



## **COMPLAINTS POLICY**

**Status:** Statutory

**Member of Staff responsible:** Executive Principal and Chair of Trust

### **Associated policies and documentation**

- Special Educational Needs
- Behaviour Management Policy
- Anti-bullying Policy
- Charging & Remissions Policy
- Educational Visits Policy

**Implementation Date:** September 2016

**Review date:** September 2017

**Next Review Date:** September 2018

## **Introduction**

UTC Sheffield's aim is to ensure high quality education for learners and effective working relationships with their parents/carers. If the need should arise, parents/carers can raise concerns about their child's education at the UTC Sheffield. This procedure explains how to do this and the process that will be followed by the UTC Sheffield.

### **Procedure to register a concern or complaint:**

#### **Stage 1: Guidelines for dealing with concerns**

If you have a concern about your child then you should contact the Learning Manager or your child's VMG tutor to discuss them. In most instances the concern can be resolved at this stage.

If the Learning Manager or VMG tutor cannot resolve the issues then they will record the details including date, name and contact details and refer your concern to the appropriate member of staff within the UTC Sheffield. You should receive a reply to your concern within 5 working days.

If this does not resolve the issue then you should contact a member of the Senior Leadership Team. You will receive a reply to your concern within 5 working days.

It may be that the Senior Leadership Team / Principal has not been aware of the concern raised prior to this point. At this stage the Senior Leadership Team / Principal will, in most cases, resolve the matter to the satisfaction of all concerned without recourse to the complaints procedure

If following a discussion with the Principal that the issue has not been resolved through the informal stage then you should follow the complaints procedure as outlined below.

If your concern relates to the Principal, then you should contact the Executive Principal via their PA.

#### **Stage 2: Formal Complaints: Procedure**

If you wish to make a formal complaint then the complaint form should be completed which can be downloaded from the UTC Sheffield website or obtained from Main Reception at UTC Sheffield. If you need assistance completing the form then please contact Reception who will log the details of the complaint and report them back to you.

Acknowledgement of your complaint should be made to you within 3 working days. This will include details of what will happen next, the timescales involved and the person who will be in charge of the progress of the complaint. This will usually be a member of the Senior Leadership Team who have not been involved with the issue previously. Written records will be kept of meetings and telephone conversations during the investigation.

If the complaint is against the action of the Principal then you should address your complaint to the Executive Principal who will take charge of the process.

The person who has been nominated to carry out the investigation will inform you of the outcome with 15 working days with a written response. This will include a full explanation of the decision and the actions, where appropriate, that the UTC Sheffield will take to resolve the complaint. You will be offered the opportunity to discuss the response to the investigation.

If it is not possible to resolve the complaint within 15 working days then a further written acknowledgment will be sent to you detailing the progress to date.

If your complaint leads to action being initiated under other procedures e.g. disciplinary or child protection, then the complaints procedure will be suspended until action under the other procedures (including appeals) have been concluded. You will be notified that this is the case and informed of the delay in the resolution of your complaint. However you will not be entitled to know which other procedures have been initiated or the outcome of these.

UTC Sheffield will treat all complaints with respect during and after the investigation. The details of your complaint will be kept confidential except in so far as they need to be shared with people who might contribute to their resolution. This does not apply to the requirement of the school to provide parents and other interested parties with information about the number of complaints registered under the formal procedure during the preceding year, nor to inspectors conducting inspection under section 162A of the Education Act 2002 or to the Secretary of State, should they ask for access to such records. All complaints will be entered onto the Complaints Log which will be held by the PA to the Senior Leadership with the:

- Date complaint received
- Nature of complaint
- Person in charge of the investigation
- Outcome of the investigation
- Date complaint response sent
- Closure of complaint.

All documentation with regard to the investigation will be held by the PA to the Senior Leadership team. The documents generated by it could be scrutinised by another body or disclosed to the complainant under the Data Protection Act 1998.

### **Stage 3: Review by the Chair of Governors / Executive Principal**

If you feel that your complaint has not been investigated appropriately or that you wish to take the complaint further then you should notify, in writing, the Company Secretary at UTC Sheffield. This should be done within 10 working days of receiving your outcome letter. Depending on who the complaint relates to it will either be reviewed by the Executive Principal / Chair of Governors at the relevant UTC.

The Company Secretary will acknowledge receipt of your letter within 3 working days. The Chair of Governors / Executive Principal will need to consider whether it is appropriate for him/herself to investigate the complaint, if they have not previously been involved or whether to convene a complaints panel (Stage 4). The Company Secretary will inform you of the process, the timescales involved and the person who is progressing your investigation. This will either be the Executive Principal / Chair of Governors or the Chair of the Governor panel.

If the Executive Principal or Chair of Governors investigates the complaint:

- They will review the documentation from the initial investigation
- Invite you to meet with them to discuss your complaint and allow you to present any further evidence with 10 working days of receiving the complaint letter.
- Inform you their findings with an explanation within 20 working days of receiving your complaint.

## **Stage 4 Appeal for Complaints Panel**

If you feel that your complaint has not been investigated appropriately by the Executive Principal / Chair of Governors or that you wish to take the complaint further then you should notify, in writing, the Company Secretary at UTC Sheffield. This should be done within 10 working days of receiving your outcome letter.

In this event a Complaints Panel is convened to investigate, the following procedure will be followed:

- The panel will meet within 20 working days of receiving your complaint. It will consist of 3 Governors / Trustees who will be a cross section of the Governors / Trustees but not the Executive Principal, Principal or Chair of Governors. One person on the panel will be a fully independent member, who is not a governor of the UTC (Sheffield LA representative or similar). The panel will elect its own chair.
- The Chair of Panel will write, at least 5 working days in advance, of the date, time and place of the panel meeting.
- You will be invited to the meeting and can be accompanied by a friend/advocate.
- The Executive Principal, Principal or Chair of Governors will be asked to prepare a written response for the Panel in response to the complaint.
- You will be sent all relevant documents will be sent to you and other panel members in advance of the meeting by the Company Secretary
- You will be sent notification of the outcome of the panel meeting within 5 working days of the meeting.

The details of the meeting, minutes and records will be kept confidential except in so far as they need to be shared with people who might contribute to their resolution

The decision of the Complaints Panel is final.

## **Stage 5 Appeal to the Secretary of State / ESFA**

- An appeal can be made to the Secretary of State for Education if the Governors / Trustees have acted unreasonably or failed to discharge its duties under the 1996 Education Act in following their complaints procedure;
- If the complainant feels that the published complaints procedure has not been followed;
- If the policy appears to not be compliant with the independent schools regulations;
- If the complainant believes that the UTC is in breach of its funding agreement.

## **Implementation**

Parents will be made aware of the UTC Sheffield complaints policy and will be able to download a copy from the website or request a copy from the UTC Sheffield web-site.

All members of the UTC staff will be aware of the complaints procedure and understand:

- The importance of attempting to resolve problems before they become formal complaints
- The importance of treating complaints respectfully and confidentially
- The importance of keeping accurate and formal minutes.

## **Monitoring and Review**

This policy will be monitored regularly to assess its implementation and effectiveness. The designated member of staff responsible will provide an annual report to the Trust Board / Governing Body and interim reports on request.

The policy will be reviewed by the Governing Body as per the published policy review cycle.

## **Appendix 1: Investigation by the Executive Principal / Chair of Governors or Governor's panel**

The aim of the investigation or review will always be to resolve the complaint and achieve reconciliation between the UTC Sheffield and the complainant. However, it has to be recognised the complainant might not be satisfied with the outcome if the Executive Principal / Governors do not find in their favour. It may only be possible to establish the facts and make recommendations which will satisfy the complainant that his/her complaint has been taken seriously.

In all cases, whether dealt with by the Executive Principal, Chair or complaints committee, the following must be established:

- **Determine the facts**

Decisions must be made on the balance of probabilities, which means that the evidence demonstrates that it is more likely than not that a particular event or action occurred.

- **Identify what should have happened**

By referring to relevant policies, procedures, or using common sense, determine how the situation could have been handled. Refer to the relevant policy and procedure in your response to the complaint and, if possible, enclose a copy. If it is simply a matter of common sense then explain that this is what you would have expected to occur.

- **Identify any significant failings**

Was anything handled inappropriately, in the circumstances? Significant failings mean that, in the circumstances of this case, a particular action was unreasonable. However, if there was a valid reason for that action then, even if you disagree with that reason, the action could be deemed as reasonable.

Reasonable means that a large proportion of people in that profession, job, or in that situation, would have behaved in the same way.

- **Conclusions reached.**

If it is subsequently felt that the UTC Sheffield, its staff or governors acted inappropriately then apologise and briefly outline what will be done to put things right. You must remember, however, that those involved may have a right to their personal information kept confidential.

If it is subsequently felt that the UTC, its staff or governors acted properly then say so. Explain that no further action will be taken but that the UTC will continue to support the child, the alleged perpetrator, the parents, the family etc., despite the decision not to uphold the complaint.

## Appendix 2: Letter of Response

Whether the complaint has been investigated by the Executive Principal / Chair of Governors or a committee, a written response should be sent confirming the outcome of the investigation and how this conclusion had been reached.

You should consider the following items for inclusion in your letter include the following in your letter:

- Introduction – a couple of lines explaining the purpose of the letter
- Outline the complaint – use bullet points if easier
- Explain how the complaint was investigated, for example –
  - spoke with Staff
  - reviewed correspondence
  - checked school records
  - re-examined relevant policies
  - sought advice from appropriate professionals
- Describe your conclusions – essentially, what the evidence demonstrates happened
- Address each complaint individually:
  - possibly by referring to the account of what happened that you have already provided
  - apologise, if necessary
  - explain what the school will do next, but if the complaint was not upheld state that no further action will be taken
- Summarise – possibly ending this paragraph with an assurance that their complaint was treated seriously and investigated in line with the school's policy
- End – tell the complainant where they can now take their complaint, if they are not satisfied with the response provided.

**Appendix 3: Appeals form**

**Parental Complaint Form for the UTC Sheffield**

<b>Name of Parent</b>	<b>Parental contact number:</b>  <b>Daytime:</b> .....  <b>Evening:</b> .....
<b>Full name of Child</b>	<b>Child's address</b>
<b>VMG tutor</b>	
<b>Details of the Complaint</b>  Please state the details of your complaint including the date and period of time which your complaint relates too and who you have expressed your concerns to informally.	

**Please attach any other information that will be of relevance e.g. letters**

Signature of Parent/Carer: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_



**Appendix 4:**

**Complaints procedure:**

