

## Complaints Procedure

### 1. PURPOSE

The purpose of this complaints policy is to provide clear procedures for dealing with complaints made by Trainees against PCP SCITT.

### 2. SCOPE

a. This policy can be used by anyone who is a current Trainee with PCP SCITT, or a Trainee who completed their training with PCP SCITT within 12 calendar months of the date of initiating the complaint

b. This policy does not cover complaints or queries referred to below;

- Complaints related to judgments on Bath Spa University / PGCE accreditation, which
- Complaints related to Review judgements or decisions to terminate school placements are covered by PCP SCITT's Appeals Policy
- Complaints related to inappropriate behaviour by members of PCP SCITT staff, staff in PCP SCITT partner schools or other Trainees may be better dealt with using PCP SCITT's Anti-Bullying & Harassment Policy

c. This policy has been produced following the Office of the Independent Adjudicator's "The good practice framework: handling student complaints and academic appeals" published in December 2016 ([www.oiahe.org.uk](http://www.oiahe.org.uk)).

### 3. DEFINITIONS and EXAMPLES

For the purposes of this policy, a complaint is defined as: "An expression of dissatisfaction by one or more students about a provider's action or lack of action, or about the standard of service provided by or on behalf of the provider" (OIA 2016) Examples of complaints this Policy aims to help resolve include:

- failure by PCP SCITT to meet obligations, including those outlined in PCP SCITT handbooks, Trainee Code of Conduct and Partnership Agreement
- misleading or incorrect information on the PCP SCITT website, promotional or other PCP SCITT material
- concerns about the delivery of the training programme, teaching or administration including elements provided by PCP SCITT partner schools
- poor quality of facilities, learning resources or services provided directly by PCP SCITT
- complaints about partner schools or other organisations providing a service on behalf of PCP SCITT.

### 4. GENERAL PRINCIPLES

a. PCP SCITT aims to provide an outstanding training programme for the Trainees it serves

- b. PCP SCITT is committed to working in partnership with its' Trainees and partner schools, taking account of Trainee views in order to improve its service.
- c. PCP SCITT will seek to resolve complaints as informally and quickly as possible, including by mediation and conciliation where appropriate
- d. PCP SCITT expects all parties to act reasonably and fairly towards each other, and to treat the processes themselves with respect.
- e. PCP SCITT will work to ensure this policy is used fairly, proportionally and in a timely way.
- f. PCP SCITT will ensure that decisions are taken by people without actual or perceived conflicts of interest and that all involved will ensure an appropriate level of confidentiality through the process, without causing disadvantage.
- g. Trainees will be offered the opportunity to be accompanied by a friend, family member, or representative from a Teaching Union or Students' Union.
- h. PCP SCITT will put all the outcomes of any investigation in writing for the Trainee. A Completion of Procedures (COP) letter will be used at 'end points' in the process.

## **5. STAGES IN THE PROCESS**

There are four potential stages within this policy as follows:

1. Informal resolution
2. Formal stage
3. Review Stage
4. Independent external review (OIA)

Appendix A provides a flowchart to illustrate the stages of PCP SCITT's complaints process. This flowchart includes the timeframe for each stage of the process

### **Stage 1: Informal Resolution**

Trainees should initially email the PCP Director outlining their concerns. The Director will attempt to resolve the complaint quickly and informally and at a local level through, for example:

- a face-to-face meeting with the Trainee
- asking an appropriate colleague to resolve the complaint
- providing background information or an explanation relevant to the issue
- suggesting solutions
- giving an apology where appropriate.

### **Stage 2: Formal Stage**

This stage should be used when:

- a Trainee is dissatisfied with the outcome of the early resolution process or
- a Trainee declines to engage with early resolution
- early resolution is not possible or suitable due to the complexity, character or seriousness of the case

To trigger this stage, a Trainee should use the Complaint Recording Form included as Appendix B. This will help Trainees set out their complaint in a clear and succinct way, referring to evidence relevant to the complaint. On receipt of this form, PCP SCITT staff who have not previously been involved in the case (usually the Chair of the Finance, Administration and Resources Committee) will:

- conduct an initial evaluation to check that the complaint is being dealt with under the right procedures
- determine the scope and purpose of an investigation
- conduct an investigation, which will be proportionate to the complexity and seriousness of the complaint, interviewing the Trainee and other relevant parties where appropriate
- produce a report based on these investigations which outline;
  - o the process followed
  - o the information gathered
  - o the conclusions drawn o any recommendations which will lead to improved provision and/or reduce the chance of similar complaints occurring
  - o ensure the Trainee (and his/her representative where appropriate) receive a copy of the investigation together with copies of the information considered
- write to the Trainee setting out the outcome of the formal stage, outlining the reasons for each decision made.

This letter will also include information about:

- the Trainee's right to take the complaint to the review stage and the grounds for such a referral
- the time limit for escalating to the review stage
- the appropriate procedure and support available.

Where the complaint has been upheld, PCP SCITT will explain how and when it will implement any remedy and what the Trainee can do if s/he remains dissatisfied.

### **Stage 3: Review Stage (final internal PCP SCITT stage)**

If the Trainee is dissatisfied with the outcome of the formal stage, he or she can request a review. A review may cover:

- a review of the procedures followed at the formal stage
- a consideration of whether the outcome was reasonable

- any new material evidence that the Trainee was unable, for valid reasons, to provide at Stage 2.

The review will not:

- re-hear the complaint afresh
- involve a further investigation.

A complaint must have been considered at the formal stage (Stage 2) before it can be escalated to the review stage. If a complaint reaches this stage, a Review Panel drawn from PCP SCITT Partnership Board will consider the way in which the complaint was investigated in Stage 2. The Trainee will be invited in writing to attend a hearing and given 10 days' notice of the hearing date.

- Trainees will be offered the opportunity to be accompanied by a friend, family member, or representative from a Teaching Union or Students' Union.
- The Trainee will be provided with information about the composition of the panel, a copy of the evidence to be considered and information about the support that is available to them including contact details.
- The panel will consist of three members of the Strategic Board. They will consider the evidence and there will be an opportunity for the Trainee and investigating officer make a presentation.
- A record of the meeting will be taken recording the date, people in attendance, a brief summary of the meeting. The Panel will consider the following questions:
  - o Were the relevant procedures followed during the formal stage?
  - o Was the outcome reasonable in all the circumstance?
  - o Has the trainee received clear reasons why the complaint was rejected at the earlier stage?
  - o If new material evidence has been provided, has the Trainee given valid reasons for not supplying this earlier?

The Review Panel, having considered the material submitted to them may:

1. overturn the outcome of the formal stage and recommend a remedy
2. refer the complaint back to the formal stage for reconsideration
3. uphold the outcome of the formal stage.

The Chair of the Review Panel will write to the Trainee with their decision and an outline of the reasons for their decision within three working days of the hearing. Where appropriate, this letter will also advise the Trainee on their right to submit a complaint to the OIA, the time limit for doing so and where and how to access advice and support with this process.

#### **Stage 4: Independent External Review (OIA)**

Once the review stage is completed, the Trainee is entitled to ask the Office of the Independent Adjudicator for Higher Education (OIA), the independent ombudsman service, to review his or her complaint about the outcome of PCP SCITT's complaint process. The complaint should be submitted

to the OIA within 12 months of the date of the Completion of Procedures letter from the Chair of the Review Panel.

## **6. GENERAL DATA PROTECTION REGULATIONS**

- PCP SCITT will retain data related to the complaint for 6 years from the start of the complaint and after this time all data will be deleted. All data will be stored securely during this time.
- All complaints will be treated confidentially. PCP SCITT will only disclose information to those who need it to investigate the complaint or to respond to the issues raised. In some circumstances data may be used to consider whether a Trainee is fit to practice.
- If a Trainee makes a complaint, they should only include any necessary information about third parties. Evidence provided must focus on the impact that a third party has had on the Trainee themselves. For example, if the mitigation is based on the health of a family member, PCP SCITT do not need to see the detailed medical information about that person.