



London Design & Engineering UTC

Dealing with Complaints Policy

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LONDON DESIGN & ENGINEERING UTC

Policy for Dealing with Complaints

INTRODUCTION

1. The Education (Independent School Standards) (England) Regulations 2014 establishes a duty on the LDE UTC Board of Directors (i.e. the governing body) to establish and publicise procedures for dealing with complaints relating to the UTC and full range of provision, other than those that are covered by legislation and formal procedures elsewhere.
2. This policy covers the LDE UTC's full range of educational provision which includes students of statutory school aged 13 to 16, post-16 students and learners on apprenticeships.
3. **An effective complaints procedure is designed to:**
 - **Encourage resolution of problems by informal means wherever possible;**
 - **Be easily accessible and well-publicised;**
 - **Be simple and easy to use;**
 - **Ensure that concerns are dealt with quickly, fully and fairly, within clearly defined time limits;**
 - **Provide effective response and appropriate redress;**
 - **Confirm good working relationships between all people involved with the school.**
4. The Board is free to set its own procedures handling complaints but it is important that these are clear and that parents are aware of them. The complaints procedures should be included in the UTC's Prospectus or Parents Handbook.
5. All staff and members of the LDE UTC Board should be made aware of the complaints procedure and the various stages involved. Directors have an important role to play in considering complaints and it is therefore important that individual Directors do not act unilaterally by investigating complaints outside the procedure adopted by the Board. Parent Directors may be approached for advice by parents on how to present their concern at Stage 1 of the process. This advice would be of a general nature only and the Director should not become directly involved at this stage in case they have to play a formal role in the process later.
6. This guidance does not refer to following areas where there are separate complaint procedures:
 - (i) Admission to the UTC
 - (ii) Exclusion of students from the UTC
 - (iii) Statutory assessment of Special Educational Needs

(iv) Complaints about the curriculum, including religious education and collective worship

7. Child protection issues, criminal investigations and employee grievances will also need to be handled differently. The complaints procedure is distinct from formal disciplinary proceedings for staff and this needs to be made clear to all concerned. There may be occasions where a complaint gives rise to disciplinary procedures and this aspect should then be dealt with under the appropriate school personnel procedure. In these circumstances, the complainant should be informed accordingly. Any non-disciplinary aspects of the complaint will continue to be dealt with through the usual complaints' procedures. However, where a decision is taken to apply the disciplinary procedure, this becomes a management issue, and the outcome is confidential. If another procedure is more appropriate than the complaints procedure for a given situation the complaints procedure should not be used.
8. The procedure may be used by anyone who has a concern or complaint about the UTC. In the main this means the parents and carers, and employers of the UTC's learners, but may include neighbours of the UTC, representatives of local businesses or members of the local community or other stakeholders.

COMPLAINTS PROCEDURE FOR LDE UTC

LDE UTC welcomes feedback, both positive and negative, about how it is doing. Where someone has a concern or complaint the UTC will endeavour at all times to deal with the issues responsively and reasonably and if necessary, put things right as quickly as possible.

STAGE 1: Dealing with concerns and complaints informally

- (i) The vast majority of concerns and complaints can be resolved informally. There are many occasions where concerns are resolved straight away through a subject teacher, personal coach, director of learning, assistant principal, vice principal, school secretary, other member of staff or Principal, depending on whom the parent first approached, without the need to resort to a formal complaints procedure, and this is preferable for all concerned.
- (ii) It may prove helpful later, although not essential at this stage, for the person responding to make a basic record of the issue or complaint raised, which may include brief notes of conversations (face to face or over the telephone), and the responses made.
- (iii) The person who raised the issue should be informed of the action to be taken to resolve the issue. It may be helpful to confirm undertakings given about future action or monitoring in writing.
- (iv) If the person is dissatisfied with the response they have been given, they should be provided with a copy of the school's complaints procedure and informed about how to take their complaint to Stage 2, by referring it to the Principal, usually in writing.

STAGE 2: Referral to the Principal

- (i) The issue is referred to the Principal for investigation, usually by the complainant writing to the Principal. It is generally at this stage that it will become clear whether it is appropriate for the complaint to be dealt with under these procedures or whether there are other statutory processes or procedures to be followed. If the latter is the case, the Principal will need to inform the complainant of this and the way in which the complaint will be handled.
- (ii) At this stage it has become clear that the concern is a definite complaint. Any complaint received by the Principal under this process, whether orally or in writing, should be acknowledged and a meeting held within 5 school days with a full written response within 15 school days. Complainants should also be given the opportunity to meet with the Principal, accompanied by a relative or friend if they so wish, to discuss their complaint. A written record of meetings with complainants and with staff or witnesses should be kept by the Principal.
- (iii) A written record of complaints will be kept stating whether they have been resolved through a Panel hearing. A record will also be made kept of the action taken by the UTC as result of that complaint and whether they are upheld or not.
- (iv) Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.
- (v) In the letter conveying the outcome, the complainant should be informed of the process for referral to the Chair of the Board of Directors if they wish to take their complaint further. Any such referral should be made within 10 school days after receipt of the Principal's letter.

STAGE 3: Review by the Chair of the Board of Directors

- (i) The complainant requests a review of their complaint by writing to the chair of the Board of Directors, 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 received by the Chair should be acknowledged within 7 school days with a substantive response within 20 school days. The Chair may need to hold interviews with the Principal and possibly other members of staff and notes should be kept of those meetings. The Chair may also wish to take advice on particular issues from relevant UTC staff, Directors and or the Trust's legal advisers. At this stage the Board of Directors should be informed that the Chair is dealing with a complaint at this level.
- (ii) Again, the letter conveying the Chair's findings should include details of the next stage of the procedure.
- (iii) This stage should also serve as the first point at which complaints specifically about the Principal, an individual Director or the actions of the Board of Directors should be considered (should the complaint be about the Chair, the Vice-Chair should undertake the investigation).
- (iv) In acknowledging any complaint, the Chair may need to explain the powers of the Board in the matter in question and the extent to which it may or may not be possible to

achieve the outcome desired by the complainant. For example, a parent may be unhappy with their child's class placement. Whilst the Directors can look at whether the decision about the class placement was made in a fair, reasonable and consistent way, they do not have the powers to change the placement. In such instances it is important that the complainant is made aware at the outset of the scope of the investigation. However, where it is not within the remit of a Board to change a decision, it may make a recommendation for the Principal to consider.

STAGE 4: Review by the Board of Directors' Complaints Committee

- (i) Complaints only rarely reach this formal level, but it is important that the Board are prepared to deal with them when necessary. Where the Clerk to the Board of Directors receives a complaint under these procedures, he or she would arrange for a complaints committee to meet within 10 school days from receipt of the letter. (The Board should have nominated three members to serve on the committee and reserves to ensure that sufficient Directors are available to hold a meeting within the specified time period. The Chair of the Board should not be a member of the committee as they will have been involved at the previous stage). **At least one member of the committee is independent of the management and running of the UTC.**
- (ii) The Principal should also be informed immediately that a complaint has been received and consulted about the proposed date of the hearing.
- (iii) On issuing notification of the date and time of the hearing, the Clerk will need to advise the complainant and the Principal that any written documentation they wish the committee to consider will need to be submitted in time to be circulated to committee members 5 days prior to the hearing. The complainant should be advised that they may be accompanied by a relative or a friend.
- (iv) Notification of the hearing should also include details of the way in which the hearing will be conducted. (A specimen of such procedures is included in this policy). The hearing should be minuted and the Clerk should keep copies of all relevant correspondence and notes on file.
- (v) The findings of the committee should be notified to the complainant and the Principal in writing within 5 school days of the hearing. The Complainant will be told in writing about the committee's findings within 5 school days from the date of the meeting. Arrangements will be made where relevant to make findings and recommendations to the person complained about.
- (vi) When considering the membership of the complaints committee, the Board of Directors should have regard to whether it would be advisable to include Directors who are employed at the school. If this were the case, it may be perceived by the complainant that those Directors would be unlikely to amend or overturn a decision taken by the Principal.

FURTHER RECOURSE

If the complainant is dissatisfied with the Board's handling of their complaint, further recourse is to other agencies is available to them outside the scope of the school's own procedures. However, these agencies would be unable to take any action until the school's own procedures had been completed.

To the Secretary of State for Education

- (i) Complainants have a right of appeal to the Secretary of State for Education under sections 496 or 497 of the 1996 Education Act if they believe that the Board of Directors has acted unreasonably. If the Secretary of State agrees that a complaint is justified, the DfE has the power to require the Board to take certain actions in appropriate circumstances, although in practice this would be very rarely exercised.
- (ii) The Secretary of State would not take action until the UTC's procedures have been fully completed.

SUMMARY OF THE COMPLAINTS PROCEDURE

Concern or complaint received

Stage	Action required
Stage 1: Informal discussion with the class teacher or other relevant member of staff (possibly the Principal) usually resulting in resolution of the issue.	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 procedures and information on how to proceed to stage 2 with their complaint.

If the complaint is not resolved

Stage 2: The complaint is submitted, either verbally or in writing, to the Principal.	The Principal acknowledges receipt and arranges meeting within 5 school days and provides a full written response within 15 school days. If necessary the complainant should be informed of how to contact the Chair of the Board.
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If the complaint is not resolved or if the complaint is about the Principal

Stage 3: A written complaint is submitted to the Chair of the Board of Directors.	The chair acknowledges receipt within 7 school days. Chair of the Board provides full written response within 20 school days. Information is provided to complainant if required on how to progress complaint to Stage 4.
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If the complaint is not resolved

Stage 4: Complainant writes to the Clerk to the Board of Directors requesting that a complaints committee of Directors hear the complaint.	Clerk arranges for a complaints committee to meet within 10 school days from receipt of letter and informs complainant of findings within 5 school days of hearing. At least one member of the committee is independent of the management and running of the UTC.
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If the complainant is not satisfied that the complaint has been dealt with properly according to the UTC's procedure

Complainant contacts or writes to the Secretary of State for Education.	The Secretary of State may intervene if the Board of Directors has not carried out a statutory duty or has acted unreasonably.
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OUTLINE PROCEDURES FOR COMPLAINTS COMMITTEE HEARINGS

Before the hearing

1. The complainant and the Principal should be provided with details of the way in which the hearing will be conducted.
2. If necessary, support for the complainant should be arranged. For example, translation of any of the papers provided by the school or any arrangements necessary to give the complainant full access to the proceedings.
3. The members of the committee should elect one of their number to act as Chair of the committee for the hearing.

The hearing

4. The complainant and the Principal should simultaneously be invited into the room where the hearing is being held. At this point the Chair may wish to reiterate the scope of the Board's powers and clarify the aims of the hearing, i.e. to resolve the complaint, reconcile differences between the complainant and the UTC and to help identify the way forward.
5. The Chair should introduce all those present and ensure that all parties have been advised of the way in which the hearing will be conducted.
6. The complainant to begin by explaining the basis of their complaint and the Principal to respond by stating the reasons for the school's response.
7. Members of the committee to have the opportunity to ask questions of either the complainant or the Principal.
8. The complainant and the Principal to be given the opportunity to make any final statement.
9. The Chair to confirm that a decision will be issued within 5 school days.
10. The complainant and the Principal should then leave the hearing.

The decision-making process

11. The committee should then consider a decision based on the information and evidence presented to them. It should decide whether or not to uphold the complaint, suggest any actions which may be taken to resolve the complaint and consider whether it would be appropriate to suggest a review of any school policies in the light of issues raised in the course of the complaint. The committee should reach a unanimous or majority decision on the complaint.

Communicating the decision

12. The findings of the committee should be notified to the complainant and the Principal in writing within 5 school days of the hearing.

A GUIDE FOR PARENTS ON THE LDE UTC'S COMPLAINTS PROCEDURE

What to do if you have a concern or complaint about the UTC

At the London Design & Engineering (LDE) UTC, we like to be told about how we are doing, whether that is something we are doing well or where we could improve. If you have a concern or complaint we always try to deal with it helpfully and reasonably. If we need to, we try to put things right as quickly as possible. If you have a concern or complaint you need to take it up with the UTC directly.

This complaints procedure is for general complaints. The school must follow other procedures for complaints or appeals about the curriculum; special educational needs provision, exclusions and admissions. Staff disciplinary action, child protection issues or criminal investigation will also need to be handled differently. We shall tell you which is the right process when you discuss your concern with us.

The complaints procedure has four stages. You will be told what to do at each stage if you wish to take your complaint further.

Stage 1 of the process is informal:

STAGE 1	<p>If you have a concern about the UTC, try to talk to someone at the UTC, preferably the person who is most closely involved. If you get in touch with one of the Directors first of all they can only give you general advice. They may need to ask you to take up your concerns with the member of staff best able to help you, or with the Principal.</p> <p>Your concern can usually be settled quickly and without fuss by contacting the right person in the UTC. This could be your child's teacher, another member of staff or the Principal.</p>
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If your concern cannot be sorted out in this way or you are not happy with the way it has been dealt with you should take it to Stage 2

STAGE 2	<p>You should complain to the Principal who will investigate your complaint. You would normally do this in writing. If your complaint is about the Principal you can complain directly to the Chair of the Board of Directors (see Stage 3).</p> <p>The UTC will let you know that it has received your complaint and a meeting held within 5 school days. You will be given the results of the Principal's investigation in writing within 15 school days.</p>
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If your complaint has still not been resolved to your satisfaction you may take it to Stage 3

STAGE 3

You can complain in writing to the Chair of Board for the UTC. You should make it clear why you are complaining, who you have already spoken to and what you want to happen as a result of your complaint.
The Chair of Board will let you know that they have received your complaint within 7 school days and will then investigate it.
You will be told about the outcome of the chair of Directors' investigation in writing within 20 school days.

If you are still not satisfied after receiving the Chair of the Board's report, you can ask to have your complaint referred to a complaints committee of the Board of Directors at Stage 4.

STAGE 4

You can write to the Clerk to the Board of Directors, at the UTC. You should say exactly why you are unhappy with the Chair of Board's findings and ask that a complaints committee be set up to look at the complaint. At least one member of the committee is independent of the management and running of the UTC.

The committee will meet within 10 school days after the Clerk to the Board of Directors receives your letter. You will be told in advance about the process and what will happen at the meeting of the committee. You can attend and bring a relative or a friend to support you if you want. The Complainant will be told in writing about the committee's findings within 5 school days from the date of the meeting. Arrangements will be made where relevant to make findings and recommendations to the person complained about.

What you can do if you are still not satisfied with the governing body's decision

You may believe that your complaint was not handled fairly according to the UTC's own complaints procedure. In this case, you can appeal to the Department of Education (DfE).

You can contact the DfE by completing an online form by clicking on [Schools Complaint Form](#)

Alternatively, you can write to the DfE at this address.

The Secretary of State for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

The Secretary of State could ask the Education and Skills Funding Agency to step in if the Board of Directors has not carried out its legal duty or had acted unreasonably. The Secretary of State would not do anything until the UTC has finished looking into the complaint.

LONDON DESIGN & ENGINEERING UTC COMPLAINTS – PROCEDURAL FLOWCHART

You have a concern or complaint

What you should do	What will happen
Stage 1: Discuss your concerns with the class teacher or other relevant member of staff (which may be the Principal). This will usually resolve the issue.	The member of staff concerned will deal with your issues or make sure you have the information you need if you feel you want to take the matter further.

If you are not satisfied with the response

Stage 2: Complain to the Principal, either verbally or in writing.	Your complaint will be acknowledged and a meeting held within 5 school days with a full written response within 15 school days.
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If you are not satisfied with the Principal's response or if the complaint is about the Principal

Stage 3: Complain to the Chair of the Board of Directors in writing.	Your complaint will be acknowledged within 7 school days with a full response within 20 school days
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If the complaint is not resolved

Stage 4: Write to the Clerk to Board of Directors requesting that your complaint be heard by a complaints committee of Directors	The complaints committee will meet within 10 school days from receipt of your letter. One member of the committee must be independent of the UTC. The committee's decision is final and you will be told of its findings within 5 school days of the hearing.
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If you are still not satisfied that your complaint has been properly dealt with

Contact online or write to the Secretary of State for Education.	The Secretary of State may intervene if the Board of Directors has not carried out a statutory duty or has acted unreasonably.
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