

# complaints procedure

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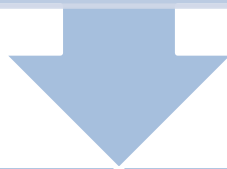
## Procedure for Dealing with General Complaints

Each stage should be completed before progressing to the next stage.

### Stage 1 (informal) - Pre-complaint

Expression of concern is raised with member of staff.

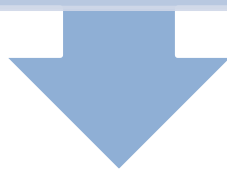
If the complainant is not satisfied, proceed to formal stages.



### Stage 2 (formal) - CEO Investigation

Complainant submits "Stage 2 Complaint Form" within 3 months of the incident (proceed to stage 3 if about the CEO).  
CEO/Designated Member of Staff carries out an investigation and reports outcome in writing to complainant.

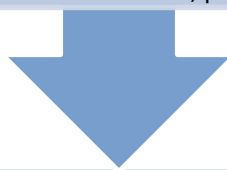
If the complainant is not satisfied, proceed to Stage 3.



### Stage 3 (formal) - Trustee Investigation

Complainant submits "Stage 3 Complaint Form" within 10 days of receiving Stage 2 response.  
Chair of Trustees or Designated Trustee carries out an investigation and reports outcome in writing to complainant.

If the complainant is not satisfied, proceed to Stage 4.



### Stage 4 (formal) - Complaints Hearing

Complainant submits "Stage 4 Complaint Form" within 10 Camphill Wakefield days of receiving Stage 3 response.

The complaint is heard by a Panel of Trustees.

There is no further right of appeal. If the complainant considers that the complaints procedure has not been followed correctly, they may contact their Local Authority, the Education Funding Authority or Care Quality Commission

# Camphill Wakefield Complaints Procedure

## Introduction

Camphill Wakefield has a duty to establish a procedure for dealing with general complaints relating to aspects of the Camphill Wakefield and to ensure these are publicised to parents and others.

This procedure will apply to most general complaints received by the Camphill Wakefield. However, some complaints are subject to separate statutory procedures instead of the general complaints procedure, for grievances by Camphill Wakefield staff. These are the subject of separate complaints procedures. Copies of these procedures can be obtained from the Camphill Wakefield.

## General Principles

- The aim of this procedure is to balance the rights and responsibilities of students, parents and Camphill Wakefield staff and to recognise that responsibilities rest with each of these.
- Camphill Wakefield's need to be clear about the difference between a concern and a complaint. Taking informal concerns seriously at the earliest stage will reduce the numbers that develop into formal complaints. However, formal complaints should always follow the complaints procedure.
- 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, a tutor will receive the first approach. It would be helpful if staff were able to resolve issues on the spot.

At each stage in the procedure, Camphill Wakefield will want to keep 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 the event complained of will not recur;
- an explanation of the steps that have been taken to ensure that it will not happen again;
- an undertaking to review Camphill Wakefield policies in light of the complaint.

It would be useful if complainants were encouraged to state what actions they feel might resolve the problem at any stage. An admission that the Camphill Wakefield could have handled the situation better is not the same as an admission of negligence.

- The complaints procedure should be easily accessible and well publicised.
- Complaints should be dealt with as quickly as possible, consistent with fairness to all.
- Dates and times of conversations should always be recorded and made available to investigators, as necessary. It is best practice to take minutes of meetings and discussions.
- A complaint is not part of any staff disciplinary process. Staff who may be questioned as part of a complaints procedure must be treated fairly and have an opportunity to put their case forward. They should be offered support in dealing with any investigation into a complaint.

- Any member of staff who is complained about will have the opportunity to respond to the complaint during the investigation and will be able to see any response sent as a result of the investigation. If, however, during the course of considering a complaint, the Camphill Wakefield Council concludes that disciplinary procedures should be initiated, Trustees will consider this as a separate action, as there is an entirely separate procedure for Camphill Wakefield to follow in terms of dealing with staff disciplinary matters.
- Confidentiality must be maintained at all times. All conversations and correspondence must be treated with discretion. Parents must feel confident a complaint will not disadvantage their child. Anonymous complaints should be disregarded unless someone else can substantiate the complaint. All parties to a complaint will need to accept that some sharing of information will be inevitable if the complaint is to be investigated fully. However, the sharing of information should be kept to a minimum so not to compromise subsequent stages of the complaints process.
- All staff and Trustees should have the opportunity to take part in training to raise awareness of the Camphill Wakefield's procedures and to develop their skills in dealing with people who wish to complain.
- All complaints should be recorded and monitored to allow any lessons to be learned by the Camphill Wakefield.

### **Cut-off Limits**

It is expected that complaints will be received as soon as possible after an incident arises; the procedure suggests that this should be within 3 months of the incident occurring unless there are mitigating circumstances. If a complainant wishes to escalate a complaint to the next stage this should also be done in a timely manner; the procedure suggests that this should be within 10 working days following receipt of the response from the previous stage.

Exceptions will be considered if a valid reason is provided; otherwise the complaint will be closed at the end of the last stage reached.

### **Serial or Persistent Complaints**

If properly followed, the complaints procedure will 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 Chair of the Camphill Wakefield Council is able to inform them in writing that the procedure has been completed and that the matter is now closed. If the complainant writes again on the same issue, then the correspondence may be recognised as 'serial' or 'persistent' and there will be no obligation on the part of the Camphill Wakefield to respond. It is important to note however that, should the complainant raise an entirely new, separate complaint, it must be responded to in accordance with the complaints procedure. In this circumstance it is not the complainant who is marked as 'serial' or 'persistent'; it is the complaint.

Separately, there is a procedure for dealing with unreasonably persistent complainants appended to this Complaints Procedure.

## 1. STAGE ONE – dealing with informal complaints and concerns

### 1.1 Guidelines

- 1.1.1 The vast majority of concerns and complaints can be resolved informally, often straight away by a tutor, House Manager or the CEO, depending on whom the complainant first contacts. It is in everyone's interest that complaints are resolved at the earliest possible stage. The experience of the first contact between the complainant and Camphill Wakefield can be crucial in determining whether the complaint will escalate. To that end, if staff are made aware of the procedures, they will know what to do when they receive a complaint.
- 1.1.2 Parents must feel able to raise concerns with members of staff without any formality, either in person, by telephone or in writing. On occasion, it may be appropriate for someone to act on behalf of a parent. At first, it may be unclear whether a parent is asking a question or expressing an opinion rather than making a complaint. A parent/carer may want a preliminary discussion about an issue to help decide whether he or she wishes to take the matter further. It would assist the procedure if the Camphill Wakefield respected the views of a complainant who indicates that he/she would have difficulty discussing a complaint with a particular member of staff. In these cases, the complainant should be referred to another staff member. Where the complaint concerns the CEO, the complainant should be referred to the Chair of Trustees.
- 1.1.3 Similarly, if the member of staff directly involved feels too compromised to deal with a complaint, the CEO may consider referring the complainant to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the complaint objectively and impartially is crucial.
- 1.1.4 Where the first approach is made to a Trustee, the next step would be to refer the complainant to an appropriate member of staff and advise them about the procedure. It would be useful if Trustees did not act unilaterally on an individual complaint outside the formal procedure or be involved at the early stages in case they are needed to sit on a panel at a later stage of the procedure.

### 1.2 Procedure

- 1.2.1 Parents/carers need to be given an opportunity to discuss their concerns with the appropriate member of staff, who can clarify the nature of their concern and reassure them that the Camphill Wakefield wants to hear about it. The member of staff may explain to the parent/carer how the situation arose. It may also be helpful, at this point, to identify what sort of outcome the parent/carer is looking for.
- 1.2.2 The member of staff will need to respond appropriately, taking into account the seriousness of the complaint. In many cases, this will lead to immediate resolution of the issue.
- 1.2.3 If the member of staff first contacted cannot deal immediately with the matter, or if they need to refer the matter to someone else, they will need to make a clear note of the date, name and contact address/phone number of the complainant.

In either case, the member of staff should subsequently ensure that appropriate action is taken to deal with the matter speedily.

- 1.2.4 Where the concern relates specifically to the CEO, the parent should be given the opportunity to meet with the CEO to discuss and resolve the problem. In some circumstances, the complainant may prefer to contact the Chair of Trustees and this should be accommodated.
- 1.2.5 The staff member dealing with the complaint should make sure that the complainant is clear what will happen next (if anything). This should be put in writing only if it seems the best way of making the outcome clear.
- 1.2.6 Where no satisfactory resolution has been found, the complainant may wish their concern to be considered further. If so, they should be advised about how to proceed with their complaint and about any independent advice available to them.

## 2. STAGE TWO –Formal consideration by the CEO (or other appropriate person)

### 2.1 Guidelines

- 2.1.1 It should by now have become clear that the concern is a definite complaint. In some cases, the Principal will already have been involved in looking at the matter. In others, it will be his/her first involvement. In either case, it will be helpful for the CEO (or member of staff designated to investigate the complaint) to adhere to these guidelines to ensure consistency amongst cases and to make sure that nothing happens, at this stage, which could make it difficult for the later stages to proceed smoothly.
- 2.1.2 As the CEO has the responsibility for the day-to-day running of Camphill Wakefield, they have responsibility for the implementation of the complaints procedure, including decisions about their own involvement at Stages 1 and 2. One of the reasons for having the various stages in a complaints procedure is to reassure the complainant that more than one person is hearing their complaint.
- 2.1.3 The CEO will need to make arrangements to ensure that their involvement does not predominate at every stage of a particular complaint. For example, arrangements may be made for other staff to deal with concerns at Stage 1, while the CEO deals with contact with complaints at Stage 2. Even at this stage, the CEO may designate another member of staff to investigate the complaint and collate some of the information from the various parties involved. If the CEO has been extensively involved at Stage 1 it may be more appropriate to proceed to Stage 3.

### 2.2 Procedure

- 2.2.1 Complaints should be made via a “Stage 2 Complaint Form” unless the complainant is unable to express the complaint in written form. The “Stage 2 Complaint Form” should be **submitted within 3 months of the incident occurring** unless the complainant has valid reasons.
- 2.2.2 **The complainant’s “Stage 2 Complaint Form” should be acknowledged in writing within 5 working days of receipt.** The acknowledgement will give a brief explanation of Camphill Wakefield’s complaints procedure and a target date for providing a response to

the complaint. **This will normally be within 10 working days.** Where this is not possible, a letter needs to be sent to the complainant explaining the reasons for the delay and giving a revised response date.

- 2.2.3 Camphill Wakefield should endeavour even at this stage to reach an agreed solution to the complaint. It needs to be remembered that the aim is to resolve the matter in the interests of all involved. Prolonging a complaint longer than is necessary may be harmful to any or all parties involved.
- 2.2.4 The CEO should investigate the complaint appropriately.
- 2.2.5 Once all relevant facts have been established, the CEO will then produce a written response to the complainant and may also wish to meet the complainant to discuss/resolve the matter directly. A written response will include a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the Camphill Wakefield will take to resolve the complaint.
- 2.2.6 Where the complaint is against the CEO, it should proceed straight to stage 3.

### **3. STAGE THREE – Formal consideration by a Panel of Trustees**

#### **3.1. Guidelines**

- 3.1.1 If the complainant is not satisfied with the response of the CEO, the complainant should submit a completed “Stage 2 Complaint Form” in order for their complaint to be considered further. It is likely that this will be the first involvement of a panel of Trustees and therefore they will be able to look at the case from a new impartial perspective.

#### **3.2. Procedure**

- 3.2.1 Complaints should be made via a “Stage 3 Complaint Form” unless the complainant is unable to express the complaint in written form. The “Stage 3 Complaint Form” should be **submitted within 10 working days following receipt of the response from Stage 2**, unless the complainant has valid reasons.
- 3.2.2 **The complainant’s “Stage 3 Complaint Form” should be acknowledged in writing within 5 working days of receipt.** The acknowledgement will give a target date for providing a response to the complaint. **This will normally be within 10 working days.** Where this is not possible, a letter needs to be sent to the complainant explaining the reasons for the delay and giving a revised response date.
- 3.2.3 The panel of Trustees, should again endeavour at this stage to reach an agreed solution to the complaint. The aim remains to resolve the matter in the interests of all involved and prolonging a complaint longer than is necessary may be harmful to any or all parties involved.
- 3.2.4 The Panel should investigate the complaint appropriately.
- 3.2.5 Once all relevant facts have been established, the Panel will then produce a written response to the complainant and they may also wish to meet the complainant to discuss/resolve the matter directly. A written response will include a full explanation of the decision and the reasons for it. Where appropriate, this will include what action the Camphill Wakefield will take to resolve the complaint.



## 4. STAGE FOUR –Formal Consideration by the Chair of Trustees

### 4.1. Guidelines

- 4.1.1 All complaints that reach this stage will have done so because the complainant has not been satisfied by the responses received at Stages 1 through 3.
- 4.1.2 The complainant should complete and submit a “Stage 4 Complaint Form” to request that their complaint is put before the Chair of Trustees. The Chair, or a nominated Trustee, will then convene a Complaints Meeting.
- 4.1.3 The Complaints Meeting hearing is the last stage of the complaints procedure and is not convened merely to rubber-stamp previous decisions.
- 4.1.4 It is important that the hearing should not only be independent and impartial but that it is seen to be so. This is to prevent any allegations of unfairness or bias. Individual complaints should not be heard by the whole Camphill Wakefield Council at any stage, as this could compromise the impartiality of any panel set up for a disciplinary hearing against a member of staff following a serious complaint.
- 4.1.5 It is therefore important that individual Trustees do not become embroiled in complaints at earlier stages because of potential prejudice. If individual Trustees are approached about a complaint they should not respond but should refer the complainant to the complaints procedure and/or the appropriate member of Camphill Wakefield staff.
- 4.1.6 As Stage 4 is the last chance for a solution or compromise to be reached, every effort should be made to reach agreement through conciliation or mediation. Help and advice from the LA’s Social Care Complaints Team may be particularly helpful at this stage. Parents/carers are also encouraged to seek advice at this stage if they have not previously done so.
- 4.1.7 It is important that the Chair of Trustees views the complaint as being against the Camphill Wakefield rather than an individual staff member whose actions may have led to the original complaint.

### 4.2. Procedures

- 4.2.1 A Complaints Meeting hearing should be requested by submitting a “Stage 4 Complaint Form” unless the complainant is unable to express the complaint in written form. The “Stage 4 Complaint Form” should be **submitted within 10 working days following receipt of the response from Stage 3**, unless the complainant has valid reasons.
- 4.2.2 Following receipt of a Stage 4 request, the procedures outlined below will need to be followed:
  - (i) Camphill Wakefield will write to the complainant to acknowledge receipt of the written request **within 5 working days**.
  - (ii) The acknowledgement will inform the complainant that the Chair of Trustees will consider the complaint **within 20 working days**. Where this is not possible, the reason for delay should be explained to the complainant along with a suggested revised target date.

- (iii) The letter will ask the complainant (if they have not already done so) to submit, as soon as possible, a written statement setting out clearly the aspects of the complaint that they wish to be considered. The CEO and/or appropriate member of staff will also be invited to provide a written statement.

The letter will also explain that the complainant and the CEO has the right to submit any further documents relevant to the complaint. Both parties should send such documentation to the Chair of Trustees **at least eight working days** before the complaint hearing.

The notification to the Complainant and CEO should also inform them of their right to be accompanied to the meeting by a friend/advocate/interpreter.

- (iv) The Chair of Trustees may decide to hold an initial meeting to decide on a date for the hearing and to consider the statement from the complainant and the response statement from the CEO to determine what other evidence they might need to establish the facts.

The Chair of Trustees may invite members of staff and other witnesses directly involved in matters raised by the complainant to produce a written statement and/or to attend the hearing.

**NB. The CEO is required to attend the complaints hearing.  
Members of staff named in the complaint have a right to attend the hearing.**

- (v) It is the responsibility of the Chair of Trustees to ensure that the meeting is properly minuted. Complainants are not permitted to tape record the hearing but may take hand written notes of the meeting themselves.

#### 4.2.3 The Chair can:

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to Camphill Wakefield's systems or procedures to ensure that problems of a similar nature do not recur.

There are several advisory points:

- It is important that the hearing is independent and impartial and that it is seen to be so.
- The aim of the hearing, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the Camphill Wakefield and the complainant. However, it has to be recognised that the complainant might not be satisfied with the outcome if the hearing does not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- An effective Chair will acknowledge that many complainants feel nervous and inhibited in a formal setting. Parents often feel emotional when discussing an issue that affects their child. The Chair 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 student. Careful consideration of the atmosphere and proceedings will ensure that the student does not feel

intimidated. The Panel needs to be aware of the views of the student and give them equal consideration to those of adults. Where the child's parent is the complainant, it would be helpful to give the parent the opportunity to say which parts of the hearing, if any, the child needs to attend.

4.2.4 At the conclusion of the meeting the Chair should explain that they will consider all the representations made and will make its decision and write to all parties with the outcome **within 10 working days**.

4.2.5 The Chair will make a decision that should cover:

- (a) findings on the substantive complaint;
- (b) any appropriate action to be taken by Camphill Wakefield or the complainant;
- (c) where appropriate, any suggested changes to Camphill Wakefield's systems or procedures to ensure that problems of a similar nature do not happen again.

4.2.6 A report and any recommendations should be presented to the Camphill Wakefield Council at the next full meeting.

4.2.7 A written statement outlining the decision of the Panel must be sent to the complainant, CEO and any staff named in the complaint.

The Chair of Trustees may wish to obtain legal advice on the content of the decision letter.

If any disciplinary action is to be taken against a member of staff then, to protect his/her rights, only the phrase "**appropriate action has or will be taken**" should be used.

4.2.8 The Chair will need to ensure that a copy of all correspondence is kept on file in the Trustees' records. Where relevant, these records should be kept separately from the student's personal records.

4.2.9 It is good practice that the CEO reports termly to Trustees on compliments and complaints received, together with the outcome of each.

## 5. Closure of Complaints

Very occasionally, Camphill Wakefield will feel that it needs, regretfully, to close a complaint where the complainant is still dissatisfied.

The Camphill Wakefield Council will do all it can to help to resolve a complaint against the Camphill Wakefield but sometimes it is simply not possible to meet all of the complainant's wishes. Sometimes it is simply a case of "agreeing to disagree".

If a complainant persists in making representations to the Camphill Wakefield – to the CEO, designated Trustee, Chair of Trustees or anyone else, this can be extremely time-consuming and can detract from the responsibility to look after the interests of all the students.

For this reason, correspondence (including personal approaches, as well as letters and telephone calls) will be closed on a complaint where it is felt that all reasonable action to resolve the complaint has been taken and that the Complaints Procedure has been fully completed. Correspondence received from the complainant subsequent to closure should be kept on file,

indefinitely, as should notes of telephone calls and any further personal calls referring to the matter.

If deadlines set out within the Complaints Procedure are not met (without a valid reason), the complaint will be closed at the end of the last stage reached.

In exceptional circumstances, closure may occur before a complaint has reached Stage Four of the procedure. This is because a complaints panel takes considerable time and effort to set up and so it must be clear that it is likely to assist the process of investigating the complaint.

The Chair of Trustees (or designated Trustee) may decide, therefore, that every reasonable action has been undertaken to resolve the complaint and that a Complaints Panel would not help to move things forward.

## 6. Unreasonably Persistent Complainants

The great majority of people with complaints or concerns about Camphill Wakefield behave reasonably in pursuing their complaint. This means that they:

- treat all Camphill Wakefield staff with courtesy and respect;
- respect the needs of students and staff within the Camphill Wakefield;
- avoid the use of violence (including threats of violence) towards people and property;
- do not use intimidating/aggressive behaviour or inappropriate language towards Camphill Wakefield staff;
- recognise the time constraints under which members of staff work and allow the Camphill Wakefield a reasonable time to respond to a complaint;
- recognise that resolving a specific problem can sometimes take some time;
- follow Camphill Wakefield's complaints procedures.

However, a small number of complainants may be deemed “**unreasonably persistent complainants**”. This means that, in complaining about issues, either formally or informally, they behave unreasonably, for example by:

- *actions which are obsessive, persistent, harassing, prolific, repetitious; and/or*
- *prolific correspondence or excessive e-mail or telephone contact about a concern or complaint; and/or*
- *an insistence upon pursuing unmeritorious complaints and/or unrealistic or unreasonable outcomes; and/or*
- *an insistence upon pursuing meritorious complaints in an unreasonable manner.*

*A model procedure for identifying and responding to such complainants is attached as Appendix A.*

# Appendix A

## Procedure for Dealing with Unreasonably Persistent Complainants

### 1. Introduction

The great majority of people with complaints or concerns about the Camphill Wakefield behave reasonably in pursuing their complaint. This means that they:

- treat all Camphill Wakefield staff with courtesy and respect;
- respect the needs of students and staff within Camphill Wakefield;
- avoid the use of violence (including threats of violence) towards people and property;
- do not use intimidating/aggressive behaviour or inappropriate language towards Camphill Wakefield staff;
- recognise the time constraints under which members of staff work and allow Camphill Wakefield a reasonable time to respond to a complaint;
- recognise that resolving a specific problem can sometimes take some time;
- follow Camphill Wakefield's complaints procedures.

However, this appendix to the Model Complaints Procedure for Camphill Wakefield to deal with complainants that are unreasonably persistent.

### 2. Definitions

For the purposes of this appendix, an “**unreasonably persistent complainant**” is defined as follows:

An unreasonably persistent complainant is a person who complains about issues, either formally or informally, or frequently raises issues that he/she considers to be within the remit of Camphill Wakefield and whose behaviour is unreasonable. Such behaviour may be characterised by:

- actions which are obsessive, persistent, harassing, prolific, repetitious; and/or
- prolific correspondence or excessive e-mail or telephone contact about a concern or complaint; and/or
- an insistence upon pursuing unmeritorious complaints and/or unrealistic or unreasonable outcomes; and/or
- an insistence upon pursuing meritorious complaints in an unreasonable manner.

For the purposes of this appendix, “**harassment**” is defined as follows:

Harassment is the unreasonable pursuit of the actions listed above in (3) in such a way that they:

- appear to be targeted over a significant period of time on one or more members of Camphill Wakefield staff; and/or
- cause ongoing distress to individual member(s) of Camphill Wakefield staff; and/or
- have a significant adverse effect on the whole/parts of the Camphill Wakefield community; and/or
- are pursued aggressively."

### Deciding whether a complainant should be deemed an **unreasonably persistent complainant**

Only the CEO, with the agreement of the Chair of Trustees, may deem a complainant an unreasonably persistent complainant.

The CEO will ensure that there is sufficient evidence available to justify the decision. He/she may take legal advice to confirm that the evidence is sufficient.

### Action to be taken where a complainant is deemed an **unreasonably persistent complainant**

The CEO will write to the complainant to explain the decision and the way that future complaints will be dealt with. Any restrictions imposed will be appropriate and proportionate.

or all of the following actions may be taken, depending on the particular circumstances of the case:

- insisting that no member of staff should meet the complainant on his/her own;
- restricting telephone calls from the complainant to specified days and times;
- requiring that all future contacts with Camphill Wakefield are in writing, except in emergencies; this includes contacts with members of the Trustee Board, who should only be contacted at the Camphill Wakefield address;
- merely acknowledging correspondence from the complainant that raises issues that have already been dealt with;
- after consulting the Authority’s Legal Services, banning the complainant from the Camphill Wakefield premises where the complainant’s behaviour constitutes a nuisance or disturbance, with any appointments with staff to be agreed in writing via the CEO.

However, all correspondence from the complainant will be considered and any new **and** substantive issues will be addressed and a reply sent to the complainant.

New complaints from people who have been deemed unreasonably persistent complainants will be treated on their merits.

# Appendix B

## Approach for Dealing with Complaints about Camphill Wakefield Trustees

### 1. Introduction

Camphill Wakefield Trustees make a special and important contribution to the running of Camphill Wakefield. They work hard, giving freely of their time, expertise and skills. However, from time to time, a Trustee may act or be deemed to have acted in a way that is not in the best interests of the Camphill Wakefield and, in doing so, may damage the reputation of the Trustee Board. The Trustee may be acting in good faith or be unaware of the consequences for his/her actions but, nevertheless, the Camphill Wakefield Council should take action. The approach to dealing with such issues is set out below.

### 2. The Process

Complaints about the behaviour or actions of a Trustee should be dealt with by the Chair of Trustees. However, if the complaint is about the Chair of Trustees, the Vice-Chair should lead the process suggested below.

#### Informal Stage

A range of informal approaches can be used individually or as linked approaches to resolve any difficulties or disputes in a constructive way. The following list is not exhaustive:

- A quiet word from the Chair to explain the problem and suggest how to ensure it does not recur. This may be done in the presence of the CEO or another Trustee;
- A general training or information item for all Trustees covering behaviour and conduct at a Camphill Wakefield Council meeting;
- The Chair could refer Trustees to the relevant section of the Trustees' handbook in a Camphill Wakefield Council meeting;
- Training for all Trustees at a Camphill Wakefield Council meeting delivered by a Trustee;
- Training for all Trustees at a Camphill Wakefield Council meeting delivered by an external source;
- The individual Trustee can be asked to attend an appropriate training course;
- Specific training for the Trustee can be delivered in Camphill Wakefield (maybe with a small group of other Trustees); and/or
- Meeting with the Chair of Trustees and CEO to explain the effect of the behaviour.

The Chair of Trustees should keep a record of any of these steps used, in the event that the behaviour continues and results in a formal vote to suspend or remove the Trustee from office.

#### Formal Stage

If the Chair of Trustees determines that the complaint needs to be dealt with formally, the following process should be followed:

- a. The Chair of Trustees should meet with the Trustee to clarify the extent of the behaviour or disagreement and the reasons for it, and produce an agreed summary in writing. The Trustee should be given an opportunity to respond. Setting a reasonable time limit would be helpful. It



may be possible to close the issue at this point with formal guidance or a warning or rebuke, either orally or in writing, depending on the seriousness of the issue.

- b. If the Chair of Trustees is not satisfied with the response, then an investigation should be held. The Chair of Trustees should appoint an Investigating Officer. This should be someone impartial and not involved in the difficulty or dispute in any way; it could be a member of staff or another Trustee but need not be anyone associated with the Camphill Wakefield.
- c. The Investigating Officer then investigates the issue, taking evidence from ALL interested parties. As interviews are likely to be a part of this process another person should accompany the Investigating Officer. The investigation should be documented in full, including notes of interviews that should be checked back for accuracy with the interviewees.
- d. The Investigating Officer should report back in writing to the Chair of Trustees.
- e. A Trustees' Complaints Panel should then meet to decide on the appropriate course of action. This could be:
  - (i) Dismissing the complaint;
  - (ii) Issuing guidance, warning or rebuke, either orally or in writing, depending on the seriousness of the issue;
  - (iii) Recommending that the Camphill Wakefield Council suspend the Trustee for a period of up to six months. Suspension can only be made if one (or more) set prescribed grounds apply.
  - (iv) Recommending that the Camphill Wakefield Council remove the Trustee from office.

## **Removal of Trustees from Office**

If, following the suspension of a Trustee, problems with the actions and behaviour relating to an individual Trustee continue, in some circumstances Trustees may be removed from office.

# Appendix C

## STAGE TWO COMPLAINT FORM

It is important that you attempt to resolve any difficulties in the first instance by discussing your concerns/complaint with a member of staff at Camphill Wakefield. Many complaints can be settled on an informal basis over the telephone by speaking directly with a member of staff or the CEO.

If you have tried this and are still not satisfied with the response then please fill in all the sections of this form and return it to the Camphill Wakefield. **The form should be completed and submitted within 3 months of the incident for the complaint to be considered.**

<b>Your name:</b>
<b>Student's name (if relevant):</b>
<b>Your relationship to the Student (if relevant):</b>
<b>Address:</b>
<b>Postcode:</b> <b>Daytime telephone number:</b> <b>Evening telephone number:</b>
<b>Please give details of your complaint.</b>

**What action, if any, have you already taken to try and resolve your 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/evidence? If so, please give details.**

**Signature:**

**Date:**

**Camphill Wakefield use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to CEO / Designated Member of Staff:**

**Date:**

# Appendix D

## STAGE THREE COMPLAINT FORM

If you are not satisfied with the response received from the CEO's investigation of your complaint, then please complete this form and return it to the Camphill Wakefield. **The form should be completed and submitted within 10 working days of receipt of the CEO's response for the complaint to be progressed.**

<b>Your name:</b>
<b>Date CEO's response received:</b>
<b>Please give details of why you are not satisfied with the CEO's response.</b>
<b>What actions do you feel might resolve the problem at this stage?</b>

**Are you attaching any new paperwork/evidence? If so, please give details.**

**Signature:**

**Date:**

**Camphill Wakefield use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to Chair of Trustees / Designated Trustee:**

**Date:**

# Appendix E

## STAGE FOUR COMPLAINT FORM

If you are not satisfied with the response received from the Chair of Trustees'/Designated Trustee's investigation of your complaint, then please complete this form and return it to the Camphill Wakefield. **The form should be completed and submitted within 10 working days of receipt of the Chair of Trustees'/Designated Trustee's response for the complaint to be progressed.**

<b>Your name:</b>
<b>Date Chair of Trustees' response received:</b>
<b>Please provide any further details that you would wish to share with the Panel of Trustees hearing your complaint.</b>
<b>Signature:</b>
<b>Date:</b>
<b>Camphill Wakefield use</b>
<b>Date acknowledgement sent:</b>
<b>By who:</b>
<b>Complaint referred to Chair of Complaints Panel:</b>
<b>Date:</b>

**FOR CAMPHILL WAKEFIELD USE ONLY**

**COMPLAINT MONITORING FORM**

Complainant's Name:
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Tel No:	Email Address:
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Nature of Complaint:
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<b>Stage 1 – Informal Concern</b>
List any action taken to resolve the informal concern:
Complainant satisfied with the outcome: Yes / No

**Stage 2**

Date "Stage 2 Complaint Form" received in Camphill Wakefield:
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Date CEO's response sent to complainant:
Complainant satisfied with the outcome: Yes / No

**Stage 3**

Date "Stage 3 Complaint Form" received in Camphill Wakefield:
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Date Chair of Trustees' response sent to complainant:
Complainant satisfied with the outcome: Yes / No

**Stage 4**

Date "Stage 4 Complaint Form" received in Camphill Wakefield:
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Date of Complaints Hearing of Panel of Trustees:
Date Complaints Panel's response sent to complainant: