

London East Teacher Training Alliance

Trainee Complaints Policy & Procedures



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TRAINEE COMPLAINTS POLICY

1. INTRODUCTION

- 1.1 LETTA is committed to the provision of high quality courses of study and supporting services for all its trainees, but recognises that things can sometimes go wrong. Trainees are entitled to complain if the quality of any course or service is inadequate.
- 1.2 The purpose of the Trainee Complaints Procedure is to enable any legitimate complaints which trainees may have about its educational provision, and related services, to be dealt with as quickly as possible. LETTA's Partnership Agreement provides the framework defining the services and educational provision offered to trainees. LETTA aims through this Complaints Procedure to operate a simple, clear and fair process which seeks resolution of a complaint in an open and reasonable manner at the earliest possible stage. It will use information gained from the complaints process to improve the quality of its provision. In this spirit LETTA encourages informal resolution of the problem wherever possible.
- 1.3 Complaints regarding the PGCE will use the procedures of the partner HEI with close liaison being maintained with LETTA.

2. PRINCIPLES

2.1 Confidentiality

- 2.1.1 All complaints will be handled sensitively and with due consideration to confidentiality for both trainees and staff associated with LETTA. Data collected as part of a complaint will be treated in accordance with the Data Protection Act and relevant LETTA policies.
- 2.1.2 No trainee bringing a complaint under this procedure, whether successful or otherwise, will be treated less favourably by any member of staff associated with LETTA than if the complaint had not been brought. If evidence to the contrary is found in this regard then LETTA will bring this to the attention of the relevant employers of the member of staff involved.

2.1.3 Any person named in a complaint will be informed of the substance of the complaint and will have a right of reply as part of the investigation. Information contained within the complaint will be made available only to the members of staff involved in its resolution.

2.2 Vexatious or Mischievous Complaints

2.2.1 Any complaint found to be vexatious or mischievous may result in disciplinary action against the complainant.

2.3 Anonymous Complaints

2.3.1 Complaints require investigation to enable resolution; where a complaint is made anonymously it will not be possible to undertake such an investigation. For practical reasons therefore, normally no action will be taken in the event of complaints made anonymously. There may, however, be exceptional circumstances where LETTA deems it appropriate to take action or investigate a matter on the basis of an anonymous complaint. Any decision to do so must be agreed by the Accounting Officer, in consultation with the Programme Leader. If the anonymous complaint is against the Programme Leader and vice versa, then the Board will be consulted.

2.4 Group Action

2.4.1 Complaints will normally be brought by individuals, but where complaints address an identified common issue, a response may be made with agreement from all parties to the group as a whole, or its representative.

2.5 Timescale Restraints

2.5.1 Complaints must normally be made within one month of the pertinent event.

2.5.2 Failure by the recipient of a complaint at any stage to respond within the timescale set out within the following procedure shall give the complainant the automatic right to request to proceed to the subsequent stage.

2.5.3 Failure of the complainant to meet the timescale without good cause shall result in the automatic termination of the complaint.

2.5.4 Timescales may, in exceptional circumstances, be extended by the agreement of both parties.

2.7 Documentation

2.7.1 Trainees must provide appropriate documentation when submitting a complaint.

2.7.2 Recipients of a complaint under this procedure must record its existence and outcome with the Complaints Officer.

2.7.3 Documentary evidence will be kept during and after the procedure and will be destroyed in accordance with procedures agreed by LETTA.

3. SCOPE AND ELIGIBILITY OF THE COMPLAINTS PROCEDURES

3.1 Any trainee registered with LETTA may use the complaints procedure.

3.2 Complaints are defined by LETTA as any legitimate concern about any matters related to the provision of training or any related service as outlined in LETTA's Partnership Agreement.

4. REMEDY

4.1 Where a complaint is upheld, LETTA will endeavour to provide a remedy that is appropriate and proportionate to the specific complaint. At any stage of a complaint the recipient may, if it lies within their contractual remit, offer an appropriate remedy, subject to the approval of LETTA.

5. ADVICE, SUPPORT, REPRESENTATION AND GUIDANCE

5.1 Help, support, representation and guidance are available from a number of sources within LETTA, within schools, and from professional organisations. However, it is the complainant's responsibility to seek advice and assistance where necessary. The following are key points of contact for help or advice:

- The trainee's union or professional body.

- The trainee's LETTA tutor. If the complaint is against a LETTA tutor, then the trainee should consult with the Programme Leader or another appropriate person from within LETTA.
- The trainee's school-based mentor. If the complaint is against the school-based mentor, then the trainee should consult with the Programme Leader

6. MONITORING, EVALUATION AND REVIEW

- 6.1 Responsibility for the management and operation of the Trainee Complaints Procedure resides with the Programme Leader. The Programme Leader will oversee the tracking of complaints progressed through the procedure and will ensure that records show the nature of the complaint, how it was dealt with, the time taken for

each part and the outcome. All data held will be monitored in accordance with LETTA's equal opportunities policies. If the complaint is against the Programme Leader, then a person nominated by the Accounting Officer will manage the complaint procedure.

- 6.2 The Trainee Complaints Procedure is one aspect of LETTA's quality assurance procedures; complaints are therefore considered as useful feedback and, where appropriate, will be used to facilitate improvements to services and facilities. This will be achieved through annual reporting to the LETTA Board.
- 6.3 This procedure will be subject to an **annual review** or sooner, especially where new legislation, regulations or Codes of Practice are introduced.

TRAINEE COMPLAINTS PROCEDURE

1. INTRODUCTION

- 1.1 The procedure is divided into two parts - an informal procedure and a formal procedure. This is intended to support LETTA's commitment to resolving complaints speedily and at the most local level possible. At both parts the issues and outcome should be recorded and where possible agreed by both parties. At the formal stage staff identified in Appendix B will manage and facilitate the process. Their role is to ensure that the formal procedure is operated according to due process and with regard to the spirit of, and timescales identified in, the procedure.

2. INFORMAL (GUIDANCE) PROCEDURE

- 2.1 Wherever possible and appropriate trainees with a complaint should in the first instance seek an informal resolution. A trainee with a complaint should raise it directly with a relevant member of staff in order that wherever possible it can be resolved immediately.
- 2.2 Although informal, the complaint and action taken should be recorded and retained by the member of staff dealing with the complaint. A copy should be forwarded to the Programme Leader. Where the complaint is against the Programme Leader, the copy should go to the Accounting Officer.
- 2.3 Should an informal approach prove ineffective or inappropriate then the formal procedure detailed below should be invoked.

3. FORMAL PROCEDURE

3.1 Stage 1

- 3.1.1 Complaints must be in writing and should use the Trainee Complaint Procedure form (Appendix A) and be sent to LETTA's Complaints Officer (as detailed in Appendix B).
- 3.1.2 Complaints must be made normally within one month of the pertinent event.

- 3.1.3 On receipt of the complaint, the Complaints Officer will forward the complaint to the Accounting Officer who will appoint an Investigating Officer to oversee the investigation of the complaint. The Investigating Officer will usually be the Programme Leader. The Investigating Officer will ensure that a written acknowledgement to the complaint will normally be received within ten working days of its receipt. This will indicate the likely timescale in which the complaint will be investigated and a response made. It will also state who will undertake the investigation. A response should normally be received within one calendar month from receipt of the complaint. If for any reason this timescale cannot be met, the complainant should be notified in writing and informed of the reason why and of the revised timescale for the investigation.
- 3.1.4 The Investigating Officer should normally meet with the complainant to discuss the complaint as part of the investigation. The complainant may be accompanied by a representative of their choice.
- 3.1.5 Should the response received at Stage 1 fail to satisfy the complainant, Stage 2 of the complaints procedure may be evoked. The complainant must normally do this within 10 working days of the date of the response from the Investigating Officer.

3.2 Stage 2

- 3.2.1 The complainant should notify their continued dissatisfaction in writing to the Complaints Officer who will forward the complaint to the Director of School Improvement
- 3.2.2 A written acknowledgement to the complainant from the Director of School Improvement will be received within ten working days of its receipt. This will indicate the likely timescale in which the complaint will be investigated and a response made. A response to the complainant should normally be received within one calendar month from receipt of the complaint. If for any reason this timescale cannot be met the complainant should be notified in writing and informed of the reason why and the revised timescale.
- 3.2.3 The Director of School Improvement will investigate the complaint at this stage. They should normally meet with

the complainant to discuss the complaint as part of the investigation. The complainant may be accompanied by a representative of their choice.

3.2.4 Should the response received at Stage 2 fail to satisfy the complainant, Stage 3 of the complaints procedure may be invoked. The complainant must normally do this within 10 working days of the date of the response.

3.3 Stage 3

3.3.1 If a complainant is still not satisfied by the response they have received to Stage 2, then within 10 working days of the date of response, the complainant should write to the Complaints Officer who will forward a copy to the Accounting Officer who will then be responsible for establishing a panel to hear the complaint.

4. COMPLAINTS PANEL: MEMBERSHIP

4.1 A panel of three people, none of whom have had any dealings with the complaint at the previous levels (formal or informal) will investigate the complaint. Panel membership should take account of equality issues such as gender and ethnicity.

4.2 The panel will include a member the LETTA Steering Board, who will chair the panel and a member of staff associated with LETTA selected by the Accounting Officer. The third member of the panel will be a school-based mentor or Head Teacher.

4.3 Either party to the complaint shall be given the opportunity in advance to veto any member of the panel for good reason.

5. COMPLAINTS PANEL: CONDUCT

5.1 The panel should normally meet to consider the complaint within 21 working days of receipt of the complaint.

5.2 The panel will investigate the complaint where both parties to the complaint and their representatives (if desired) will be invited to present evidence, call witnesses (previously named), and question those giving evidence.

5.3 All files and documentation pertinent to the case will be made available to all parties within the constraints of the '1998 Data Protection Act' and subsequent relevant legislation.

- 5.4 Following the hearing, the panel will report its findings to the Accounting Officer. It will have the authority to make recommendations to the Accounting Officer as to the appropriate outcome of the complaint.
- 5.5 Normally within 21 working days of the complaint being considered by the Panel, the Accounting Officer will provide a written response to the complainant, including the reasoning behind the decision and any remedy.

6. EXTERNAL REDRESS

- 6.1 If the response to the complaint is still not acceptable to the complainant, redress may be sought from an Independent External Reviewer recognised within these procedures.
- 6.2 The recognised external person or body shall review the way in which the case has been handled and the decision that has been taken.
- 6.3 The complainant at this stage should submit the original complaint and all documentary evidence relating to their case, directly to the Independent External Reviewer, copying all documentation to the Complaints Officer for information, normally within twenty-one days of being informed of the outcome of Stage 3.
- 6.4 The Independent External Reviewer will report the final outcome of the review normally within a further twenty-eight days to the Accounting Officer for action as appropriate, as well as formally to the complainant.
- 6.5 If the complainant remains dissatisfied, s/he may have recourse to judicial review.

8. The Office of the Independent Adjudicator for Higher Education

LETTA is a member of the OIA Scheme. All trainees can make a formal complaint to the OIA about LETTA and the provider that validates the PGCE, as long as the latter is a member of the scheme. The OIA will consider complaints once the internal procedures of providers have been completed. Information about this process can be found on <http://www.oiahe.org.uk/>

APPENDICES

FORMAL COMPLAINTS FORM

Complete all sections below and forward to the relevant Complaints Officer (see Appendix B).

TRAINEE DETAILS (Please PRINT):

TRAINEE NAME.....

CONTACT DETAILS.....

.....

COURSE:.....

DATE COMPLAINT SUBMITTED:.....

OUTLINE OF COMPLAINT:

Have you already raised the concerns **informally** in the first instance: **YES / NO** (circle). If yes,

State staff involved.....

Date concerns raised.....

COMPLAINT:

Outline below a factual statement of the circumstances related to the complaint and/or attach separate sheet(s) securely to this form.

REDRESS SOUGHT:

Signed (Trainee):

Date:

If applicable, indicate any additional documentation attached:

FOR USE BY COMPLAINTS & INVESTIGATING OFFICER:

STAGE 1

Received by Investigating Officer

(IO).....

Position:.....

Date received by I.O.....Date Acknowledgement letter sent:.....

Action taken:

Outcome of Stage 1 (including letter to trainee and **date** completed):

Return all documents to Complaints Officer on completion of Stage 1

STAGE 2

Received by Investigating Officer

(IO).....

Position:.....

Date received by IO.....Date Acknowledgement letter sent:.....

Action taken:

Outcome of Stage 2 (including letter to trainee and **date** completed):

Return all documents to Complaints Officer on completion of Stage 2

STAGE 3

Received by Investigating Officer

(IO).....

Position:.....

Date received by IO.....Date Acknowledgement letter

sent:.....

Action taken:

Outcome of Stage 3 (including letter to trainee and **date** completed):

Return all documents to Complaints Officer on completion of Stage 3

To be completed by Complaints Officer

Stage 1: Documents returned complete

Signed:.....Date.....

Stage 2: Documents returned complete

Signed:.....Date.....

Stage 3: Documents returned complete

Signed:.....Date.....

Appendix B

STUDENT COMPLAINTS PROCEDURE CONTACT DETAILS

LETTA Complaints Officer

Shabana Miah, LETTA Administration Officer

Bygrove Primary School
Bygrove Road
London E14 6DN

smiah@letta.org.uk

LETTA Investigating Officer

Brigitte Boylan, LETTA Programme Leader

Bygrove Primary School
Bygrove Road
London E14 6DN

bboylan@letta.org.uk

Director of School Improvement

Ben Sperring

Bygrove Primary School
Bygrove Road
London E14 6DN

bsperring@letta.org.uk

Accounting Officer

Jo Franklin, CEO, LETTA Trust
Bygrove Primary School
Bygrove Road
London E14 6DN

jfranklin@letta.org.uk

Appendix C

Guidance Information

- i. How to make a complaint
- ii. Definition of Roles
- iii. Processing a complaint – Flow Chart

Any trainee wishing to make a complaint should in the first instance read the Trainee Complaints Policy and Procedure.

How to make a complaint

In the case of Informal Complaints

LETTA encourages trainees to raise complaints or concerns in an informal manner where appropriate to do so. This may take the form of a meeting with the person concerned, or writing an informal letter/email to that person. The **recipient** of an informal complaint should record the details on an Informal Concerns Record Sheet and forward the information to the Complaints Officer (See Appendix B).

In the case of Formal Complaints

It is usual practice for formal complaints to be made in writing, using the Formal Complaints Form in Appendix A. Trainees should complete all sections of the front side of this form. The reverse is to be completed by the Investigating Officer(s).

When completing this form, an outline of the complaint should be provided in the relevant section. This should be a factual statement of the circumstances you wish to report. In order for the complaint to be properly investigated you should, where relevant, include names of people concerned and be aware that these people may be spoken to in the course of the investigation. Also attach any 'evidence' which supports your complaint, recording brief details on the Complaints Form. Examples of evidence could include copies of information received relating to a service or course, 'witness' statements from other parties, copies of correspondence supporting your concerns/complaint. Evidence should support your complaint.

Submitting the Complaint

Appendix B details the contact details for the Complaints Officer of LETTA.

You can speak to the Programme Leader or the Complaints Officer about how to make a complaint. Additionally, your union or professional body will usually provide confidential and impartial advice and guidance.

Progressing a complaint

If the trainee is dissatisfied with the outcome of the complaint and wishes to initiate the next stage, it is his/her responsibility to submit the papers to the Complaints Officer within 10 working days of receipt of response. The Complaints Officer will then ensure that the appropriate person(s) investigate the complaint.

Definition of Roles

Complaints Officer

LETTA staff member who is the 'guardian' of the procedure, ensuring that each complaint is processed in accordance with policy and procedure. The Complaints Officer does not investigate complaints, but receives the information from a trainee and forwards it to an Investigating Officer.

Although he/she works for

LETTA, he/she is impartial and plays no part in investigating a complaint. The Complaints Officer will also compile, monitor and help evaluate data for annual review purposes.

A trainee may speak to the Complaints Officer to obtain updates on the progress of a complaint.

Investigating Officer

LETTA staff member who is responsible for investigating a formal complaint. The Investigating Officer will not be a Complaints Officer as defined above, but a senior member of staff within LETTA. It is his/her responsibility to ensure that receipt of the complaint is acknowledged, indicating the likely time-scale in which the complaint will be investigated and make an appropriate response. The Investigating Officer will normally meet with the trainee making the complaint.

Summary of the Process

Stage 1 – complaint investigated by Programme Leader or person nominated by the Accounting Officer.

Stage 2 – complaint forwarded to the Director of School Improvement who will investigate.

Stage 3 – an independent panel investigates, chaired by an appropriately independent person nominated by the Accounting Officer.

Next steps

The Independent External Reviewer

The Office of the Independent Adjudicator for Higher Education

<http://www.oiahe.org.uk/>

STAFF RECORD SHEET

INFORMAL TRAINEE CONCERNS

If the trainee wishes to make a **FORMAL** complaint, please refer to the Trainee Complaints Procedure.

RECIPIENT NAME (STAFF):.....

DATE OF RECEIPT:.....

TRAINEE NAME:.....

CONTACT DETAILS:.....

.....

COURSE:.....

Has the trainee given permission to approach relevant staff / external bodies (If applicable).

YES NO (circle)

BRIEF DETAILS OF CONCERNS RAISED:

REDRESS SOUGHT BY TRAINEE:

Details cont... (If applicable)

Details of Outcome

Any further action required?

Signed:

Date Forwarded to Complaints Officer:

Completed Record Sheets: Forward to the Complaints Officer on completion of actions.

Received by:..... Complaints Officer Date:.....