

## Complaints Procedure

### Introduction

South Bank UTC (UTC) is serious about the quality of its service and will continuously review its standards. Opinions of stakeholders may be sought in a variety of ways throughout the academic year. One of the ways to accomplish this is to have open and clear channels of communication, and to take seriously concerns or complaints by any of the people affected by the UTC.

### Aim

The UTC will seek to ensure that all concerns (informal complaints) or complaints are managed as quickly and effectively as possible and in a manner which respects confidentiality and is non-adversarial in approach.

The UTC will seek to determine an effective outcome of concerns or complaints with appropriate redress where necessary.

In line with the UTC's commitment to improving quality, where appropriate, the outcome of concerns or complaints will be used to inform further improvement in the UTC's operations and services.

### Definitions:

- A **concern (informal complaint)** is any query concerning the operation of the UTC which reflects adversely upon it
- A **continuing concern** is any query left unresolved or any query which is received more than once.
- A **persistent concern** is any query which is repeatedly brought to the attention of the UTC.
- A **complaint** requires the attention of the Senior Leadership Team of the UTC. Complaints are defined as matters relating to breaches of the Law, to non-compliance with DfE Regulations, any issue which would bring the reputation of the UTC into disrepute and any unresolved persistent concerns.

### Stage 1: Concerns (Informal Complaints)

Concerns will be dealt with by the member of staff best placed to address the issue who will undertake an investigation of the situation.

When concerns are received by telephone it is the role of the receptionist to route the call to the person most able to deal with it. In the event of any uncertainty or if the most suitable person is unavailable then the call will be directed to a member of the Senior Leadership Team.

A parent / carer expressing a concern about a SEN student should be dealt with by the coach, or in cases where the concern cannot be resolved by the coach, or by the UTC's SENDCO.

Any concerns expressed in writing will be passed to a member of the Senior Leadership Team who will direct them to the person most able to deal with them.

In every case an initial response will be provided within 48 hours and a final resolution of issues arrived at as soon as reasonably possible.

Resolutions may include an apology, explanation, admission that the situation could have been dealt with more effectively, an assurance that the situation will not recur or an undertaking that the UTC will review the procedure in light of the concern.

## **Stage 2: Complaints**

All formal complaints must be received in writing, giving as much detail as is possible.

Acknowledgement of a complaint should be made within 3 working days. This will include details of what will happen next, the timescales involved and the person who will be dealing with the complaint; this will usually be the Principal. Written records will be kept of meetings and telephone conversations during the investigation.

The person who has been nominated to carry out the investigation will inform you of the outcome within 15 working days with a written response (this may be longer in exceptional cases). This will include a full explanation of the decision and the actions, where appropriate, that South Bank Engineering UTC will take in relation to 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.

South Bank UTC 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. All complaints will be entered onto the Complaints Log which will be held by the PA to the Principal 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 Principal. The documents generated by it could be scrutinised by another body or disclosed to the complainant under the Data Protection Act 2018.

## **Stage 3: Review by the Chair of the Board of Governors**

If you feel that your complaint has not been investigated appropriately then you should notify, in writing, the Clerk to the School Advisory Board at South Bank UTC. This should be done within 10 working days of receiving your outcome letter.

The Clerk to the board will acknowledge receipt of your letter within 3 working days. The CEO of the South Bank Academies Trust will need to consider whether it is appropriate for him/herself to investigate the complaint or whether to convene a panel of 3 Governors who have not been involved previously.

The Clerk to the board will inform you of the process, the timescales involved and the person who is progressing your investigation. This will be the Executive Principal or CEO of the South Bank Academies Trust:

If the Executive Principal / CEO of the South Bank Academies Trust 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 (in exceptional cases this may be longer).

In the event that a panel of Governors 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 who will be a cross-section of the Board but not the Principal or Chair. The panel will elect its own Chair. At least one panel member will be independent from the management and running of the UTC.
- The Executive Principal / CEO of the South Bank Academies Trust 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 Principal, Executive Principal or CEO of the South Bank Academies Trust will be asked to prepare a written response for the Panel in response to the complaint.
- You and other panel members will be sent all relevant documents in advance of the meeting by the Clerk to the board.
- You will be sent notification of the outcome of the panel meeting within 5 working days of the meeting.
- Findings and recommendations will be made available to you and where relevant to the person complained about, and will be made available for inspection on the premises by the Executive Principal, CEO of the Trust and the Principal.

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 or to the Secretary of State or to a body conducting an inspection under section 109 of the 2008 Act.

The decision of the Chair or by the panel is final

#### **Stage 4: Appeal to the Department for Education**

An appeal can be made to the Secretary of State for Education if the Governors have acted unreasonably or failed to discharge its duties under the 1996 Education Act in following their complaints procedure.

## Records

Written records of all complaints are to be kept by the Principal's PA. This includes all documentation including a record of the stage of resolution of the complaint. All records, correspondence and statements are to be kept confidential. A record of the number of complaints received under the formal procedure during each academic year will be available upon request in writing from the Principal's PA.

The Chair of the Board or the nominated Governor's role is to:

- check that the correct procedure has been followed
- if a hearing is appropriate, notify the clerk to arrange the panel

The Role of the Chair of the panel is a key role, ensuring that:

- the remit of the panel is explained to the parties and each party has the opportunity of putting their case without undue interruption
- the issues are addressed
- key findings of fact are made
- parents and others who may not be used to speaking at such a hearing are put at ease
- the hearing is conducted in an informal manner with each party treating the other with respect and courtesy
- the panel is open minded and acting independently
- no member of the panel has a vested interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- each side is given the opportunity to state their case and ask questions
- written material is seen by all parties

## Monitoring and Evaluation

The Board, Executive Principal, CEO and Principal will monitor the operation and effectiveness of the UTC's Complaints Procedure.