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# Complaints Procedure

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Adopted by Utopia - for review by the Board of Directors

Last amended September 2023

For review - Annually - Review targets annually

## 1. Introduction

Utopia prides ourselves on our quality of teaching, pastoral and wider wellbeing care of all young people attending our service. However, if a parent of a learner has a complaint related to Utopia then they can expect to be treated seriously, fairly and confidentially in line with the complaints procedure in this policy. Utopia will also maintain a non-judgemental approach ensuring that Parents and their child will not be penalised or treated unfairly as a result of a complaint that Parents (or their child) raises in good faith.

In accordance with Part 7: 8.1 (b) of the Independent Schools Standards April 2019, Parents of learners at Utopia are able to access our Complaints Policy on our website homepage and hard copies can be made available upon request, this is outlined as part of our induction process for each Learner.

We have also developed a Learner complaints procedure (see appendix A) to ensure our Learners feel confident to raise concerns, provide feedback and support in taking ownership of their educational journey.

Utopia will always seek to work collaboratively to resolve any complaints, as such we would welcome the opportunity to meet Parents and discuss through any concerns in order to maintain a positive working relationship.

## 2. What constitutes a complaint

A complaint is an expression of dissatisfaction or disquiet with a real or perceived problem. This may be about an event that has happened, failed to happen or the way in which something was handled by Utopia as a whole, specific department or individual staff member.

Many concerns can be resolved informally with goodwill. It is in everyone's best interests that complaints are resolved at the earliest possible stage by talking to the relevant staff and can be achieved through discussion and good communication. However, if a parent is not satisfied with the outcome, a formal procedure (as outlined in this policy) would then need to be followed when attempts to resolve the issue are unsuccessful.

For complaints to be investigated fully Parents need to give full information and not make them anonymously.

The procedure described does not include complaints covered by a separate statutory procedure, for example: complaints about the National Curriculum; statutory assessments of Special Educational Needs (SEN); matters likely to require a Child Protection investigation; whistleblowing; staff grievances and procedures; complaints about services provided by other providers Utopia use.

This policy also does not apply to complaints about learner admissions or learner exclusions (except in cases where the complaints process was started when the Learner was still being educated at Utopia).

Utopia have a number of policies that have been agreed by our governing body. Parents should check which policy is relevant to the concern before proceeding with a complaint. Policies can be found on our website or made available upon request.

### 3 Stage Complaint Procedure

#### Stage 1: Informal Resolution

- Parents expression of concern should be made to a member of Utopia staff at the earliest opportunity.
- Parents are advised to first talk to the teacher most closely concerned to clarify the facts and resolve through discussion. In many cases the matter will be resolved to parents satisfaction at this point however, a request for discussion with the Operations Manager may also be desirable before making a formal complaint.
- The staff member dealing with the complaint will make a written record of the complaint and email it to the Head of Centre to be recorded in the SLT central database.
- Should this matter not be resolved within 5 school days with the input of staff and the head of centre you will be advised to proceed with the complaint in accordance with stage 2 of this complaints procedure.
- If, the complaint is about the Head of Centre, you should make the complaint directly to the board of Directors Complaints Lead Chris Black - [cblack@utopiaproject.org.uk](mailto:cblack@utopiaproject.org.uk)

#### Stage 2: Formal Resolution

- If Parents are not satisfied with the outcome at Stage 1 they may wish to make a formal complaint. This should be done in writing to the Operations Manager. The complaint will be acknowledged within 5 school days.
- It may be necessary for an investigation to be carried out, the Operations Manager may delegate the task of collating the information to another member of staff but not the decision on the action to be taken.
- When the Operations Manager receives the written complaint, they may decide to refer the matter immediately to the Board of Directors.
- Once the Operations Manager is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. This should be communicated **within 20 school days**. The written response will include a full explanation of the decisions made, if and why additional time has been required, any actions Utopia may have taken to resolve it.

- Once a decision has been reached and communicated, the Head of Centre should ensure that Parents are clear about the action taken and whether resolution has been achieved.
- The Operations Manager will keep written records of all meetings, interviews and correspondence held in relation to the complaint.
- If the complaint is about the Operations Manager, the matter should be referred to Chris Black, Board of Directors Complaints Lead. Chris will call for a full report from the Operations Manager, carry out the investigation and appropriate communication with Parents in line with the procedures above.
- Should Parents not be satisfied with the outcome at this stage they may wish to proceed to Stage 3.

### **Stage 3: Panel Hearing**

- If Parents seek to proceed with Stage 3 - Panel Hearing they will be referred to Chris Black, Board of Directors Complaints Lead (if not already involved).
- The matter will then be referred to the Complaints Panel for consideration. The Panel will consist of at least three persons not directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of Utopia. Chris Black, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place within 10 school days. If Chris Black has already been involved in stage 2, Rachel Daley will acknowledge the complaint and schedule a hearing to take place within 10 school days.
- If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than 5 school days prior to the hearing.
- Parents may attend the hearing and be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.
- If possible, the Panel will resolve the complaint 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 facts they consider relevant, the Panel will make findings and may make recommendations.
- The Panel will write to Parents informing them of its decision and the reasons for it, within 5 school days of the hearing (although additional time may be required if it is necessary to carry out further investigations following the hearing). The decision of the Panel will be final. A copy of the Panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to Parents, and, where relevant, the person complained about as well as to the board of Directors. A copy of the

Panel's findings and recommendations (if any) will also be available for inspection on the school premises by the board of Directors and the Head of Centre.

### **3. Timeframe for dealing with complaints**

All complaints will be handled seriously and sensitively. They will be acknowledged within 5 school days if received during term time and as soon as practicable during holiday periods.

It is in everyone's interest to resolve a complaint as speedily as possible: Utopia's target is to complete the first two stages of the procedure within 20 school days.

Stage 3, the Appeal Panel Hearing, will be completed within a further 20 school days.

Please note that, for the purposes of this procedure, school days refers to Monday to Friday during term time, excluding bank holidays. Complaints outside this period may take longer to resolve.

### **4. Recording and storage of complaints**

Following resolution of a complaint, Utopia will keep a written record of all formal complaints, whether they are resolved at the informal stage, the formal stage or proceed to a panel hearing and any action taken by Utopia as a result of the complaint (regardless of whether the complaint is upheld).

At Utopia's discretion, additional records may be kept which may contain the following information:

- Date when the issue was raised
- Name of Parent
- Name of Learner
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name of member (s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)

In accordance with Part 7: 8.1 (k) of the Independent Schools Standards April 2019, all correspondence, statements and reports relating to individual complaints are to be kept confidential except where the Secretary of State or a body consulting an inspection 109 of the 2008 Act requests access to them.

## 5. Advice & Support

The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 require the school to provide Parents, on conclusion of the final stage of the school's Complaints Procedure, with the name and address of an alternative dispute resolution provider.

You can seek support from independent bodies such as Citizens Advice (<https://www.citizensadvice.org.uk/>), community relations centres and Advisory Centre for Education (<http://www.ace-ed.org.uk/>) etc. However, please note that Utopia is not obliged to enter into alternative dispute resolution and reserves the right not to do so.

The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 require the school to provide Parents, on conclusion of the final stage of the school's Complaints Procedure, with the name and address of an alternative dispute resolution provider who has been certified by the Chartered Trading Standards Institute as competent to resolve consumer disputes.

In the academic year 2021 - 2022, the Utopia received 0 formal complaints at Stage 2 or 3.

## Appendix A

### Learner Complaints Procedure

#### **1. Introduction Statement**

As part of our commitment to supporting vulnerable and disadvantaged learners Utopia place an emphasis on empowerment of young people to build confidence and independence. We have therefore developed a Learner Complaints Procedure to support this process and allow all Learners to take ownership of their education journey. Utopia promote this commitment in a number of ways and stages throughout our programmes. During the initial outreach visit Utopia encourage young people to raise concerns about the education and support they receive if they feel it is not suitable or could be improved, normalising the process to ensure young people feel comfortable in doing so. We also complete Support Plans with each Learner at the beginning of their life at Utopia and review this document throughout the year alongside each individual, providing a space for Learner feedback.

This Complaint Procedure aims to support the Complaints Policy for Parents and encourages resolution at the earliest possible stage.

It is important for Learners to note that by raising a concern in good faith they will not be penalised or face and adverse treatment as a result of the complaint received. They also have the option to use the formal complaints procedure outlined in the policy above through their parents and any steps taken within 'Appendix A - Learner Complaints Procedure' does not effect their rights to use the formal complaints policy.

Learner complaints will be treated seriously and fairly to ensure that where possible concerns are resolved with Learners as quickly as possible.

#### **2. What constitutes a complaint**

A Learner complaint is an expression of dissatisfaction, unhappiness or feeling of being treated unfairly with a real or perceived problem with a range of aspects within their educational placement at Utopia. This may be about a specific event which has taken place or failed to happen, the way Utopia or its staff have dealt with a situation or their educational offer as a whole.

Whilst we champion the importance of giving young people a voice it is also important to recognise that complaints are received when all parties are calm and in a state of emotional regulation. With this in mind we recommend that Learners who want to raise a concern give themselves time to plan the process to ensure that they are communicating the correct message that they want to get across, support from an independent staff member can be sought to support with this.

All learner complaints do not affect the formal complaints procedure within this policy and the Learner Complaints Procedure should only act as a positive process to give Learners ownership of their educational life at Utopia.

### **Stage 1 - Learner Informal Complaint**

- Learners should initially seek the most appropriate member of staff to raise their complaint, using clear and good communication to express their concern.
- The staff member will make written notes of the complaint and will notify the Head of Centre along with the parents of the learner within 2 school days.
- The staff member will work to resolve the issue as quickly as possible to the satisfaction of the young person and their parent.
- It may be appropriate for the staff member to involve the Head of Centre of the complaint at this point if the staff member is unable to resolve the issue on their own.
- If the complaint has not been resolved within 5 school days the Learner and their Parent will be advised to move onto stage 2.

### **Stage 2 - Resolution Meeting**

- When no resolution has been made with the Learner and their Parent the Head of Centre will call for a meeting to discuss the matter.
- The Head of Centre will clarify the event from staff point of view prior to the meeting and where appropriate enter the meeting with a plan to resolve the issue.
- If the matter has not been resolved within this meeting for the Learner and their parent then the Head of Centre will advise the Parent to make a formal complaint through the Stage 2 Formal Complaints Procedure within the Complaints Policy.

### **3. Timeframe**

All Learner complaints should be either resolved or advanced to Stage 2 of the Complaints Policy within 10 school days as long as Learners and Parents can attend the resolution meeting (if required) in a timely manner.

### **4. Recording of Learner Complaints**

All Learner complaints are recorded initially by the staff member dealing with the complaint and stored within our Learner Complaints Folder. This is overseen by the Head of Centre once the complaint reaches Stage 2; Resolution Meeting. As part of this recording and learning and outcomes of the complaint is reported to the board of Directors and appropriate learning shared across the staff team.

### **5. Advice and Support**

To ensure Learners are comfortable and confident in raising concerns we welcome Learners to seek advice from staff members who are independent from the specific event or issue. These staff members can support the Learner to raise the concern and form a well structured and communicated complaint if necessary.