

## Trainee Complaints Policy

### Purpose

1. This Policy is designed to ensure that trainees have a full opportunity to raise, individually or collectively, matters of concern to them without fear of disadvantage and in the knowledge that privacy and confidentiality will be respected. Complaints will be dealt with promptly and fairly. Where a complaint is upheld, an appropriate remedy will be offered, within the bounds of what is reasonable and practicable for the Consortium to provide.
2. BEC Teacher Training (BECTT) welcomes feedback as this can bring to our attention concerns that could be resolved before they become a cause for complaint. Trainees can give their views on all aspects of their experience directly to the relevant area, via the Course Director (secondary) or Executive Director (primary).
3. The Complaints Policy operates in accordance with the Quality Assurance Agency (QAA) UK Quality Code for Higher Education Chapter B9: Appeals and Student Complaints published in April 2013, and the good practice framework for handling complaints and academic appeals issued by the Office of the Independent Adjudicator (OIA) in December 2014.

### Definitions

4. A complaint is defined by the OIA as “an expression of dissatisfaction by one or more trainees about an institution’s action or lack of action, or about the standard of service provided by or on behalf of the institution”.
5. The person (trainee or applicant) bringing the complaint will be referred to within this Policy as the complainant.

### Scope and Principles

6. This Policy applies to applicants to, and trainees who are enrolled on, all courses offered by BECTT. It is also available to trainees for three months after they have left BECTT.
7. There are specific procedures that deal with academic appeals against decisions of Assessment Boards, or appeals in relation to Academic Misconduct, Extenuating Circumstances, Fitness to Practise, Fitness to Study, Trainee Discipline, and Criminal Convictions. Any appeals or complaints that fall outside these procedures are dealt with under this Complaints Policy. Advice is available from the BECTT office.
8. The complainant will not have the right to have the same case heard again through a different complaints route.
9. Complaints will normally be considered individually. Where complaints raised by a number of complainants involve the same issue, the complaints may be considered collectively, subject to any confidentiality requirements. In such circumstances, the individual complainants involved will normally be invited to nominate one of their number as a spokesperson to facilitate the process.

10. In order to enable the full investigation of a complaint and communication of the outcome, BECTT will not accept anonymous complaints.
11. In considering complaints, BECTT will apply the policy in accordance with its Equality and Diversity Policy. In particular, reasonable adjustments will be made for those with disabilities, specific learning disabilities, or long-term medical conditions.
12. All personal information will be processed in accordance with the General Data Protection Regulation (GDPR).
13. All parties to the complaint and individuals who are involved in any related investigation and/or administration of the complaint must observe the requirement for confidentiality. Whilst confidential information may need to be disclosed in order to consider the complaint, this will only be to those staff involved in consideration of the complaint.
14. BECTT expects that trainees will not engage in frivolous, vexatious or malicious complaints. This could include:
  - complaints which are harassing, repetitive or pursued in an unreasonable manner;
  - insistence on pursuing non-meritorious complaints and/or unrealistic or unreasonable outcomes;
  - complaints designed to cause disruption or annoyance;
  - demands for redress which lack any purpose or value.

In such cases, the Executive Director or nominee reserves the right to terminate consideration of the complaint. The complainant will be given an explanation, in writing, of why their complaint has been terminated and details of any further right to complain. Where a complaint is found to have been brought with frivolous, vexatious or malicious intent, this may itself prove grounds for disciplinary action against the complainant.

15. Information which comes to light as a result of a complaint may lead to BECTT or other agencies taking other kinds of action. This includes staff and trainee disciplinary procedures and civil or police investigations. If this happens the resolution of the complaint may be delayed until that other action has been taken. Complainants will be informed if this is the case and advised of a new date by which it is intended to complete enquiries.

### **Outline of Procedure**

16. The Complaints Policy comprises three stages: an informal stage for early resolution; a formal stage if a complainant was not able to resolve their complaint informally and wishes to pursue their concerns further; and a review stage which a complainant may follow if they were not satisfied with the outcome of their formal stage complaint. At any time during the formal and review stages, the BECTT office may attempt to resolve the matter in collaboration with other colleagues.
17. A complainant can withdraw their complaint at any point providing the BECTT office is advised in writing, but may not later re-launch the complaint.
18. Whilst it may not always be necessary to hold face-to-face meetings when a complaint is considered, either party may request a meeting. Throughout the Procedure the complainant has the right to be

accompanied at meetings by a friend. A friend is defined as a member of staff of BECTT or school mentor, or a registered trainee of BECTT, or a member of staff or officer of a teachers' union. The role of the friend is to act as an observer, give moral support and to assist the complainant to make their case. In addition, where reasonable adjustments are required, a complainant may be accompanied by a supporter e.g. a sign language communicator or a notetaker, and a complainant with difficulty in understanding English may be accompanied by an interpreter. Teachers' unions offer an advocacy service including independent advice and support at meetings. If attendance at a meeting is not possible, an alternative may be arranged, for example a telephone or Skype call.

### **EARLY RESOLUTION (INFORMAL STAGE)**

19. In the first instance a complainant should seek to resolve the matter in an informal manner by taking it up as quickly as possible with the person(s) most directly involved, if at all practicable. This may involve contacting their mentor, another member of academic staff or other appropriate person. This is often best done verbally and informally, although a complainant may present their complaint in writing if they wish.
20. The member of staff involved will report back to the complainant and attempt to resolve the problem.
21. Most complaints will not need to progress beyond this initial stage. However, should the informal approach not resolve the matter to the complainant's satisfaction, the complainant may make a formal complaint under the Formal Stage of the policy.

### **FORMAL STAGE**

#### **Submitting a Formal Stage Complaint**

22. To make a formal complaint, the complainant must submit the completed Complaint (Formal Stage) form (Appendix 1) and any supporting documents to the BECTT office within three months of the matter occurring. The complainant will need to clearly define the resolution they are seeking.
23. Complaints about matters that occurred more than three months ago will not normally be considered without good reason for the delay. The Executive Director will determine whether a late complaint can be accepted. This decision will be final. If the late complaint is not accepted, the complainant will be issued with a Completion of Procedures letter.

#### **Consideration of Formal Stage Complaints**

24. All formal stage complaints submitted will be screened by the BECTT office to confirm that the complaint has been submitted under the correct procedure (see paragraph 7) and that the form is fully completed with necessary supporting documentation, including evidence of an attempt at early resolution. The Executive Director may ask the complainant for further clarification and/or additional evidence.
25. Where additional evidence and/or clarification is requested from the complainant, this should be submitted to the BECTT office by the given deadline. Should it not be received by this date, the complaint will be considered on the evidence provided with the original submission.

26. Where a complaint has met the requirements as detailed in paragraph 24 above, the BECTT office will acknowledge the complaint and inform the complainant who will be dealing with the complaint (the Investigating Officer), normally within five working days of receipt. The Investigating Officer will normally be the appropriate person, providing they are sufficiently removed from any earlier process. Where a person was involved in consideration of the complaint at the informal stage, the Executive Director will appoint an appropriate person from another area to act as the Investigating Officer.
27. The Investigating Officer will consider the complaint and may talk to key staff and other trainees, as well as considering relevant documents and other written evidence. A meeting may also be arranged with the complainant (see paragraph 18) to discuss the complaint and consider options for a mutually acceptable resolution.
28. If the complaint is against another trainee (the alleged perpetrator), the Investigating Officer may discuss the complaint with the alleged perpetrator and give him/her the opportunity to respond. The alleged perpetrator may bring a friend (as defined in paragraph 18 above) to the meeting. If the Investigating Officer decides that there is a case to answer, the alleged perpetrator will be subject to disciplinary action under the Trainee Discipline Policy and/or Fitness to Practise Policy.
29. If the complaint is against a member of BECTT staff, the Investigating Officer may refer the matter to the Accounting Officer for consideration under the appropriate staff procedure.
30. Following their investigation, the Investigating Officer will provide a written response to the complainant via the BECTT office, normally within twenty working days of the date of the acknowledgement letter. The response will include the decision with regard to the complaint, the reasons for the decision, and, if the complaint is upheld, notice of any specific action to be taken by way of remedy and for the prevention of a recurrence of the original cause of the complaint if relevant.
31. Where the complexity of the case or the sourcing of additional information prevents the complaint from being fully responded to within twenty working days, the BECTT office will inform the complainant of the delay and an expected date by which a full response will be issued.

## **REVIEW STAGE**

### **Submitting a Review Stage Complaint**

32. The complainant must submit a completed Complaints (Review Stage) form (Appendix 2) and any supporting evidence to the BECTT office within ten working days of the receipt of the written outcome of the formal stage of the Complaints Policy. The complainant should contact the BECTT office immediately if they are unable to meet this deadline. The Executive Director or nominee will determine whether a late form can be accepted. This decision will be final. If the late form is not accepted, the complainant will be issued with a Completion of Procedures letter.
33. The complainant must state the grounds on which they wish to proceed to review stage and must include all necessary supporting evidence and documentation. The complainant must also clearly define the resolution they are seeking.

### **Grounds for Review Stage Complaints**

34. The grounds on which a review stage complaint can be considered are:
- a) There is new information put forward by the complainant that was not known to the Investigating Officer dealing with the original complaint and which could not have reasonably been made known to the Investigating Officer before they made their decision.
  - b) Evidence put forward at the formal stage was not fully and properly considered and/or the outcome was not reasonable in the circumstances.
  - c) There was procedural irregularity in the conduct of the formal stage.
  - d) There was prejudice and/or bias or the appearance of prejudice and/or bias in the conduct of the formal stage.

### **Consideration of Review Stage Complaints**

35. The BECTT office will acknowledge receipt of the review stage complaint form and undertake an initial assessment of the form in consultation with the Executive Director or nominee. The Executive Director or nominee will take into account all documentary evidence supplied by the complainant, including the original Complaints (Formal Stage) form (Appendix 1) and outcome letter, the Complaints (Review Stage) form (Appendix 2) and any other written response(s) by the relevant person, and determine whether there are grounds for the complaint to be considered further at review stage.
36. If the Executive Director or nominee determines that there is no basis for the complaint to be considered further, he/she will consult with a member of the Strategic and Finance Board. If the decision is made that no further consideration should be given to the case then the complainant will have exhausted the internal procedures. The complainant will be informed of this decision in writing by the BECTT office through the issue of a Completion of Procedures letter, normally within twenty working days of receipt of the review stage complaint form. In such cases, the complainant may be able to seek a further review of their complaint by the OIA (see paragraph 40).
37. If the Executive Director or nominee considers that there is a basis for further consideration, or if the member of the Strategic and Finance Board requests further consideration, then the complaint will be referred to the Accounting Officer or nominee. The complainant will be informed that the review is proceeding, normally within five working days of the receipt of their review stage complaint.
38. The Accounting Officer or nominee will conduct the review and assemble the evidence relevant to the complaint. In assembling such evidence, the Accounting Officer or nominee may interview those involved and will consider any relevant records or other written information. The review should be concluded within fifteen working days of referral to the Accounting Officer or nominee. If the review is going to extend beyond this time, the complainant will be informed and given a likely timescale for completion of the review.
39. On conclusion of the review, the Accounting Officer or nominee will produce a report of his or her findings, which will be considered by the Executive Director in consultation with a senior representative of the Strategic and Finance Board. The complainant will receive a written response from the Accounting Officer, via the BECTT office, within five working days of the completion of the review. The response will be a Completion of Procedures letter and will include the decision with regard to the complaint, the reasons for the decision, and, if the complaint is upheld, notice of any specific action to be taken by way of remedy and for the prevention of a recurrence of the original cause of the complaint if relevant. The issue of a Completion of Procedures letter concludes the internal procedures.



## **Office of the Independent Adjudicator for Higher Education (OIA)**

40. If having exhausted the above Complaints Procedure the complainant considers that their complaint has not been satisfactorily dealt with, they may be able to take their complaint to the OIA. If the complainant is, or was, a registered trainee, details of the OIA scheme will be sent with the Completion of Procedures letter. Details are also available from the OIA website ([www.oiahe.org.uk](http://www.oiahe.org.uk)). The OIA will normally only consider complaints where a Completion of Procedures letter has been issued, and will not consider complaints about admissions.

## **Monitoring and Evaluation**

41. BECTT will monitor and evaluate the effectiveness of the Complaints Policy and reflect upon the outcomes for enhancement purposes. A report will be submitted annually to the Strategic and Finance Board. The report will include equality monitoring data.

## TRAINEE COMPLAINTS FORM (Formal Stage)

You should complete this form if you want to formally raise concerns related to academic matters but not academic results, BECTT's action or lack of action, or about the standard of service provided by or on behalf of BECTT.

Before completing this form and beginning formal procedures, you should first have attempted to resolve the matter informally (also referred to as early resolution). Support and advice is available from a number of sources – try speaking to your mentor or Course Director. The BECTT office and/or a teachers' union will also provide confidential and independent advice.

To begin the formal procedure, complete this form as indicated in each section. You will need to provide details of your attempts at early resolution and attach all evidence relevant to your complaint. If you have any concerns or queries about filling in the form, the people mentioned above will be pleased to discuss these with you.

### SECTION A – YOUR PERSONAL DETAILS

Full Name			
Trainee Number			
Preferred address for postal correspondence			
		Postcode	
Telephone number			
Email address			

**NOTE:** Acknowledgement of receipt of your form and any progress updates will be sent to your email address, and copied to the address provided above.

*If the contact details above are different to those held by BECTT, please send updated contact details to the BECTT office as soon as possible.*

### SECTION B – YOUR COURSE DETAILS (if applicable)

Course title	
Year of study	

Full-time or part-time

**SECTION C – YOUR COMPLAINT**

**C1: What does your complaint relate to?:** *Please provide details of your complaint*



**C2: What attempts have you made at early resolution?**

**Please provide below details of the action you have taken to try to resolve your complaint informally.**

**C3: How would you like your complaint to be resolved?**

## SECTION D – SUPPORTING EVIDENCE

Please list below the evidence you are attaching to support your complaint

## SECTION E – DECLARATION

I confirm that the information given on this form and in supporting documents is true to the best of my knowledge and belief.

I agree that my complaint may be disclosed to relevant members of BECTT to the extent necessary for its consideration.

I authorise the reviewer(s) of this complaint to consider this form and any relevant information held by BECTT to the extent necessary for the consideration of my complaint.

Signed	
Date	

### ***Where to submit your formal complaint***

Once completed, this form and your supporting evidence should be submitted to the BECTT office.

Email: [fiona@billericayBECTT.com](mailto:fiona@billericayBECTT.com)

Post: BEC Teacher Training  
c/o The Bromfords School & Sixth Form College  
Grange Avenue  
Wickford  
Essex SS12 0LZ

## TRAINEE COMPLAINTS FORM (Review Stage)

You should complete this form if you have been notified of the outcome of your Formal Stage Complaint and are still not satisfied.

Before completing this form, it may be helpful to seek advice about your concerns. Support and advice is available from a number of sources – try speaking to your mentor or Course Director. A teachers' union will also provide confidential and independent advice.

If you have any concerns or queries about filling in the form, the people mentioned above will be pleased to discuss these with you.

### SECTION A – YOUR PERSONAL DETAILS

Full Name			
Trainee Number			
Preferred address for postal correspondence			
		Postcode	
Telephone number			
Email address			

**NOTE:** Acknowledgement of receipt of your form and any progress updates will be sent to your email address, and copied to the address provided above.

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### SECTION B – YOUR COURSE DETAILS (if applicable)

Course title	
Year of study	
Full-time or part-time	

## SECTION C – YOUR FORMAL STAGE COMPLAINT

When did you submit your formal stage complaint?

What was the outcome of your formal stage complaint?

When were you informed about the outcome of your formal stage complaint?

## SECTION D – YOUR REVIEW STAGE COMPLAINT

**D1: What are the grounds for your review stage complaint?** *(tick all that apply and provide details below)*

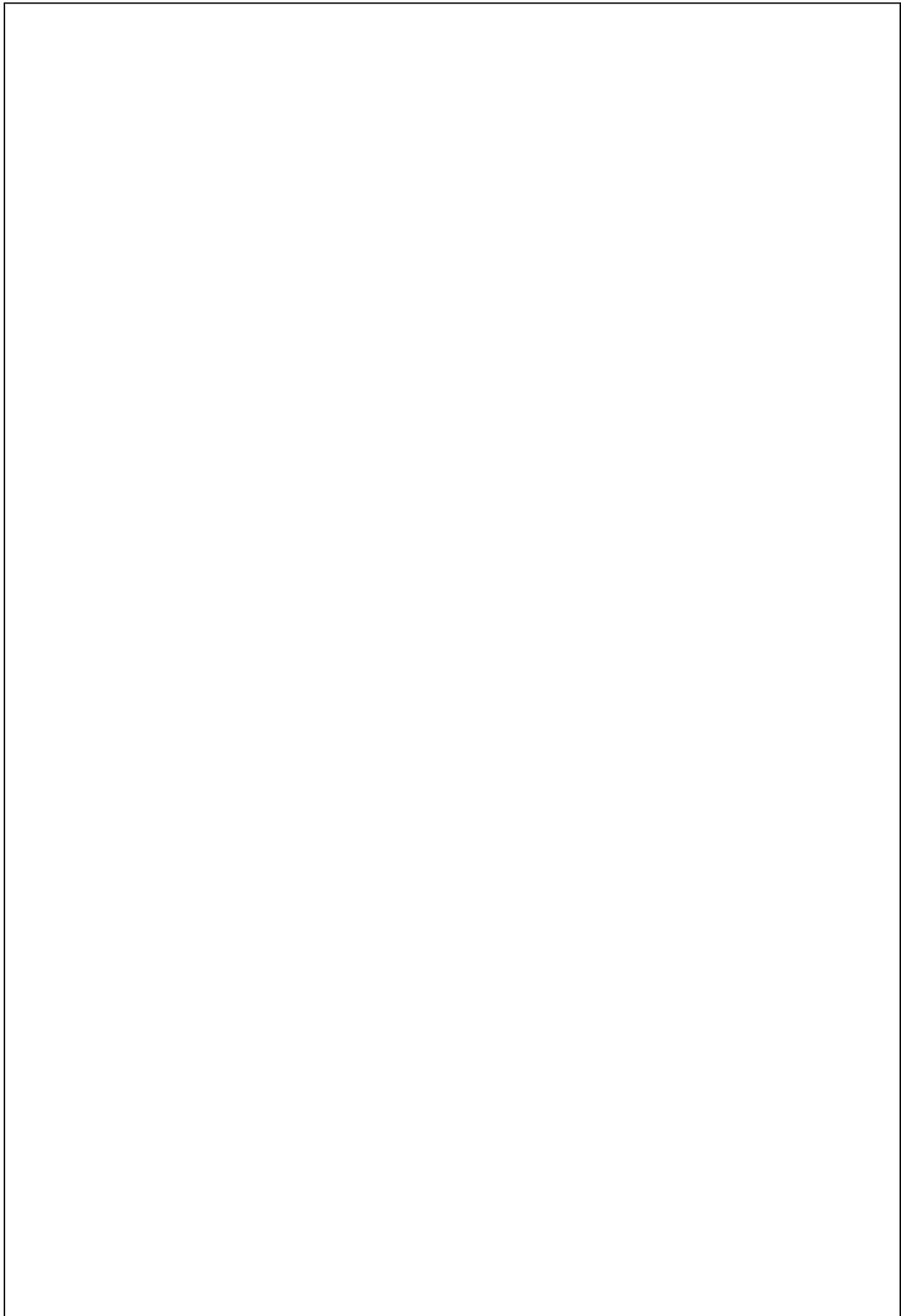
There is new information put forward by the complainant that was not known to the Investigating Officer dealing with the original complaint and which could not have reasonably been known to the Investigating Officer before they made their decision.

Evidence put forward at the formal stage was not fully and properly considered and/or the outcome was not reasonable in the circumstances

There was procedural irregularity in the conduct of the formal stage.

There was prejudice and/or bias or the appearance of prejudice and/or bias in the conduct of the formal stage.

**Please explain the reason for your review stage complaint** *(continue overleaf if necessary)*



**D2: How would you like your complaint to be resolved?**

**SECTION E – SUPPORTING EVIDENCE**

**Please list below the evidence you are attaching to support your complaint**

## SECTION F – DECLARATION

I confirm that the information given on this form and in supporting documents is true to the best of my knowledge and belief.

I agree that my complaint may be disclosed to relevant members of BECTT to the extent necessary for its consideration.

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