



# ITEM 9.3

## 7.2.17

### **Kingsbridge EIP Trainee Complaints Procedure 2017/18**

The Complaints Procedure is approved and endorsed by Kingsbridge Education Improvement Partnership (KEIP) Head Teacher Board and Community First Academy Trust. It conforms to the Quality Assurance Agency [QAA] code of practice and recommendations received from the Office of the Independent Adjudicator for Higher Education.

At Kingsbridge Education Improvement Partnership (KEIP) our aim is to give you the best training experience possible. If you feel we've fallen short of this, it is important that you let us know as soon as reasonably possible or no later than one month of an incident happening that has affected you, so that we have the opportunity to put things right and you can carry on concentrating on your studies. We will work with you and we will always use your feedback to improve things where we can. We believe it is best to talk to your Mentor or the Link Consultant first about your concerns since this is the quickest way for us to take action, to look into the problem and hopefully resolve the matter.

### **Procedure Purpose**

The primary function of this procedure is to ensure that a process is in place to address complaints made by KEIP trainees.

It is also the intention of KEIP that no trainee will be discriminated against or in any way penalised for raising a complaint.

### **What to do if things go wrong**

If you wish to complain about any aspect of our programme you must follow this Complaints Procedure.

You are advised to read this policy before making your complaint. KEIP also advises that you should read any relevant policy or course documentation that may affect your complaint.

KEIP requires you to attempt to informally resolve your complaint before requesting a formal investigation at Stage Two.

You are advised to seek support at the earliest opportunity if you consider this necessary.

### **What is a Complaint?**

It is 'the expression of a specific concern about the provision of a course / module, or programme of study, or a related academic service.

The Trainee Complaints Procedure does not cover the following:

- matters of academic judgement (that is about your academic performance)
- requests for new or different services or provisions
- Matters where there are separate Community First Academy Trust or host school policies or procedures.

An academic appeal is defined as 'a request for a review of a decision of an academic body charged with decisions on student progression, assessment and awards.

If you wish to appeal against an academic decision, please refer the matter to The Communications Manager who will provide information on how to proceed.

### **Who can complain?**

Any prospective or enrolled trainee with KEIP can use this policy to make a complaint but only where the matter directly affects your interests.

If you are training at a Partner School you are required to follow the Partner School's Complaints Procedures in the first instance. Only when the Partner School's process has been exhausted should this complaints process be used if you are still dissatisfied. This option to exercise a second complaint would only apply to extenuating circumstances and where KEIP consider that a complaint had not been dealt with reasonably or resolved satisfactorily.

Trainees studying at Partner Schools wishing to make an academic appeal have the right to appeal directly to KEIP as the awarding body for QTS or HEI provider for PGCE.

### **Confidentiality.**

Complaints will be dealt with in a confidential manner. Everyone involved in the procedures for investigation and review of a complaint, including witnesses and persons providing evidence and / or advice have a duty to maintain confidentiality. However for a complaint to be investigated fully and action taken, it will be necessary to disclose your identity to the person who is the subject of the complaint and to others directly involved. They will be provided with a copy of your complaint and any evidence relating to the complaint. Please remember that the person complained about also has a right of reply.

### **Time limits.**

You must register any complaints within one month of an incident. It is however, encouraged by KEIP that any complaint(s) be raised immediately so that concerns that do exist can be addressed quickly.

Investigators and Reviewers will endeavour to keep to the time limits for a response as stated in this policy. However there may be occasions when this is not possible. In those cases you will be notified of the reason why and the expected date when a response will be completed.

### **Stage 1 – Informal stage.**

You **must** attempt this stage before you can request a formal investigation. First points of contact may include one or more of the following, Subject and Professional Mentors, Link Consultants, Primary and Secondary Training Manager. There may be another person you consider more appropriate i.e. Head Teacher. Whoever the first point of contact is you are requested to contact the person directly to discuss your concerns. Please make an appointment to see them and make it clear that this is an informal complaint.

The Informal Stage is meant to be an oral stage and will be responded to within fifteen working days of the first meeting.

Formal records of this stage are not normally kept, however you will be provided with a verbal/written response to your complaint by the investigator.

The person undertaking the investigation at this stage has the authority and discretion to consider any reasonable option to resolve the dispute.

It is expected that the majority of complaints will be resolved satisfactorily at this stage with no further action being necessary.

### **Stage 2 – The formal stage.**

If you are dissatisfied with the response you have received at the Informal Stage and wish your complaint to be formally investigated, you must request this in writing, (see the attached form). Your written request must be received by the Communications Manager within fifteen working days of being notified that the Informal Stage has been exhausted or completed. Please attach all relevant information.

You must demonstrate what occurred at the Informal Stage of this procedure, detailing why the result of the Informal Stage was not a satisfactory resolution for you. If this stage has not been attempted you must provide details of why this has not occurred.

The completed complaints form must be sent / delivered to the Communications Manager at KEIP. Once received, your complaints form will be checked to ensure that it meets the definition of a complaint. The Communications Manager will provide a formal acknowledgement to you, inform the appropriate person concerned and if a person is named in the complaint, inform that person of the complaint and provide all parties with a copy of your complaint and all relevant material supplied by you.

The manner and conduct of the investigation will vary depending on the matter/s you have complained about. An Investigator will be appointed by the Chair of KEIP and at

this stage the investigator has the authority and discretion to consider any reasonable option to resolve the dispute.

A written response will be provided to you within twenty working days of the formal Stage Two complaint being forwarded to the Investigator. Complaints are normally passed to the Investigator within 5 working days of receipt of your complaint.

If you are dissatisfied with the response provided to you at Stage Two of this process, you may request that the investigation is reviewed at Stage Three.

### **Stage 3 – Investigation review.**

If you are dissatisfied with the result of the formal investigation, under Stage Two, you may request that the investigation is reviewed under this stage of the complaints policy. You must request this in writing to the Chair of KEIP noting and explaining the ground or grounds you believe justify your request for a review. You should provide any documentary evidence you have with your request for a review to take place.

Your request for a review must be received by the Reviewer within twenty working days of being informed that Stage Two has been completed. This is twenty working days from the date of the formal written response you received from the Investigator at Stage Two.

The Reviewer may at his/her discretion delegate the review process to another Senior Manager contracted to KEIP or Community First Academy Trust.

Please note that Stage Three is entirely concerned with a review of how your complaint has been dealt with and whether this has been fair and reasonable. No new complaint or aspect of the complaint may be introduced at this stage

The grounds under which a review of your complaint will be considered are

- The investigation was not conducted fairly.
- The investigation failed to take account of relevant material.
- New evidence has since come to light that was not available at Stage Two, and, if considered, would have materially affected the decision made at that Stage.
- The decision reached by the Investigator was in all the circumstances wholly unreasonable.

You must explain why any or all of the grounds above are applicable in your case.

The Reviewer will examine all of the material gathered and assessed by the Investigator at Stage Two and that which is provided by you. The Reviewer will assess whether any of the grounds for review have been established and may, at his or her discretion, call for additional information or request an interview with you, to assist in establishing whether a ground for review exists.

If, in the judgement of the Reviewer, none of the grounds for a review have been established, you will be informed of this outcome within thirty working days of your request for a review.

If the Reviewer considers that any or all of the grounds for review are met, the Reviewer can, at his or her discretion, consider one or more of the following actions to resolve the complaint.

- Refer the matter back to the Investigator, with directions on how to deal with the ground/s for review that have been established.
- Instigate a fresh investigation using another Senior Manager.
- Refer the matter for informal resolution.
- Conclude the matter, by offering a resolution.
- Implement mediation.
- Convene a panel of members of the KEIP Programme Quality Assurance Committee to consider the complaint.

Where an offer to resolve a complaint can be made at this stage you will be informed within thirty working days of the resolution the Reviewer considers appropriate. Time limits for other actions may vary.

### **Powers and membership of the Reviewing Panel.**

If the Reviewer decides to convene a Reviewing Panel, the Panel assumes the sole responsibility for the resolution of the complaint and has open to it the same powers as the Reviewer above.

A Panel must be held within a reasonable time of the request of the Reviewer, usually 10 working days. If it is likely to take longer than this, you will be informed of the reason for the delay and a projected time when the Panel meeting will be held.

You will be informed of the decision of the Reviewing Panel on the day of the Panel hearing or within thirty working days of the Panel concluding its meeting.

If you are still not satisfied with the outcome of the decision taken at Stage Three of this policy, you have the right to contact the Office of the Independent Adjudicator for Higher Education. The OIA provides an independent scheme to review student complaints.

### **Office of the Independent Adjudicator for Higher Education.**

You must use the OIA scheme application form, which can be found on the OIA's website, [www.oiahe.org.uk](http://www.oiahe.org.uk), or you can request a copy by telephone or letter.

**Please note that you must apply to the OIA within three months of the date of your completion of procedures letter** issued at the conclusion of Stage Three of this process.

Further information can be found on the OIA website regarding eligibility and their rules.

### **Review of this Policy.**

A review of this policy will take place for the academic year 2018/19.



**Kingsbridge**

Education | Improvement | Partnership

Kingsbridge EIP Trainee Complaints Form.

**Before requesting a formal investigation, you MUST have attempted to resolve your complaint informally.**

Full Name: \_\_\_\_\_

Student Number: \_\_\_\_\_

Current year: \_\_\_\_\_

Full contact address with an alternative address if available:

\_\_\_\_\_  
\_\_\_\_\_

Telephone number: \_\_\_\_\_

List of your key points:

- \_\_\_\_\_
- \_\_\_\_\_

- \_\_\_\_\_

Please state in chronological order the details of your complaint including dates.  
(Continue on a separate sheet if necessary, and include any documentary evidence you wish to be considered):

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Explain why informal resolution was not satisfactory, or why it was not attempted.  
(Continue on a separate sheet if necessary):

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What steps do you consider to be reasonable to resolve your complaint?

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Do you have any disabilities which you believe may prevent you from fully being able to present your complaint as you would wish to? Yes/No

If yes please indicate what reasonable adjustments will assist you in presenting your complaint. (Continue on a separate sheet if necessary).

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**Declaration:**

I have read the complaints policy and guidance notes, and have agreed to its conditions. I declare that the information given in this form, and attached material is true and that I

will be willing to answer further reasonable questions relating to this matter. I understand that full disclosure of allegations will be made to parties named

\_\_\_\_\_

Date \_\_\_\_\_