



UTC South Durham

Complaints Policy



Date of adoption	June 2022
Approved by	Governing Body
Signed: (Principal) 	Date: 10 June 2022
Signed: (Chair of Governors) 	Date: 10 June 2022

Date to be reviewed by	June 2023
Review History	Reviewed – Jean Bell Sept 18 Reviewed – Tom Dower Nov 18 Reviewed – Tom Dower Jan 22 Reviewed – Catherine Purvis-Mawson March 22
Responsibility	Business Manager

1. Introduction

This policy is based on guidance for dealing with school complaints issued by the Department for Education in March 2021.

Academies and University Technical Colleges (UTCs) are required to have complaints procedures meeting certain requirements by the Education (Independent School Standards) (England) Regulations 2014 and to make the procedure available to parents of students and parents of prospective students.

The UTC accepts that the actions of those individuals who work in the UTC will and should be open to comment, question and, on occasions, criticism. UTC South Durham takes complaints seriously and strives to deal with complaints swiftly and thoroughly. In a spirit of accountability UTC South Durham will attempt to resolve general UTC complaints through the most appropriate process and, where necessary, this may involve formal procedures.

This general UTC Complaints Policy does not cover every type of complaint. The issues noted below have their own, separate procedures.

- Exclusions and admission appeals
- Admissions
- Content of a statutory statement of Special Educational Needs
- The National Curriculum and related matters, including Religious Education
- Child Protection, including allegations against staff (safeguarding concerns about staff that need to be referred to the Local Authority Designated Officer (LADO))

Please note that there is a distinction between:

- A concern about the quality of an aspect of UTC provision
- A complaint
- An allegation against an adult working with children

In the case of an allegation, it may relate to somebody working with children who has:

- Behaved in a way that has harmed or may have harmed a child
- Possibly committed a criminal offence against or related to a child
- Behaved in a way that indicates they may pose a risk of harm to children.

This should be dealt with using the UTC South Durham Allegations against Staff Policy.

2. Aims

This policy and the procedures for its implementation aim to clarify the way in which complaints are managed at UTC South Durham. It aims to do so in a way which is clear and concise. The policy also seeks to promote a consistent and transparent approach to dealing with complaints.

3. Principles

This policy is underpinned by the principles noted below:

- Complaints will be considered and resolved as quickly and as efficiently as possible
- Complaints will be dealt with by the member of staff best suited to deal with the matter
- If the complaint is about an individual member of staff they have a right to know the substance and source of any complaint made against them
- Complaints will be dealt with in line with any relevant national legislation and statutory obligations
- Complaints will be dealt with having due regard for confidentiality and the security of any records made

4. Implementation

UTC South Durham has a four-stage process for dealing with complaints. Further details of each stage together with roles and responsibilities of staff involved can be found within this document. The four stages are:

- Stage 1 – complaint heard by a member of staff (informal)
- Stage 2 – complaint heard by the Principal (complaint which is put in writing)
- Stage 3 - complaint heard by the Chair of Governing Body
- Stage 4 – complaint heard by the Governing Body Complaint Appeal Panel

The UTC aims to resolve a complaint at the earliest possible opportunity via informal resolution by way of a discussion with the appropriate member of staff. However, it is recognised that some complaints may take longer to resolve, for example if external agencies are involved. Any records of informal discussion and the resolution will be logged electronically in the UTC for the purpose of carrying out any investigation.

If the complainant thinks that their complaint has not been resolved then they can take their complaint to Stage 2. Complaints should be submitted in writing within ten UTC days of the informal meeting/discussion. During this stage the Principal will deal with the complaint. The Principal will respond to the complaint in writing via a letter or an email within ten UTC days.

If the complainant is still not satisfied, or if the UTC fails to respond within the deadlines, they can take their complaint to Stage 3 and write to the Chair of Governors giving full details of the complaint and the reason why they remain dissatisfied with previous attempts to resolve the complaint. The Chair of Governors, or nominated representative who is normally a Governor, will deal with the complaint. This will involve gathering information and responding to the complainant in writing or at a meeting.

If the complainant thinks that the matter is still not resolved, they can request that the Chair of Governors moves to Stage 4 of the process. This involves convening a panel of Governors. The Chair of Governors has the authority to agree to or decline this request by the complainant. Escalation to Stage 4 will only occur in extreme cases such as alleged significant breaches of discipline, including financial impropriety.

The process moves to Stage 4 if the Chair of Governors convenes a Complaints Panel.

The complainant must write to the Chair of Governors within ten UTC days of the date the letter was received from the Principal, or the deadline by which the correspondence should have been received.

The Chair, or a nominated Governor, will convene a Governing Body Complaints Panel, ensuring there is no conflict of interest amongst its members, within 15 UTC days of the receipt of the letter from the complainant.

One of the Governors will be appointed as the Chair of the Complaints Panel. This will not necessarily be the Chair of Governors.

The Governors will invite the complainant to attend the Complaints Panel. The complainant will be informed of the time, date and venue for the hearing. The clerk will collate and distribute any relevant information.

The Complaints Panel will include at least one member who is independent of the management and running of the UTC, and will not be made up solely of Governing Body members. The Chair will appoint a suitably independent individual to fulfil the role. This could be a senior member of staff or Governor from another college/school, or a local authority representative with experience in a field relevant to the complaint.

The Chair will ensure that the complainant is informed of the Panel's decision, in writing, within ten UTC days of the Panel hearing.

The Panel hearing will be held in private and the UTC aims to resolve the complaint, achieve reconciliation between the UTC and the complainant.

The Complaints Panel will aim to reach an outcome in respect of the complaint (ie upheld, partially upheld, not upheld, unable to substantiate). The Panel will also decide and agree on any appropriate action to be taken as a result of the complaint and make recommendations to change processes/procedures to ensure problems of a similar nature do not recur.

Any disciplinary outcome of any investigation into the conduct of a member of staff at UTC South Durham is a confidential matter between the member of staff and the senior management/Governors of the UTC and will not be disclosed to the complainant.

The implementation and adherence to this complaints procedure should reduce the number of complaints that become protracted or vexatious. If a complainant tries to reopen the same issue the Chair of the Governing Body will write to the complainant explaining that the complaint has been through all stages of the procedure, is now exhausted and the matter is now closed within the UTC, and inform them of their right to escalate their complaint via the DfE should they remain dissatisfied.

The response to any anonymous complaints (verbal or written) will be co-ordinated by the Deputy Principal.

The UTC will keep written records of all complaints and their outcomes and ensure the security of personal information in line with the requirements of GDPR. The information will be kept to inform any further complaints of the same nature and will be kept for as long as the complainant has an association with the school at which point it will be destroyed.

UTC South Durham Complaints Policy is published on our website and a hard copy is available from the UTC main office on request.

Should a complainant remain dissatisfied following a Stage 4 complaint they will be advised of their right to escalate their complaint to the following bodies:

Department for Education

If a complainant feels that the UTC has or is proposing to act unreasonably, or has failed to discharge a duty under certain legislation they can contact the Department for Education via the following link: <https://www.gov.uk/complain-about-school/state-schools>

Education Funding Agency (EFA)

The EFA can support academies or UTCs to achieve a complaint procedure but it is the responsibility of academy/UTC Trusts to make sure that their complaints procedure is fully compliant. Their responsibility is to ensure academies/UTCs comply with their funding agreements.

If a complaint comes to the EFA they will check whether the complaint has been dealt with properly by the UTC. They will consider complaints about Academies/UTCs that fall into any of the following three areas:

- Where there is undue delay or the academy/UTC did not comply with its own complaints procedure when considering a complaint
- Where the academy/UTC is in breach of its funding agreement with the Secretary of State
- Where an academy/UTC has failed to comply with any other legal obligation.

They will not overturn an academy's/UTC's decision about a complaint. However, if they find an academy/UTC did not deal with a complaint properly they will request the complaint is looked at again and procedures meet the requirements set out in the regulations. If the academy's/UTC's complaints procedure does not meet the regulations, they will ask the academy/UTC to put this right. They may seek to enforce the decision under the terms of the funding agreement on behalf of the Secretary of State, if appropriate.

5. Monitoring and evaluation

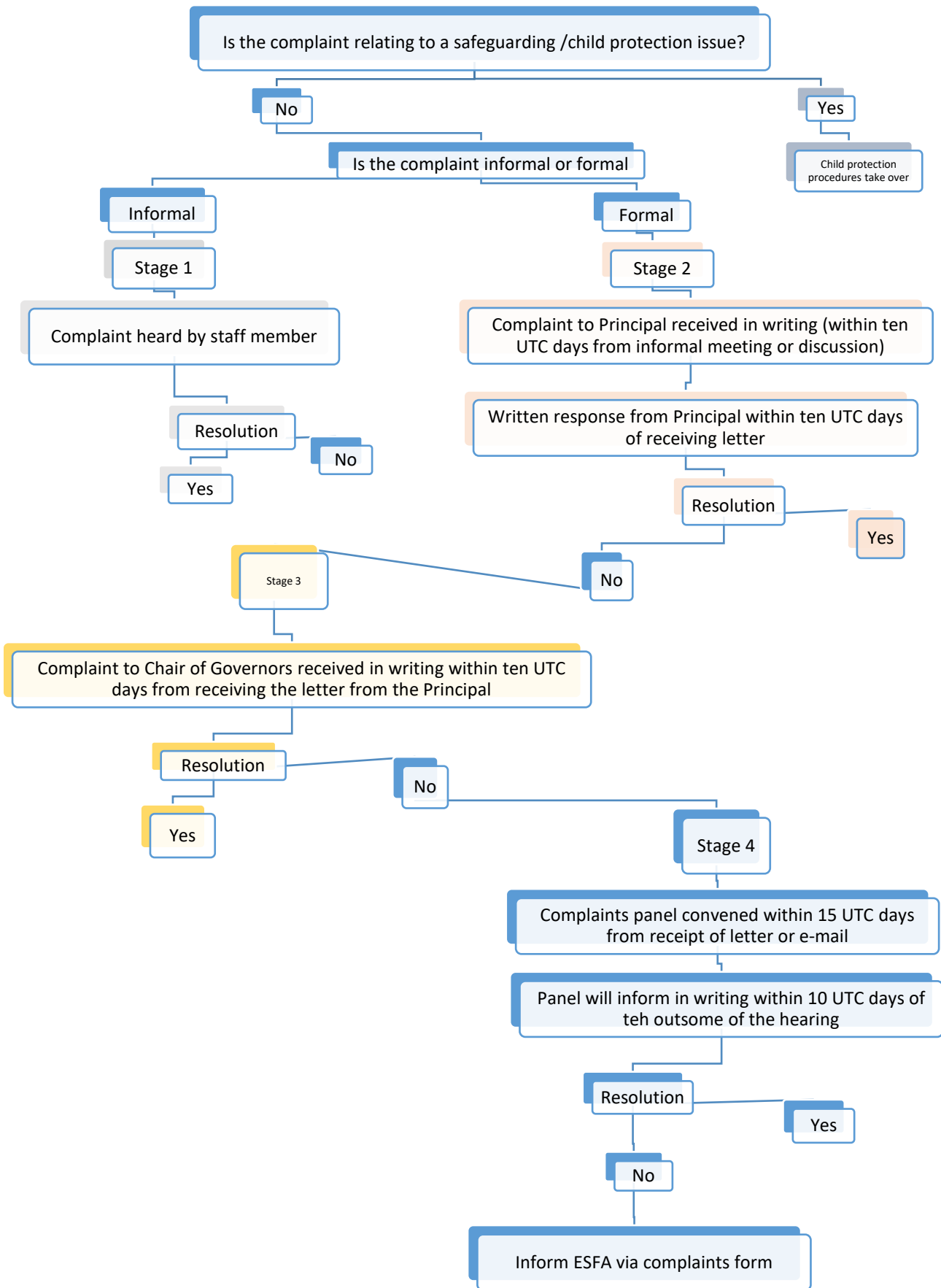
This policy will be reviewed in accordance with the regular cycle of whole UTC improvement planning. Any changes to policy will be made in consultation with Governors. The Principal will keep records of all complaints that pass beyond Stage 1 and are dealt with by the Principal. Such records will be shared with the Trustees/Governors as appropriate.

6. Other Information

UTC South Durham will:

- Ensure the complainant is given reasonable notice of the panel hearing date, if the complaint does proceed to the Complaints Panel stage
- Consider if staff likely to be involved in handling a complaint are suitably equipped to do so
- Provide complainants with written responses where appropriate and if requested
- Clearly signpost people that are not satisfied about the handling of their complaint to the ESFA via the UTC's complaints form on the ESFA website
- Not tolerate abusive language or behaviour at any time, and reserve the right to postpone the process should it feel that the welfare of staff, students and/or Governors is at significant risk

7. Process



UTC South Durham

Complaint form



Please complete and return to the UTC who will acknowledge receipt and explain what action will be taken. (NB It is not necessary to use this form and complaints can be made without using this format.)

Your name	
Student's name	
Your relationship to the student	
Address	
Postcode	
Phone:	
Daytime	
Evening	
Mobile	
Please give details of your complaint.	
What actions, 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 may resolve the problem at this stage?

Are you attaching any paperwork? If yes, please give details.

Signature

Date

Official use

Date acknowledgement sent

By whom

Complaint referred to

Date