

# Complaints Policy



**Approved by:** Local Governing Board

**Date:** Nov 2017

**Last reviewed on:** Nov 17

**Next review due by:** Nov 18

## Complaints Policy and Procedures

### 1. Scope

UTC Swindon is committed to responding to all complaints as quickly and effectively as possible; to resolving them to the satisfaction of all parties; and to ensuring that procedures are in place to deal with any disputes arising from complaints.

### 2. Availability of the Complaints Policy and Procedure

This policy and procedure is available on request to students, the parents of students and prospective students of UTC Swindon, to employees and, on the website, to the general public. While students may, themselves, raise concerns and complaints under this policy and procedure, UTC Swindon will involve parents should this occur. Copies are available from;

UTC Swindon  
Bristol Street  
Swindon

SN1 5ET

A copy of our complaints procedure is also available from UTC Swindon's main office located at Reception.

### **3. Complaints Policy and Procedures**

This policy and procedures is for the benefit of students, and parents of students, at UTC Swindon. This policy and procedure will be relied upon in respect of **all complaints** by parents and students made against UTC Swindon except in respect of:

- (a) child protection allegations where a separate policy and procedure applies;
- (b) exclusions (decisions or processes) where a separate policy and procedure applies
- (c) appeals relating to internal assessment decisions for external qualifications where a separate appeals procedure applies
- (d) admissions, where a separate appeals procedure applies

UTC Swindon expects that most concerns can be resolved informally and will use their best endeavours to resolve any complaints that are made informally, or any concerns that are raised, on that basis.

If informal procedures fail to resolve the issue, a formal complaint about any matter not involving child protection allegations, internal assessment decisions, a decision to exclude a student, must be given in writing to the Principal and will be dealt with under this Complaints Policy and Procedure.

Every complaint shall receive fair and proper consideration and a timely response.

UTC Swindon is committed to providing the best education for every student. The College will do all in its powers to ensure that parents are satisfied with the standards of education delivered at the UTC.

Parents can be assured that all complaints and expressions of concern, whether raised informally or formally, will be treated seriously and confidentially.

Correspondence, statements and records will remain confidential except in so far as is required by paragraph 6(2)(j) of the Education (Independent Schools Standards) Regulations 2003; where disclosure is required in the course of the College's inspection; or where any other legal obligation prevails.

#### 4. The UTC Swindon Complaints Procedure

UTC Swindon's Complaints Procedure will:

- encourage resolution of problems by informal means wherever possible;
- be easily accessible and publicised;
- 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 UTC Swindon's senior management team so that services can be improved.

UTC Swindon will take all concerns seriously at the earliest stage to reduce the numbers that develop into complaints.

#### 5. Stage One - Informal Resolution

5.1 It is hoped that most complaints and concerns will be resolved quickly and informally.

5.2 If parents have a complaint they should normally contact their student's designated member of staff. In many cases, the matter will be resolved straightaway by this means to the parents' satisfaction. If the complaint cannot be resolved it may be necessary for him/her to consult the Deputy Principal or the Principal.

5.3 The Principal will decide, after considering the complaint, the appropriate course of action to take.

5.4 UTC Swindon will use its reasonable endeavours to resolve any informal complaints **within ten (10) working days** of them being raised, where UTC Swindon will use its reasonable endeavours to resolve them as soon as possible after commencement of the new operating period (**usually within ten (10) working days**).

5.5 Should the matter not be resolved as referred to in paragraph 4.5 above, or in the event that the Designated Member of Staff and the parents fail to reach a satisfactory resolution, then parents will be advised to proceed with their complaint in accordance with Stage Two of this Procedure.

## 6. Stage Two - Formal Resolution

- 6.1 If the complaint cannot be resolved on an informal basis (as set out in paragraphs 4.5 and 4.6 above), then parents should put their complaint in writing to UTC Swindon's Principal outlining why they remain unsatisfied with the proposed resolution in Stage 1 and should also identify how they wish their complaint to be resolved.
- 6.2 The Principal will delegate responsibility for undertaking investigation of the complaint to the Deputy Principal unless he/she deems it appropriate to deal with the matter personally.
- 6.3 The Principal will decide, after considering the complaint, the appropriate course of action to take.
- 6.4 In most cases, the Principal will meet or speak with the parents concerned to discuss the matter. If possible, a resolution will be reached at this stage.
- 6.5 The Principal will use reasonable endeavours to speak to or meet parents **within ten (10) working days** of the formal complaint being received, except where the complaint is received in holiday time or **within two (2) working days** of their commencement where the Principal will use reasonable endeavours to speak or meet with parents as soon as possible after the commencement of the new operating period (**usually within ten (10) working days**).
- 6.6 It may be necessary for a Deputy Principal to carry out further investigations.
- 6.7 The Principal will keep a written record of all meetings and interviews held in relation to the complaint.
- 6.8 Once the Principal is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made. Parents will be informed of this decision in writing, giving reasons for the decision. The written decision should be provided no later than **ten (10) working days** after speaking or meeting with parents to discuss the matter (pursuant to paragraph 5.5 above). The Principal may also arrange to meet with parents to explain the decision.
- 6.9 Where parents are dissatisfied with the outcome of UTC Swindon's response to their formal complaint, the parents have the opportunity to have their complaint considered by an independent Complaints Panel.

## 7. Stage Three – Panel Hearing

- 7.1 If parents seek to invoke Stage Three following failure to reach an earlier resolution and where dissatisfied with the Principal's decision in respect of their formal

complaint, the parents may, in writing addressed to UTC Swindon, request that their complaint be further considered by an independent Complaints Panel set up for this purpose. This request for further assessment of the complaint will, for the purpose of this procedure, be known as an 'appeal'.

- 7.2 Parents must lodge their appeal in writing and **within ten (10) working** days of the date of UTC Swindon's decision made in accordance with the Stage Two Procedure. The parents should provide a list of their complaint(s) made against UTC Swindon and which they believe to have been resolved unsatisfactorily by the Stage Two Procedure, along with the remedies sought in respect of each.
- 7.3 The Complaints Panel is only obliged to consider the complaint(s) lodged in this 'initial submission' although they may use their discretion to consider other relevant and related matters that may subsequently arise.
- 7.4 Where an appeal is received by UTC Swindon, UTC Swindon will, **within five (5) working days**, refer the matter to the Clerk to the Board of Governors who will act as Clerk to the Complaints Panel. The Clerk provides an independent source of advice on procedure for all parties. Once an appeal has been received by the Clerk, he/she will acknowledge the appeal in writing within five (5) working days, and inform the parents of the steps involved in this Complaints Procedure. The Clerk will then endeavour to convene a Complaints Panel hearing as soon as possible to consider the matter, normally **no later than twenty (20) working days** after receipt by UTC Swindon of parents' written notice that they wish to invoke the Stage Three Procedure, dependent upon the availability of the Panel members.
- 7.5 The Complaints Panel will consist of two Governors on the Board who have not previously been involved in the complaint, and one person independent of the management and running of the school. The process used for selecting an independent person will conform to relevant guidance issued by the Department for Education (DfE).

The following are entitled to attend a hearing, submit written representations and address the Panel:

- The parent/s (or, if aged over 18, the student) and/or one representative;
- The Principal of UTC Swindon and/or one representative; and
- Any other interested person whom the Complaints Panel considers to have a reasonable and just interest in the appeal and whose contribution would assist the panel in their decision-making.

Legal representation will not normally be appropriate.

- 7.6 Where the Complaints Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. In such cases all

parties will be given the opportunity to submit written evidence to the Panel in support of their position, including:

- documents in support of complaint(s),
- chronology and key dates relating to complaint(s), and
- written submission setting out the complaint(s) in more detail.

This evidence will be considered by the Panel, along with the initial submission that was lodged by the parents.

7.7 Evidence will be initially sent to the Clerk, who will then circulate the documentation to all parties, including the Panel members, along with an order of proceedings. All written evidence must be received by the Clerk **no later than ten (10) working days** in advance of the hearing. The Clerk will distribute the written evidence to the relevant parties no later than **five (5) working days** in advance of the Panel hearing.

7.8 It is for the Panel to decide how to conduct the proceedings of the appeal, which should be reasonably informal so that all parties can present their case effectively. If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all the facts they consider relevant, the Panel will reach a decision, and may make recommendations, which it shall complete **within ten (10) working days of the hearing. The decision reached by the Complaints Panel is final.** Any decision reached that may have financial implications for UTC Swindon will need the appropriate approval from the relevant authorities e.g. the Board of Governors and UTC Swindon Trust, although any such approval must be compatible with the decision of the Complaints Panel. The Panel's findings will be sent by the Clerk in writing to the parents, the Principal, the Governors, the Trust and, where relevant, the person who was the subject of the complaint. The letter will state any reasons for the decision reached and recommendations made by the Complaints Panel.

7.9 UTC Swindon will keep a record of all appeals, decisions and recommendations of the Complaints Panel.

## **8. External Complaints**

8.1 There will be an initial response to all external complaints within 48 hours of receipt of the complaint. Where necessary the complaint will be investigated. The complainant will be informed that appropriate action has been taken.

8.2 Where external complaints are received, every effort will be made by the member of staff handling the complaint to ensure that concerns are resolved in a way that enhances the reputation of the College.