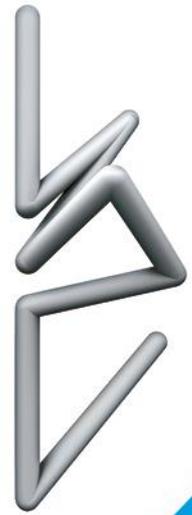


Lincoln University Technical College
A College for Science & Engineering



Complaints Policy

EQUALITY AND DIVERSITY STATEMENT

Lincoln UTC strives to treat all its members and visitors fairly and aims to eliminate unjustifiable discrimination on the grounds of gender, race, nationality, ethnic or national origin, political beliefs or practices, disability, marital status, family circumstances, sexual orientation, spent criminal convictions, age or any other inappropriate grounds.

POLICY REVIEW

Policy Created: June 2014

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Policy review date: August 2019

LINCOLN UTC

COMPLAINTS POLICY

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LINCOLN UTC

COMPLAINTS POLICY

1. Background & Purpose

It is human nature that from time to time concerns/complaints arise. It is the policy of Lincoln UTC 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

Lincoln UTC 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 are not limited to):

- Bullying;
- Discrimination;
- College environment;
- Staff conduct.

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 student or their parent/carer feels that 'Informal Discussion' has not resolved a concern/complaint, 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 need assistance to do this, then the college will provide support through someone unconnected with the matter. The complaint can be submitted using the complaints form in Appendix One.

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; then

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

If the matter is about:

- college policies and procedures as determined by the Governing Body;
- the actions or inactions of the Governing Body;
- the Principal; then

it will be investigated by the Chair of the Governing Body or a person nominated by the Chair of the Governing Body.

The 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 respond in writing 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 Clerk to Board of Governors at the college address within 15 college working days of the completion of Stage 1.

At Stage 2, the complaint will be considered by either the Chair or a panel of the Board of Governors (as indicated below):

- If Stage 1 was investigated by the Principal or a Senior Leader nominated by the Principal, the Chair or a panel of the Board of Governors will consider the manner in which the complaint was addressed and decide whether it has been properly dealt with. They will make a final decision about it on behalf of the Board of Governors. 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 Principal to re-open the investigation. The complainant and those involved will be kept informed of any delay.

- Where Stage 1 was investigated by the Chair of the Board of Governors or a person nominated by the Chair of the Board of Governors, Stage 2 will be carried out by a panel of Board of Governors members, who will meet to consider the complaint and make a final decision about it on behalf of the Board of Governors.
- Such a panel will comprise of three members of the Board of Governors who have no detailed prior knowledge of the complaint, or connection with the complainant or others involved. In addition, there will be one person on the panel who has no connexion with the management and running of the college; eg. Local Authority representative. 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 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 Governors is the last step in the process. In general, internal college matters are the responsibility of the college's Board of Governors. 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.

The findings or recommendations arising from a complaint that has progressed to Stage 2 will be made available to parents/carers on request. However, the exact nature and details of the complaint will remain confidential and all documents will be stored securely.

Stage 3

Referral to the Education Skill Funding Agency (ESFA)

If a complainant wishes to complain about how their complaint was handled, this should be done by contacting the Education Skills Funding Agency (ESFA).

academyquestions@efa.education.gov.uk

Address: Department for Education, Castle View House, East Lane, Runcorn, Cheshire WA7 2GJ

The ESFA will not investigate a complaint until the UTC's own complaints procedure, including any hearing, has been exhausted. The ESFA will decide to investigate if it has reason to believe that:

- Complaint was made to the UTC and the UTC has had a reasonable opportunity to investigate it and respond but has failed to do so; or
- There are circumstances which means it is not reasonable for the matter to be brought to the attention of the UTC.

The ESFA will not investigate complaints about:

- Examination results of curriculum content where a more appropriate form of redress would be the examining body or Ofqual;
- A child or young person's Statement of Special Educational Needs where there is another route of appeal;
- Matters that are the subject of legal action.

The ESFA will investigate complaints about:

- Undue delay or non-compliance with the UTCs's own complaints procedures;
- Allegations that the UTC has failed to comply with a duty imposed on it under its Funding Agreement with the Secretary of State;
- Allegations that the UTC has failed to comply with any other legal obligations placed on it, except in cases where there is another body or organisation that is, in the view of the EFA, better placed to consider and if necessary, take further action in connection with the issue.

5. Admissions Complaints – Referral to the ESFA

If the complaint is related to admissions, the complainant may wish to put their complaint to the Education Funding Agency (EFA) at the email address and postal address outlined in Stage 3. Complaints can be made regarding the manner in which the appeal was carried out, but complaints will not be heard regarding the decision itself.

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 Governors is acting or proposing to act unreasonably
- The Board of Governors 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 UTC will be able to assist in pursuing complaints on these issues:

- 'Statementing' 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 Governors will:
 - seek the views of parents/carers to be sure that they agree with the policy and support it;
 - require the Principal to report to the Board of Governors on the way the policy is being implemented.
- The policy is to be reviewed in accordance with the policy review cycle.

Lincoln UTC Complaints Form – Stage 1

If you have tried unsuccessfully to resolve your complaint and wish to take the matter further, please complete this form and send it to the Principal. If your complaint is against the Principal you will need to send the form to the Chair of the Governing Body.

Your Name: _____

Address: _____

Post Code _____

Telephone Number (Home) _____

Telephone Number (Day): _____

Telephone Number (Mobile): _____

Name of Child _____

Date of Birth _____

What is your complaint about and what would you like the Principal to do?

Continue on a separate sheet as necessary

When did you discuss your concern/complaint with the appropriate member of staff?

Continue on a separate sheet as necessary

What was the result of the discussion?

Continue on a separate sheet as necessary

Signed: _____ **Date:** _____

