



Complaints Policy

Member of staff responsible	Victoria Lickley
Policy approved by	Sara Davidson
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Related documents	Assessment Toolkit Complaints Code of Conduct Equality, Diversity and Inclusion Trainee Contract
Signed-off by	Governance Board

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1. PURPOSE

The purpose of this complaints policy is to provide clear procedures for dealing with complaints and grievances made by trainees relating to Red Kite Teacher Training (RKTT). RKTT encourages a culture of listening to feedback and sharing with trainees the actions we have taken to respond to concerns; the complaints process should be seen as part of this wider positive culture.

2. SCOPE

- a. This policy can be used by anyone who is a current trainee with RKTT, or a trainee who completed their training with RKTT 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 University of Leeds Assignments / PGCE accreditation which are covered by http://www.leeds.ac.uk/secretariat/student_complaints.html
 - Complaints related to review or assessment judgements or decisions to terminate school placements which are covered by Red Kite Teacher Training's (RKTT) Appeals Policy
 - Complaints related to inappropriate behaviour by members of RKTT staff, staff in Red Kite partner schools or other trainees may be better dealt with using RKTT's Anti-Bullying Policy or Red Kite Learning Trust's (RKLT) Human Resources policies
- c. This policy has been produced following the Office of the Independent Adjudicator's [Good Practice Framework - Handling complaints and academic appeals \(oiahe.org.uk\)](http://www.oiahe.org.uk) revised in December 2022.

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 something a provider has done or not done, or about the standard of service provided by or on behalf of the provider". (OIAHE 2022)

Examples of complaints this policy aims to help resolve include:

- RKTT not meeting obligations, including those outlined in RKTT programme handbooks, general guidance documents and partnership agreement
- misleading or incorrect information on the RKTT website, promotional information or other RKTT material
- concerns about the delivery of the training programme, teaching or administration including elements provided by RK partner schools or other partners
- poor quality of facilities, learning resources or services provided directly by RKTT
- complaints about partner schools or other organisations providing a service on behalf of RKTT that the trainee feels has affected their learning experience
- RKTT's response to events causing significant disruption to the normal delivery of a course, service or other aspect of the trainee experience, such as industrial action or a public health emergency
- concerns about policies or procedures relating to financial support or welfare support

Examples of issues that are not normally handled as complaints include:

- a concern about a decision made regarding trainee progression, assessment and awards, which would normally be considered under the appeals process.
- a concern raised by a trainee about the outcome of their own disciplinary process. (At the end of any disciplinary appeal process (see Disciplinary Policy), the trainee could complain to the Office of the Independent Adjudicator [Office of the Independent Adjudicator for Higher Education - OIAHE](#).)
- a concern about a decision made under other specific regulations, such as fitness to practise. (At the end of any appeal process, the trainee could complain to OIAHE.)
- matters relating to the Student Loans Company, which has its own complaints procedures.

Note: A trainee complaint will usually be about something that has a direct impact on the person making the complaint. Where a trainee has a more general concern about policies or actions of a provider, there may be other ways to raise the matter. For example, the Programme Development Committee (PDC) might routinely discuss concerns raised by individual trainees with senior leaders on behalf of the whole cohort.

4. GENERAL PRINCIPLES

- RKTT aims to provide an outstanding training programme for the trainees it serves
- RKTT is committed to working in partnership with trainees and partner schools, taking account of trainee views in order to improve its service
- RKTT will seek to resolve complaints as informally and quickly as possible, including by mediation and conciliation where appropriate
- RKTT expects all parties to act reasonably and fairly towards each other, and to treat the processes themselves with respect
- RKTT will work to ensure this policy is used fairly, proportionally and in a timely way
- RKTT will consider their obligations under the equalities legislation when considering whether there are exceptional reasons to accept a complaint or academic appeal outside the normal time
- RKTT 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
- Trainees will be offered the opportunity to be accompanied to any meetings related to a complaint by a friend, family member, or representative from a Teaching Union or Students' Union
- RKTT 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:

Stage 1 - Informal resolution

Stage 2 - Formal stage

Stage 3 - Review Stage

Stage 4 - Independent external review (OIA)

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



Stage 1: Informal Resolution

Trainees should initially email their Early Career Leader (ECL) who will pass information on to the Leadership Team outlining their concerns. The Leadership Team 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/giving more information or a more detailed explanation
- suggesting solutions
- being empathetic and understanding when there is no apparent solution
- giving an apology where it seems appropriate to do so
- introducing trainee and staff conciliators

Stage 2: Formal Stage

This stage should be used when:

- a trainee is dissatisfied with the outcome of the informal resolution process
- the trainee has a good reason for not wanting to engage with early resolution
- early resolution was attempted, but the trainee remains dissatisfied and starts the formal process in line with RKT's procedures
- the issues raised are complex and will require detailed investigation
- RKT decides that the trainee's complaint should be considered at the formal stage without first trying early resolution, for example because the complaint is brought by a former trainee and there is no ongoing relationship

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. The trainee should try to include all their information and evidence when sending in their formal complaint or appeal as it may not be possible to consider further information later in the process.

On receipt of this form, RKT staff who have not previously been involved in the case (usually the Director or another member of the wider Red Kite Education leadership team) 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 outlines:
 - the process followed
 - the information gathered
 - the conclusions drawn
 - any recommendations which will lead to improved provision and/or reduce the chance of similar complaints occurring

- ensure the trainee (and their 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, RKTT will explain how and when it will implement any remedy and what the trainee can do if they remain dissatisfied.

Stage 3: Review Stage (final internal RKTT stage)

If the trainee is dissatisfied with the outcome of the formal stage, they can request a review. A review process will be led by a member of staff not previously involved in the case in order to minimise bias (usually a member of the wider Red Kite Education leadership team). 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 Complaints Committee convened by the RKTT Governance 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. The trainee will be informed of the date of the meeting and an explanation of what they need to do if they can't attend on that date or don't wish to attend. They will be provided with:

- the names of the panel members and their job titles
- the names of anyone else attending the meeting and what their role will be
- a statement informing them that they may be accompanied and who by (see below)
- an outline of how the meeting will proceed
- copies of relevant documents
- information about the support that is available to them including contact details

Trainees will be offered the opportunity to be accompanied by a friend, family member, or representative from a Teaching Union or Students' Union. Internal complaints and appeals procedures do not have the same level of formality as a court of law. In most cases it will not be necessary, appropriate or helpful for a trainee or the provider to be legally represented during a complaint. The involvement of a legal representative has potential to change the nature of the procedure or delay the process. The Director of RKTT would carefully consider whether it would be reasonable in the particular circumstances of the case to allow legal representation.

The Complaints Committee panel will consist of two members of the Governance Board, one member of the Delivery Group as well as any relevant RKTT staff, or Red Kite Learning

Trust staff (e.g. HR). They will consider the evidence and there will be an opportunity for the trainee and investigating officer make a presentation.

The panel will consider the following questions:

- Were the relevant procedures followed during the formal stage?
- Was the outcome reasonable in all circumstances?
- Has the trainee received clear reasons why the complaint was rejected at the earlier stage?
- If new material evidence has been provided, has the trainee given valid reasons for not supplying this earlier?

The panel, having considered the material submitted to them may:

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

A note of any meeting will be taken, setting out who attended, a brief outline of what took place and the reasons for the decisions taken. RKTT will not make or retain audio or video recordings of panel hearings or meetings but will consider requests from trainees to do this if it is considered a reasonable adjustment for some disabled trainees or staff. Trainees should not make recordings without permission.

The Chair of the Complaints Committee 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 a complaint or appeal is upheld, RKTT will explain how and when it will implement any remedy, whether that includes an apology, and what the trainee can do if they remain dissatisfied; 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.

N.B At any stage of the complaints process, RKTT may need to take steps to verify the evidence provided as the basis of complaints, for example by reviewing records or written information, and/or seeking further testimony from others involved. If it is found not to be genuine, it may decide to consider the matter under our disciplinary procedures.

Stage 5: 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 RKTT's complaint process.

6. GENERAL DATA PROTECTION REGULATIONS

- RKTT will retain data related to the complaint for 15 months 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. RKTT 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.

- RKTt will only share data with a trainee that is relevant to the complaint and reserves the right to redact or withhold information pertaining to other individuals in line with GDPR regulations.
- 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, RKTt do not need to see the detailed medical information about that person.



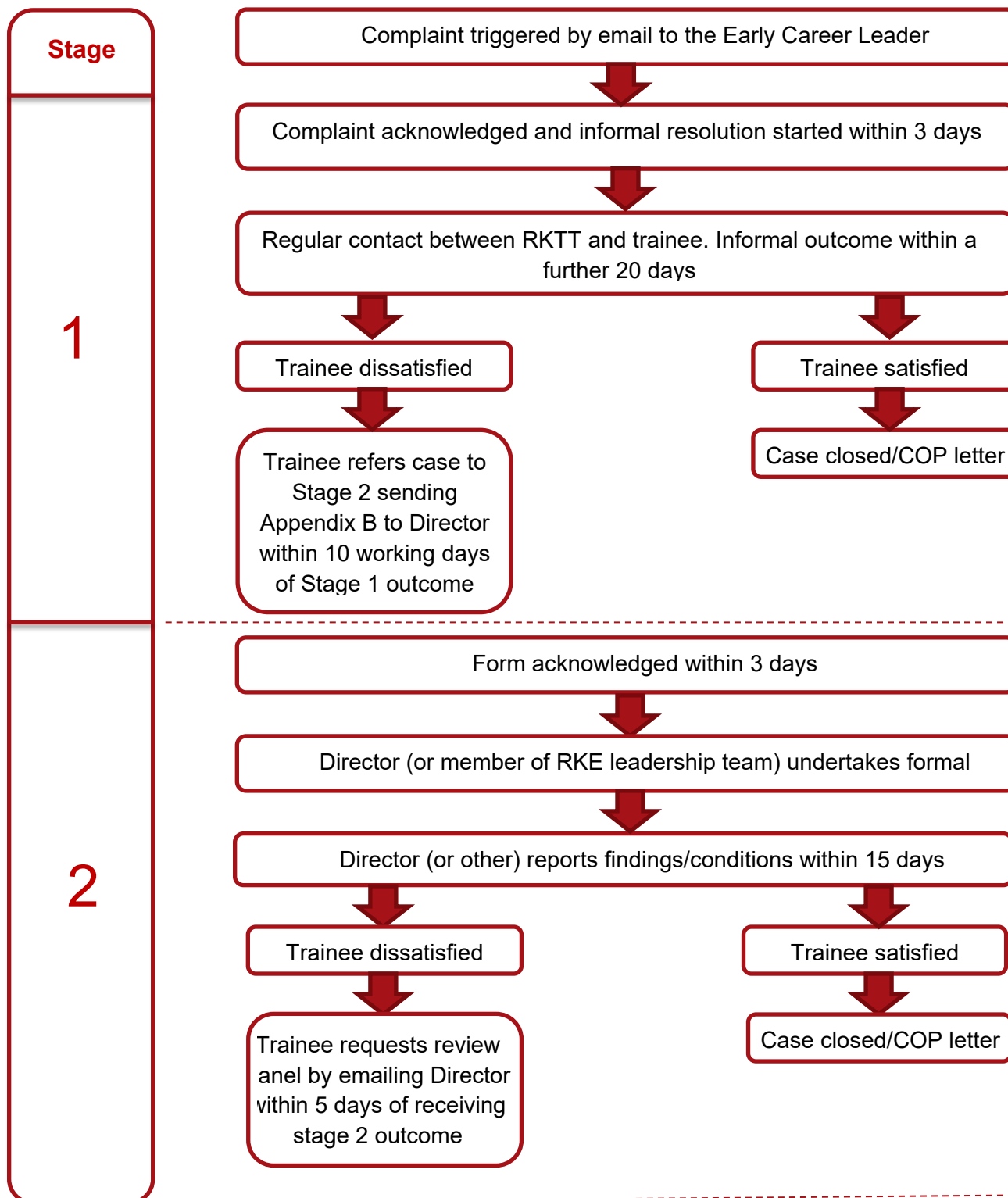
7. APPENDICES

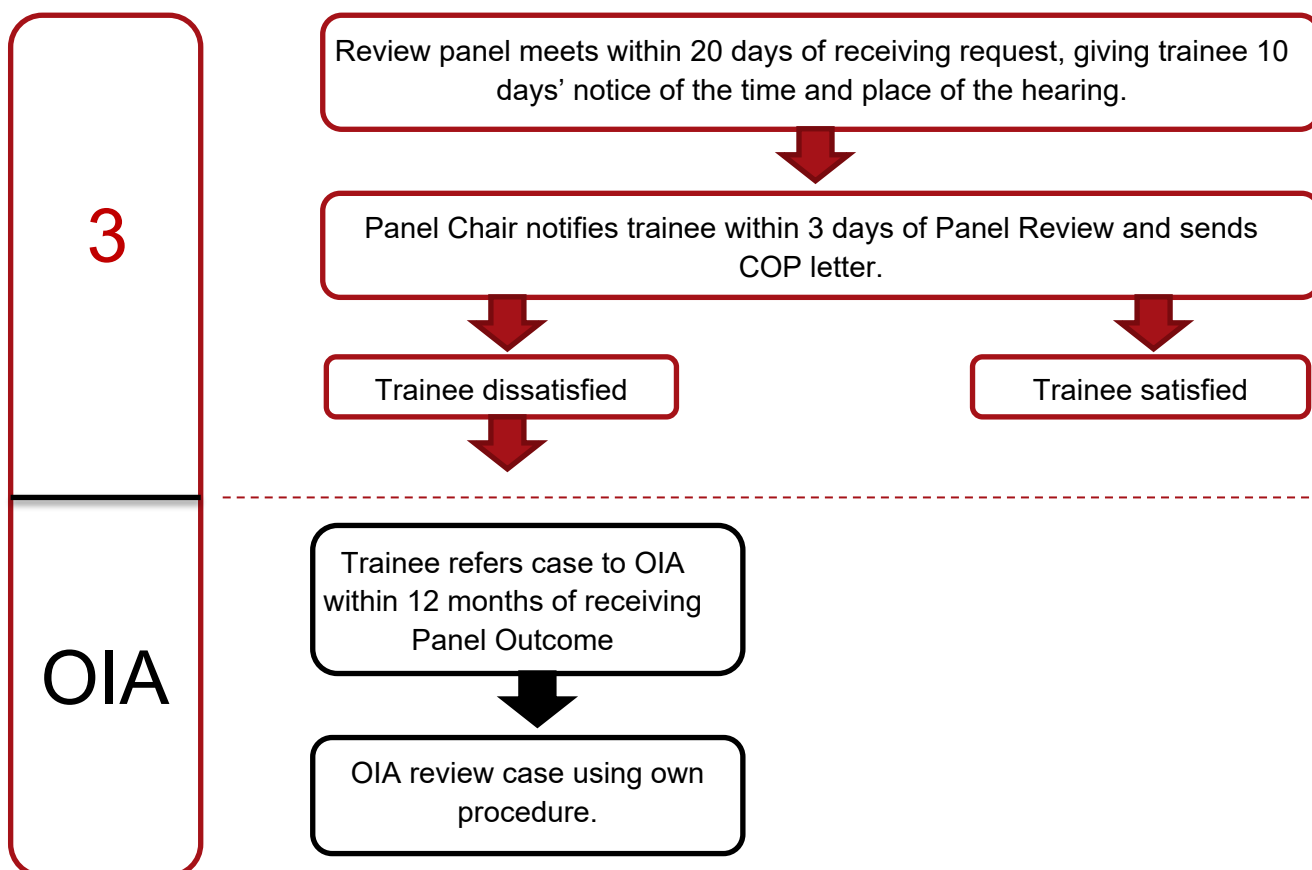
Appendix A: Flowchart of Red Kite Teacher Training Complaints Process

Dealt with by

Red Kite Teacher Training

OIA





Please note that days are Red Kite Teacher Training term days (not including weekends, bank holidays or school holidays)

Appendix B: Red Kite Teacher Training Complaints recording form

To be used if Stage 1 informal resolution has failed to provide you with a satisfactory outcome.

Your Name

Address

Postcode

Contact telephone number

Red Kite Teacher Training course

Please give specific details of your complaint

Please list any evidence which supports your complaint

What actions do you feel might resolve the problem at this stage?

Signature

Date

Official use:

Date of acknowledgement:.....

By whom:

Complaint referred to:

Date: