

Complaints Policy

1. Background & Purpose

It is human nature that from time to time concerns/complaints arise. It is the policy of UTC Lancashire that all concerns/complaints are dealt with in a proper and professional manner and that the interests of all our learners are kept at the centre of the discussions and actions that may arise. This policy sets how concerns/complaints will be addressed, who will be involved and the 'staged' approach that will be followed.

2. Aims of this Policy

UTC Lancashire will give careful consideration to all concerns/complaints and deal with them fairly and honestly. We will provide sufficient opportunity for any concern/complaint to be fully discussed, and aim to resolve it through open dialogue and mutual understanding. The college will respect people's desire for confidentiality wherever possible although some information sharing may be necessary to carry out a thorough investigation.

3. Informal Discussion

Any problem or concern/complaint should be raised promptly. Concerns/complaints should be raised with the appropriate member of the Senior Leadership Team in the first instance. They are best placed to then speak to any other members of staff or other learners as may be deemed necessary.

Examples of concerns/complaints may include (but is not limited to):-

- Bullying
- Discrimination
- College environment
- Staff conduct
- Decisions about examination entries

The college considers all concerns/complaints very seriously and most problems can be resolved at this stage, however it is important that the college is informed straight away before problems escalate.

4. Formal Complaint

If a learner or their parent/carer feels that a concern/complaint has not been resolved by Informal Discussion, they need to move to, and follow, the Formal Complaint process as detailed below:-

- Stage 1

If they would like the concern/complaint formally investigated by an appropriate person from the college, then this request should be put in writing. If anyone needed assistance to do this, then the college will provide support through someone unconnected with the matter.

If the matter is about:-

- the day-to-day running of the college
- the interpretation of college policies and procedures
- the actions or inactions of staff at the college

It will be investigated by the Executive Principal or a Senior Leader nominated by the Executive Principal.

If the matter is about:-

- college policies and procedures as determined by the Board of Directors

- the actions or inactions of the Board of Directors
- The Executive Principal

It will be returned to the Chair of the Board of Directors who will appoint a nominated person to investigate the complaint.

The nominated person carrying out the investigation will review the way in which the concern/complaint has been handled by the college and ensure that the issues have been dealt with properly and fairly. They will normally write back with the outcome of this process within 15 college working days of receiving the complaint.

It is important that the formal letter setting out the concern/complaint includes the following information:-

- the name of the learner central to the concern/complaint
- the name(s) of other learners involved
- the name(s) of members of staff involved and those who have already been involved at an earlier stage of the process
- the times and dates of the key events
- a brief description of what happened to cause the concern/complaint
- what the learner and/or their parent/carer have done already to help resolve the matter
- what the college has done already to resolve the matter
- what they think should now be done to resolve the matter

If it becomes apparent that the concern/complaint is a staff disciplinary or capability issue, then the matter will be dealt with by following the appropriate college policy and procedures rather than this Complaints Policy. Those involved will be notified if this is the case, but they are not entitled to know which policy and procedures are being used or the final outcome.

- Stage 2

If the outcome from Stage 1 is not acceptable to the complainant, the complaint can be referred to Stage 2. This must be done in writing to the Company Secretary to the Board of Directors at the college address within 15 college working days of the completion of Stage 1.

At Stage 2, the complaint will be considered, either directly by the Chair who will consider the complaint and make a final decision about it on behalf of the Board of Directors, or a panel of the Board of Directors, nominated by the chair. (If a panel is nominated then the following process will take place):-

- Stage 2 will be carried out by a panel of Board of Directors members and an independent person (usually a person from local business who is not directly connected with the college), who will meet to consider the complaint and make a final decision about it on behalf of the Board of Directors.

The general principle is that the college should be able to produce documentary evidence to show that the complaint has received fair and proper consideration within the college's policy and procedures. If they have any concerns, they may ask The Executive Principal to re-open the investigation. The complainant and those involved will be kept informed of any delay.

Such a panel will comprise of three members of the College Board of Directors and an independent member who have no detailed prior knowledge of the complaint, or connection with the complainant or others involved. The meeting will normally take place within 15 college working days of the Stage 2 request.

At Stage 2 the complainant will have the opportunity to submit additional written evidence about the complaint and its handling by the college prior to the meeting and also to attend, accompanied by a friend/partner if desired, to put their case.

The Executive Principal will be given the same opportunities including the option of having an advisor present. The Chair or panel will write to all those involved with its conclusion within 5 college working days of the meeting.

The decision of the Chair (where they have heard Stage 2) or the panel (where they have heard Stage 2) is absolutely final.

The complainant (and where relevant, the person complained about) will receive written notification of the findings and recommendations of the panel within 15 working days of the meeting. These will also be available for inspection on the UTC premises.

For most complaints the decision of the Board of Directors is the last step in the process. In general, internal college matters are the responsibility of the college's Board of Directors. The relevant Local Authority can provide advice to parents/carers and to the college on best practice procedures when dealing with complaints.

Written records of all complaints will be kept, indicating whether they were resolved at the preliminary stage or whether they proceeded to a panel meeting. These minutes will be kept confidential and retained in a secure place at the UTC.

5. Local Ombudsman

If a complainant is still not satisfied and feel that their complaint has not been investigated fairly, they may wish to put their complaint to the Local Ombudsman. The Local Ombudsman has limited powers to investigate internal college matters and they cannot carry out an investigation solely because the complainant disagrees with the decision of the Board of Directors. The Local Ombudsman can only investigate inappropriate procedure; it is not able to re-investigate the original complaint nor can it intervene to overturn the Board of Directors' decision.

6. Appeal to the Secretary of State for Education

An appeal can be made to the Secretary of State for Education on the following grounds:-

- The Board of Directors is acting or proposing to act unreasonably
- The Board of Directors has failed to discharge its duties under the relevant Education Act

7. Complaints About Specific Issues

There are existing statutory bodies, college and external agency personnel and other policies and procedures for dealing with the following issues. The college will be able to assist in pursuing complaints on these issues:-

- 'Stateminting' for learners with Special Educational Needs
- Disciplinary issues relating to members of staff
- Allegations of abuse
- Admissions and Exclusion Appeals
- Provision of Collective Worship & Religious Education
- Delivery of the National Curriculum as it applies to UTCs

8. Monitoring Impact & Review

- The consistent application and enforcement of an effective policy and the resulting procedures by all staff, with suitable monitoring to ensure this, can improve the behaviours of all members of the college community and reduce the incidence of complaints.

- When monitoring this policy the Board of Directors will:-
 - seek the views of parents/carers to be sure that they agree with the policy and support it
 - require The Executive Principal to report to the Board of Directors on the way the policy is being implemented
- The policy is to be reviewed annually.