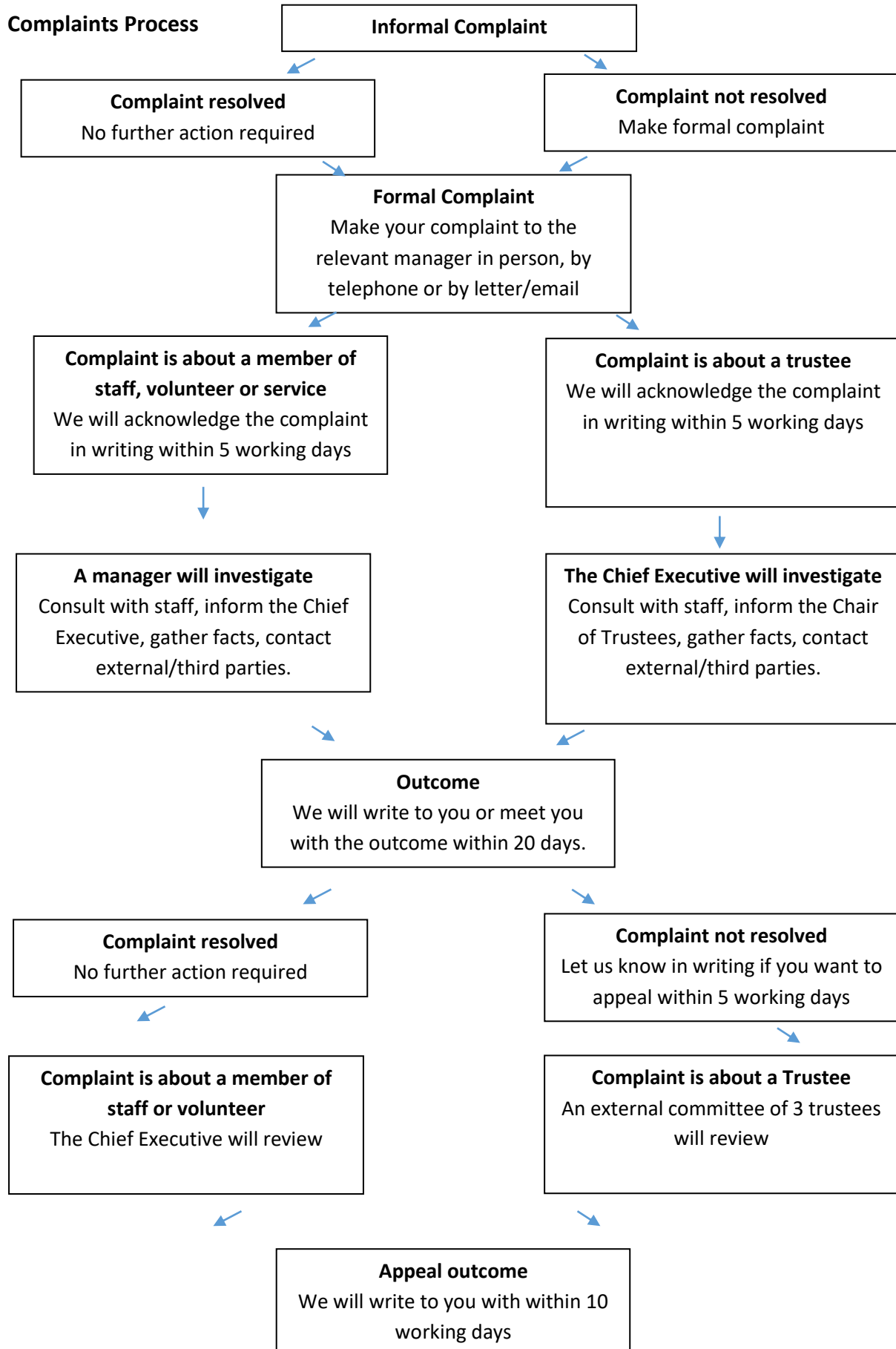
You can do this by visiting their website at: www.cqc.org.uk, by telephone on: 0300 0616161 or by writing to: Care Quality Commission, Citygate, Gallowgate, Newcastle upon Tyne NE14PA.

External Reporting

Where necessary we may contact external authorities (e.g. local authority safeguarding teams).

Where a complaint is also a safeguarding issue, we will first take advice from the safeguarding team. To ensure the safety of our students, the complaint investigation will not take place until we have been given permission by the safeguarding team.

Complaints Process



Feedback Form

Your Name:

Address:

Date:

Email:

Phone Number:

Student Name (if your complaint concerns a student):

Your relationship to the student (if your complaint concerns a student):

Please give the details of your complaint. Please include, where possible, dates, names of witnesses, etc. as this will help us to properly investigate:

What action, if any, have you already taken to try and resolve your complaint?

(Who did you speak to and what was the response)?

If you have not taken such action, please set out here your reasons:

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details:

For office use

Date complaint received

Investigating manager:

Date acknowledgement sent:

Date resolution letter sent:

Date appeal received:

Reviewed by:

Date appeal acknowledgment sent:

Date appeal outcome letter sent: