

All Saints' and St Richard's Church of England Primary School



Compliments, Comments and Complaints Policy

Implemented	June 2012
Review Cycle	Three Years
Review Date	Academic Year 2014-2015

Introduction:

This policy sets out how All Saints' and St Richard's Church of England Primary School (ASSR) will manage complaints, ensuring that they are dealt with fairly and consistently, as well as acknowledging compliments and comments. We welcome feedback from anyone who has contact with the school and see it as a positive opportunity to improve our service.

We aim to provide an excellent service to the community; however we realise that sometimes things go wrong and you may wish to make a complaint. We aim to resolve all complaints as soon as possible and to learn from the mistakes we make to improve our services in the future.

However sometimes members of the community might like to let us know when we get something right. It is also important to have ways of recording this. It provides valuable feedback that we can use to support and inform positive decision making in the future and we all like to be told when we do get it right. To support people with letting us know when we get it right we have comment cards that can be completed (Appendix 7) or alternatively the compliments section of our feedback form (Appendix 3) can be completed.

Definitions:

Compliment

A compliment received from our customers for a job well done or recognition of something that has exceeded their expectations will be recorded to help us identify where customers are happy with our service. Compliments will be acknowledged within 5 school working days.

Compliments are reported to each governing body meeting

Comment

A comment will be recorded when a customer expresses a level of dissatisfaction about a service or identifies a suggestion for an improvement to our service but does not want to raise this as a formal complaint. We will use the information supplied to improve our standards of service delivery. Comments will be acknowledged within 5 school working days.

Comments are reported to each governing body meeting

Complaint

We define complaint as 'dissatisfaction with a service, a failure to carry out an agreed service, failure to meet an agreed timescale or failure to meet the standards promised , by the school, its pupils or its governing body'.

A complaint may relate to a customer being unhappy because we have:

- done something badly or wrongly
- Failed to do something we should have done
- Treated you unfairly or without respect
- Failed to meet our service standards for example not replying to a letter within the given timescale.

The following will not be treated as a complaint:

- An initial request for information or an explanation of a decision made
- Anonymous letters although they may be investigated if they give rise to a concern
- A complaint about a service that we have no responsibility for.

This policy will not apply when:

- a complaint is already being dealt with through other more appropriate channels e.g. tribunal
- matters which are subject to criminal or civil court proceedings (unless there is good reason to do so)
- complaints that have already been through the complaints process
- matters more appropriate to be dealt with via the Whistle Blowing Policy
- complaints about a legally determined policy

Aims of our Complaints Policy:

It is the aim of our Complaints Policy to:

- encourage resolution of problems by **informal** means wherever possible;
- be easily accessible and publicised e.g. on our website and in a leaflet to parents;
- be **simple** to understand and use;
- be **impartial**;
- be **non-adversarial**;
- allow **swift** handling with established **time-limits** for action and keeping people informed of the 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 school's senior leadership team and governing body so that services can be improved;
- ask complainants what they would like to happen to resolve their complaint;
- require staff to take responsibility for complaints, to see complaints as an important part of the service we provide and of each member of staff's role;
- ensure that all staff are fully trained to deal with complaints

CONCERNS INFORMAL PROCEDURES :

It is our aim to deal with concerns without the use of formal procedures. For this reason it is important to raise concerns as early as possible so they can be dealt with quickly and without the need for formal procedures.

If the concern is about friendship issues, a child's progress, teaching level, classroom routines, homework it is important to discuss your concerns with the class teacher initially. Concerns can be raised in a number of ways which include:

Before School:

Each morning parents are free to bring their child/ren into school. If you have a quick concern it could be mentioned to the class teacher at this time. Parents need to be aware that this is not a good time to raise anything of a confidential matter as children are in class and other parents will be popping in and out of the classroom.

Making an Appointment:

If you need a quiet time to discuss your concern with the class teacher the best action is to make an appointment to meet with the class teacher. This will ensure that you have the teacher's full attention. If you wish to book an appointment with a class teacher it is best if this is done through the School Office by e-mail, telephone or in person. It is helpful if a brief outline of your concern can be given to ensure that the teacher can be well prepared and more able to deal with your concern.

Meeting with a Class Teacher:

At the meeting with the class teacher be clear about the exact nature of your concern. The class teacher will keep a record of the meeting which will include an outline your concerns and any agreed actions (Appendix 1). You will be given a copy of the concerns form after the meeting. Before leaving make sure that you are clear about how your concern will be addressed, any actions being taken and if appropriate make a follow up appointment to review progress. Staff will do their very best to deal with the concern at this meeting including offering an apology if necessary.

E-Mail:

We understand that for some parents it is difficult to get into school to discuss your concerns. An alternative is to send an e-mail to the School Office with the name of the person you wish to address your concern to in the subject line. Please outline your concern, any actions that you think would help to address the problem and if you would like an e-mail or telephone call in response. You will receive an acknowledgement of your e-mail and the class teacher will respond as soon as possible but within a maximum of 3 school days.

Telephone Call:

Alternatively if it is difficult for you to get to school and you wish to speak to the teacher in person then please contact the School Office to arrange to speak to a teacher by telephone. The class teacher will get back to you as soon as possible but within a maximum of 3 school days.

On occasions if it is difficult for you to make an appointment to see a teacher straight away the teacher may call you so that you are able to outline the nature of your concern and organise a follow up appointment if necessary.

Recording Informal Concerns:

To ensure that there is a shared understanding of any concern or complaint raised it is important to keep a record of any discussions. At the end of a meeting or telephone call the member of staff should record the key points of the discussion, any agreed outcomes and how the outcomes will be monitored. A copy of this should be passed to the headteacher (complaints co-ordinator) should this move to the formal procedures at a later date. A copy of the form for recording such discussion is given in Appendix 1.

FORMAL PROCEDURES:

The formal procedures will need to be invoked if initial attempts to resolve the issue are unsuccessful and the person raising the concern remains dissatisfied and wishes to take the matter further. A summary of the complaints process is given in Appendix 2.

Who can Complain?

Anyone can make a complaint who has been affected by a decision or action made by the school.

Formal Complaints Procedure

If you are unhappy with our initial response and wish to take the matter further, our formal complaints procedure has three stages.

Stage One - Complaint submitted to headteacher, verbally or in writing.
Acknowledgement sent in 5 school days and full response in 15 school days.

Stage Two - Complaint submitted to chair of governors
Acknowledgement sent in 5 school days and full response in 15 school days.

Stage Three – Complaint heard by governing body's complaints panel

On rare occasions we may decide to leave out one or more of the stages for practical manager reasons. The decision not to use the Complaints Policy will be made by the Headteacher and this will be reported to the Governing Body.

There may be occasion where we need more time to investigate a complaint in this case we will advise you within the above timescales of when the full response will be sent.

Investigating Complaints:

The headteacher is the Complaints Co-ordinator for the school and is responsible for investigating any complaints raised. The Complaints Co-ordinator will ensure that in investigating the complaint 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 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

Resolving Complaints:

At each stage in the procedure we will be mindful of ways in which a complaint can be resolved and will look to the following ways of resolving the situation:

- 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 school policies in light of the complaint

Our Promise:

In dealing with complaints we will:

- take your complaint seriously
- investigate complaints quickly and fairly
- let you know if we need to take longer to investigate a complaint giving the reasons why and telling you when you can expect a full response
- apologise quickly if we have done something wrong and say what we will do to put it right
- if we cannot do what you have asked tell you why

Stage One – Complaint heard by Headteacher

The complainant can make a complaint to the headteacher in writing using the Complaint Form available from outside the School Office or by letter. Alternatively the complaint can be made by telephone, in person or by e-mail

office@assr.e-sussex.sch.uk

When raising a complaint please clearly outline the reason for your complaint, any actions already taken to try and resolve your concern, any supporting evidence and what you think would help to make the situation better.

At each stage of the complaint process you will receive an acknowledgement in 5 school days and a full response in 15 school days.

At the end of Stage 1 the complainant has 15 school days to make a request to take their complaint to Stage 2 of the formal procedures. If no request is made within this time limit the case will be closed.

Stage Two – Complaint Submitted to Chair of Governors

The complainant asks for a review of their complaint by writing to the chair of governors care of the school, making it clear why they are complaining, who they have already spoken to and what they want to happen as a result of their complaint. Complaints made to the chair should be acknowledged within 5 school days with a substantive response within 15 school days. The chair may need to hold interviews with the headteacher and possibly other members of staff and notes should be kept of those meetings.

The letter conveying the chair's findings will include details of the next stage of the procedure. It will also explain that if no response is made by the complainant within 15 school days it will be assumed that the complainant is happy with the outcome and does not wish to take the complaint any further. After 15 days the case will be closed.

The chair may need to explain the power of the governing body in the matter in question and the extent it may be possible to achieve the outcome desired by the complainant.

Stage Three - Complaint Heard by Governing Body's Complaints Panel:

The complainant needs to write to the Chair of Governors within the 15 day timescale outlined above giving details of the complaint. The Chair, or a nominated governor, will convene a complaints panel. The governors' complaints panel is the last school-based stage of the complaints process, and is not convened to merely rubber-stamp previous decisions. Individual complaints would not be heard by the whole governing body 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.

The governing body will nominate a number of members with delegated powers to hear complaints at that stage, and set out its terms of reference. The panel can be drawn from the nominated members and may consist of three or five people. The panel may choose their own chair. Appendix 5 provides a checklist for the panel and Appendix 6 gives information to be sent to the complainant explaining the process to them so they are able to understand what they need to do and can come prepared for the panel meeting.

Unreasonably Persistent Complaints:

The Complaints Policy aims to deal with all complaints within the timescales set to prevent any complaint becoming protracted. However, there may 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 governor is able to inform them in writing that the procedure has been exhausted and that the matter is now closed. (See - Further Recourse)

Governing Body Review of Complaints:

The governing body will be able to monitor the level and nature of concerns, compliments and complaints the school receives through the Headteacher's Report to the governing body. Information shared with the whole governing body will not name individuals. This will allow the governing body to review the effectiveness of the procedures and to make any amendments where necessary. It also allows the governing body to monitor the nature of complaints to identify areas where the school can make improvements to reduce complaints in the future and improve the level of service provided.

The process of listening to and resolving complaints will contribute to school improvement. The monitoring and review of complaints and compliments received by the school and the governing body will be used as a tool in evaluating the school's performance.

Publicising the Procedure:

There is a legal requirement for the complaints procedures to be publicised. The school will make sure that the Complaints Procedures are publicised by sharing our leaflet outlining the process in:

- the school prospectus
- the information pack given to new parents when their children join the school;
- the school website
- specific concerns, compliments and complaints leaflet available in the school entrance

Closing a Case:

Complaints will be closed when the complainant:

- Says that they are satisfied with the outcome
- Says they do not wish to take the matter any further
- Does not notify us within the timescales stated in our procedure of their wish to take the matter further

FURTHER RECOURSE:

Secretary of State for Education:

Under section 496 or 497 of the Education Act 1996, complainants have a right of appeal to the Secretary of State for Children, Schools and Families if they believe that the Local Authority has acted unreasonably.

If the Secretary of State agrees that a complaint is justified, the Department for Children, Schools and Families has the power to require the Local Authority to take certain actions including the issuing of instructions to school governing bodies in appropriate circumstances, although in practice this would be very rarely exercised.

The Secretary of State would not take action until the school procedures have been completed.

Contact Details:-

Public Communications Unit
Department for Children, Schools and Families,
Sanctuary Buildings,
Great Smith Street,
London. SW1P 3BT

Tel: 0870 000 2288

E-mail: complaints@dfes.gsi.gov.uk

Local Government Ombudsman

If a complainant feels that there has been maladministration in the manner in which a complaint has been dealt with, they can take this to the Local Government Ombudsman. The Ombudsman can investigate complaints about how something has been done but he cannot question what has been done simply because someone does not agree with it. The Ombudsman cannot investigate the internal management of schools and colleges.

The Ombudsman would not take action until the school procedures have been completed.

Contact Details:-

Local Government Ombudsman Advice Team

Tel: 0845 602 1983 or 024 7682 1960

You can also text 'call back' to 0762 480 4323

E-mail: advice@log.org.uk

Summary of the key points:
1)
2)
3)
Actions for key points:
1)
2)
3)

Signed: _____ (staff member)

Signed: _____ (parent/carer)

Copy to headteacher and all present at meeting



Continuation sheet:

APPENDIX 2 – COMPLAINTS FLOWCHART

CONCERN OR COMPLAINT RECEIVED

INFORMAL PROCEDURE	SCHOOL ACTION
<p>Informal discussion with the relevant class teacher or other relevant member of staff usually resulting in resolution of the issue.</p> <p>If the complaint is about the headteacher - proceed to Stage 2</p>	<p>The person is informed of the action to be taken to resolve the issue. If they are not satisfied they should be provided with a copy of the school's complaints procedure and information on how to proceed to stage 1.</p>

FORMAL PROCEDURE - STAGE 1	SCHOOL ACTION
<p>The complaint is submitted, either verbally or in writing, to the headteacher.</p>	<p>The headteacher acknowledges receipt within 5 school days and provides a full written response within 15 school days. Information is provided to the complainant on how to progress the complaint to Stage 2. The complainant has 15 school days in which to make a request to move to Stage 2.</p>

FORMAL PROCEDURE - STAGE 2	SCHOOL ACTION
<p>A written complaint is submitted to the chair of governors.</p>	<p>The chair acknowledges receipt within 5 school days and provides a full written response within 15 school days. Information is provided to the complainant on how to progress the complaint to Stage 3. The complainant has 15 school days in which to make a request to move to Stage 3.</p>

FORMAL PROCEDURE - STAGE 3	SCHOOL ACTION
<p>Complainant writes to the clerk to the governors requesting that the complaint be heard by the complaints panel.</p>	<p>Clerk arranges for complaints panel to meet between 12 and 20 school days from receipt of letter and informs the complainant of findings within 5 school days of hearing. Information is provided to the complainant on how to progress the complaint to the Secretary of for Children, Schools and Families and Local Government Ombudsman.</p>

FURTHER RECOURSE	
<p>Complainant writes to the Secretary of State for Children, Schools and Families, or the Local Government Ombudsman.</p>	<p>The Secretary of State may intervene if a governing body or the Children's Services Department has acted unreasonably. The Ombudsman only investigates issues of maladministration.</p>

APPENDIX 3 – COMPLAINT FORM



All Saints' & St Richard's Church of England Primary School

Let us know if you have a Comment Concern Complaint

Please tick one of the boxes above and use this form to give us your feedback.

Name:

Address:
.....

Phone number:..... Email:

Please give details of your comment, concern or complaint

If you have a complaint, have you already spoken to a member of staff about the problem? **Yes** **No**

If yes please provide the name of the member of staff you have already spoken to:

.....

If you have a complaint what do you think we should do to put things right?

If you have a complaint or concern how would you like us to contact you about it?

Telephone **Letter** **Email** **Appointment**

Signed: Date:

Official Use	
Date complaint received:	
Date acknowledgement sent:	
By who:	
Complaint referred to:	

APPENDIX 4 - ROLES AND RESPONSIBILITIES

The Remit of the Complaints Panel:

The panel 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 the school's systems or procedures to ensure that problems of a similar nature do not recur

There are several points which any governor sitting on a complaints panel needs to remember:

It is important that the panel is independent and impartial and that it is seen to be so. No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it. In deciding the make-up of the panel, governors need to try and ensure that it is a cross-section of the categories of governor and sensitive to the issues of race, gender and religious affiliation.

The aim of the complaints panel, which needs to be held in private, will always be to resolve the complaint and achieve reconciliation between the school and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the panel 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 panel 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 panel 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 child. Careful consideration of the atmosphere and proceedings will ensure that the child does not feel intimidated. The panel needs to be aware of the views of the child 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 panel, if any, the child needs to attend.

The governors sitting on the panel need to be aware of the complaints procedure.

The Role of the Clerk:

The Department strongly recommends that any panel or group of governors considering complaints be clerked. The clerk would be the contact point for the complainant and be required to:

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- notify all parties of the panel's decision

The Role of the Chair of Governors or the Nominated Governor:

The nominated governor role:

- check that the correct procedure has been followed;
- if a panel is appropriate, notify the clerk to arrange it;

The Role of the Chair of the Panel:

The Chair of the Panel has a key role, ensuring that:

- the remit of the panel 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 and others who may not be used to speaking at such a meeting are put at ease;
- the panel is conducted in an informal manner with each party treating the other with respect and courtesy;
- the panel is open minded and acting independently;
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- 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

Notification of the Panel's Decision:

The chair of the panel needs to ensure that the complainant is notified of the panel's decision, in writing, with the panel's response within the set deadline as 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.

APPENDIX 5 - CHECKLIST FOR A COMPLAINTS PANEL

- The panel needs to take the following points into account:
- The hearing is as informal as possible.
- Witnesses are only required to attend for the part of the hearing in which they give their evidence.
- After introductions, the complainant is invited to explain their complaint, and be followed by their witnesses.
- The headteacher may question both the complainant and the witnesses after each has spoken.
- The headteacher is then invited to explain the school's actions and be followed by the school's witnesses.
- The complainant may question both the headteacher and the witnesses after each has spoken.
- The panel may ask questions at any point.
- The complainant is then invited to sum up their complaint.
- The headteacher is then invited to sum up the school's actions and response to the complaint.
- Both parties leave together while the panel decides on the issues.
- The chair explains that both parties will hear from the panel within a set time scale.

APPENDIX 6 – COMPLAINANTS GUIDE TO THE COMPLAINTS PANEL

COMPLAINANTS' GUIDE TO THE COMPLAINTS PANEL

What is a complaints panel hearing?

The panel hearing is the final stage of All Saints' and St Richard's Church of England Primary School's (ASSSR) complaints procedure. You can take your complaint to a panel hearing if you are not happy with the outcome of your complaint and the decisions reached after it has been through stage one and stage two of the complaints process.

A complaints panel can only consider your complaint if you are still not satisfied with the outcome once you have been through stage 2 of the complaints process.

The hearing is your opportunity to appeal against the decisions we have reached and the solutions we have offered you. It is an independent review of the way your complaint has been handled. The panel will decide whether you have been treated fairly and whether the solutions offered are reasonable.

It would be helpful if you could request a hearing soon after you receive the stage 2 decision, so that your request is promptly dealt with. We aim to set up a hearing within 30 school days from the date that you make the request this will depend on your availability, and that of other panel members.

Who will be at the meeting?

You will be asked to attend the meeting to discuss the details of your case. You can ask a relative, friend, carer or representative to attend with you, as well as any witnesses to support your complaint. Solicitors or Lawyers are not allowed to represent you as this is an internal process and ASSR will not be legally represented either.

The panel will be made up of between three and five members of the governing body. These members of the panel will not have been involved with the complaint previously. One of the panel members will be nominated to chair the panel.

A minute-taker will also be present to record the proceedings. Please note that you are not permitted to record any stage of the hearing.

ASSR staff may also be present. Staff who have been involved with the case at stage 2 can come along to the meeting. They only get involved during the hearing if they are asked a direct question by a member of the panel to assist the panel in reaching an informed and fair decision.

Who will set up the panel hearing / meeting?

The clerk to the governing body will make the arrangements for the panel hearing. The clerk will contact you and the other panel members to confirm: -

- A date, time and venue to suit you
- Whether you have any special requirements e.g. wheelchair access, the need for a signer etc
- Whether you will be attending the hearing in person. It is advisable that you attend, so that you can state your concerns and so the panel can clarify any issues on the day. If you prefer not to attend, you can make a written statement of your complaint and your preferred outcome
- If you do not attend on the agreed day, the panel may consider your complaint in your absence

The Role of the Complaints Panel

The role of the complaints panel is to: -

- Review your complaint, ensuring that all relevant information and circumstances have been taken into account
- Decide whether to uphold your complaint or not
- Decide whether or not you have been treated fairly and whether we have offered you a reasonable solution to your complaint
- Decide on any further action to be taken if they have upheld your complaint

Before the meeting the panel will be sent a summary of your case together with any relevant information or correspondence. As a complainant you may not be able to see all the information / correspondence where data protection issues apply.

The Complaints Panel Hearing

On the day of the hearing the Chair of the Complaints Panel will begin by introducing everyone who is present and will confirm their role, as well as the confidentiality and aim of the panel hearing.

The panel hearing will usually follow the following process:

- You will be asked to confirm the facts relating to your complaint and what action you think should be taken. The panel members may ask you questions in order to clarify the matter, but they will do so in an honest and friendly way
- The panel will also ask staff to respond to any questions or issues you or any witnesses may have raised
- You will also get the opportunity to ask staff to clarify any points or question their information

- The panel may ask you to sum up your case and ask you whether you feel you have had a fair hearing
- The panel will then consider your complaint in private

The Panel's Decision

You will not receive a decision on the day, but we aim to provide you with the panel decision in writing together with a copy of the notes of the meeting within 14 school days of the hearing. However, if the case is complex, further investigation may be required. If this is the case we aim to send you a letter within 14 school days informing you when a full response will be given.

If the panel does not uphold your complaint, you have reached the end of ASSR'S complaints process.

If you are still Dissatisfied

Secretary of State for Education:

Under section 496 or 497 of the Education Act 1996, complainants have a right of appeal to the Secretary of State for Children, Schools and Families if they believe that the Local Authority has acted unreasonably.

If the Secretary of State agrees that a complaint is justified, the Department for Children, Schools and Families has the power to require the Local Authority to take certain actions including the issuing of instructions to school governing bodies in appropriate circumstances, although in practice this would be very rarely exercised.

The Secretary of State would not take action until the school procedures have been completed.

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Tel: 0870 000 2288

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Local Government Ombudsman

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done simply because someone does not agree with it. The Ombudsman cannot investigate the internal management of schools and colleges.

The Ombudsman would not take action until the school procedures have been completed.

Contact Details:-

Local Government Ombudsman Advice Team

Tel: 0845 602 1983 or 024 7682 1960

You can also text 'call back' to 0762 480 4323

E-mail: advice@log.org.uk

If you make a complaint against us, this will not affect the way we treat you in the future.

APPENDIX 7 – COMMENT CARD

I just wanted to say

