



# Complaints Policy

## For Trainee Teachers

### Version 2

<p><b>Note:</b> This policy can only be considered current and valid when viewed on the VNHTT portal and website. If this document has been printed or saved from another location, you must check the version number matches that of the online copy.</p>	
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<p><b>Related documents</b></p>	<p>VNHTT Appeals Policy          VNHTT Dignity and Respect Policy          VNHTT Disciplinary Policy          VNHTT Concerns form</p>

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## 1. Introduction

This policy is not intended to be used by internal staff employed by Vantage North Humber Teacher Training (VNHTT) or the St Cuthbert's Roman Catholic Academy Trust employees. Employees should refer to the internal policies relevant to their complaint.

This policy is intended to be used by individuals enrolled on the VNHTT ITT programmes.

This policy should not be used to deal with complaints relating to:

- Non-Admission to the VNHTT IT Programme
- Retrospective complaints from a previous academic year
- Any partnership re-organisation proposals or decisions
- Safeguarding concerns and allegations against staff
- Assessment for QTS
- Any complaints related to the PGCE programme provided through the University of Hull

Complaints should be lodged promptly or at least within two calendar months of the incident. If a complaint is received after this time, unless there are exceptional circumstances, VNHTT will take no further action.

Members of the VNHTT Strategic Board and SCRCAT Directors need to avoid prior knowledge of any issues which might later be considered by an appeal panel. In general, the need to maintain a strategic overview, rather than a day-to-day operational involvement, should remain paramount. Other than in exceptional circumstances, Directors should not be involved in the complaints procedure until the complaint reaches the appeal stage. If a complaint is in any part in relation to an individual Director, they must have no part in any stage of hearing the complaint.

At any stage within the complaints procedure a decision may be based upon details of the complaint, to refer it to a different procedure.

## 2. Stage 1 - Informal resolution

Trainee Teachers should raise their concerns in the first instance with any member of the VNHTT leadership team in order to seek a resolution to a complaint.

An informal concern can be raised in person or by telephone or by completing the VNHTT Concerns Form: [Vantage North Humber Teacher Training Concerns Form](#)

Concerns may also be raised by a third party acting on behalf of a trainee, as long as they have appropriate authority to do so. Most enquiries and concerns can be

dealt with satisfactorily by the Head of VNHTT or members of the primary/secondary leadership team without the need to resort to the formal procedure. We value informal meetings and discussions and encourage trainees to approach staff with any concerns they may have and aim to resolve all issues with open dialogue and mutual understanding.

It is always helpful if you can fully explain the nature of the concern and identify the outcome you are looking for. Where appropriate, you may be invited to an informal meeting with the member of staff most appropriate for dealing with that concern. The member of staff dealing with the concern will make sure that you are clear on what action (if any) has been agreed. This may be put in writing if appropriate.

If the matter is brought to the attention of the Head of VNHTT, they may decide to deal with your concerns directly at this stage. If the concerns are about the Head of VNHTT these should be referred directly to the Director of Lifelong Learning under Stage 2.

VNHTT will respect the views of a trainees who indicate that they would have difficulty discussing a concern with a particular member of staff. In this case, the Head of VNHTT will refer the trainee to another designated member of the leadership team. Similarly, if the member of staff directly involved in the circumstances leading to the concern feels too compromised to deal with it, the Head of VNHTT may consider referring the trainee to another member of staff. The member of staff may be more senior, but this is not essential.

Staff members who fulfil any part of the delivery of VNHTT ITT programmes should log all informal concerns with the Operations Manager of VNHTT and inform the Head of VNHTT of any serious concerns as soon as is practicably possible and within 24 hours

There is no suggested timescale for resolution at this stage given the importance of dialogue through informal discussion, although it would be expected that most issues will be resolved within 15 school days. Where no satisfactory solution has been found, trainees will be advised that if they so wish the concerns can be considered further under Stage 2 of this procedure within 15 school days.

### **3. Stage 2 - Formal written complaints**

If your concerns are not resolved under Stage 1, you are entitled to put your complaint in writing by email and send this to the Head of VNHTT. If the complaint is about the Head of VNHTT you should put your complaint in writing or email to the Director of Lifelong Learning at SCRCAT.

It is very important that you include a clear statement of the actions that you would like us to take to resolve your complaint. We strongly encourage you to use the Complaint Form provided at Annex 2 of this procedure. If you require help in completing the form, please contact the Vantage Teaching School Hub office (01482 851136). You can also ask third party organisations like the Citizens Advice to help you.

In all cases your written complaint must include:

- the nature of the complaint;
- details of how the matter has been dealt with so far;
- the names of potential witnesses, dates and times of events and copies of all relevant documents; and a clear statement of the actions that you would like us to take to resolve your complaint.

Your complaint will normally be acknowledged in writing by email within five school days of receipt. The acknowledgement will give a brief explanation of the VNHTT complaints procedure and a target date for providing a response to the complaint. This will normally be within 15 school days of receipt.

If appropriate, the Head of VNHTT (or someone appointed by them) may invite you to a meeting to clarify your complaints and to explore possible resolutions. If you accept that invitation, you may be accompanied by one other person, such as a friend, Trade Union representative, relative or interpreter, to assist you. Where possible, this meeting will take place within 10 school days of receipt of the written complaint

If necessary, a fact-finding exercise will take place, witnesses will be interviewed, and statements taken from those involved. If the complaint centres on another trainee, they may be interviewed and have the option of being accompanied by one other person, such as a friend, Trade Union representative, relative or interpreter, to assist them. If the matter includes a complaint relating to a member of VNHTT staff, the member of staff will have the opportunity to respond to the complaint.

Once the relevant facts have been established as far as possible, you will be provided with a written response to the complaint, including an explanation of the decision and the reasons for it. This will include what action will be taken to resolve the complaint (if any). You will be advised that if you are dissatisfied with the outcome of the complaint, you may request that your complaint be heard by the Complaints Committee under Stage 3 of this procedure.

VNHTT may engage an independent, external person to carry out the investigation into the Stage 2 complaint or to review the investigation and response at Stage 2. This may be appropriate where the complaint is particularly complex or involves legal issues.

#### **4. Stage 3 – Referral to the complaints committee**

If you are dissatisfied with the decision under Stage 2, you may request that a Complaints Committee be convened to consider your complaint. The Complaints Committee will principally consider how the complaint was handled at the previous stages but has discretion to review other aspects of the complaint as it sees fit. The Complaints Committee will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with from Stage 1 of the procedure.

To request a hearing before the Complaints Committee, you should write to the Clerk of the Directors at SCRCAT, St Mary's College, Cranbrook Avenue, HULL. HU6 7TN within 15 school days of receiving notice of the outcome of Stage 2. Requests received outside of this time frame will only be considered if exceptional

circumstances apply. You should ensure that you provide copies of all relevant documents and state all the grounds for your complaint and the outcome that you are looking for.

Your written request will be acknowledged within five school days of receipt.

The Clerk will arrange for a Complaints Committee to be convened, made up of at least three committee members, including:

- Governors of a SCRCAT Local Governing Body and/or directors of the Trust (as appropriate) with no prior involvement in the matter; and,
- one person who is independent of the management and running of the academy Trust.
- the Clerk shall appoint one of these committee members to be the Chair of the Committee.

Every effort will be made to enable the hearing to take place within 20 school days of the receipt of your request. As soon as reasonably practicable and in any event at least five school days before the hearing, you will be sent written notification of the date, time and place of the hearing, together with brief details of the committee members who will be present. Fair consideration will be given to any bona fide objection to a particular member of the committee. You will also be informed of the name of the person who will be presenting the case on behalf of VNHTT (referred to in this policy as the 'VNHTT representative'). This may be the person who is the subject of the complaint, the person who undertook the investigation at Stage 2 and/or another person with sufficient knowledge of the matter.

If, despite best efforts, it is not possible to find a mutually convenient date and time for a hearing within a reasonable timeframe, the Clerk may determine that the hearing proceeds on the basis of written submissions from both parties.

You have the right to be accompanied to the hearing by a friend, Trade Union representative, relative or interpreter. You should notify the Clerk in advance if you intend to bring anyone to the hearing. We do not encourage either party to bring legal representatives to the Complaints Committee meeting. Representatives from the media are not permitted to attend. The Complaints Committee itself may take legal advice and/or be supported by a legal advisor at the hearing on matters of law and procedure.

A copy of the complaint and any other documents provided by you in support of your complaint, or by the VNHTT representative in defence of the complaint, will be provided to the Complaints Committee as soon as practicable upon receipt. Copies of these documents shall also be provided to you or VNHTT representative (as applicable) at least 3 school days before the hearing. The Complaints Committee reserves the right not to consider any documentation presented by either party less than 3 school days prior to the hearing. The Complaints Committee is under no obligation to hear oral evidence from witnesses but may do so and/or may take written statements into account. The committee will not normally accept recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The hearing will be conducted to ensure that each party has the opportunity to address the Complaints Committee. The procedure to be followed during the hearing will be explained to the parties by letter in advance of the hearing. The Clerk will ensure that sufficient notes are taken to record an accurate reflection of the points considered and any decisions taken, or actions agreed. Electronic recordings of the hearing will not normally be permitted and, in any event, would require the consent of all those present.

Unless otherwise stated, the procedure for the Stage 3 hearing is as follows:

- the trainee and VNHTT representative will enter the hearing together;
- the Chair of the Committee will introduce the committee members and outline the process;
- the trainee will explain the complaint;
- the VNHTT representative and committee members will question the trainee;
- the VNHTT representative will explain the VNHTT actions;
- the trainee and the committee members will question the VNHTT representative;
- the trainee will sum up their complaint;
- the VNHTT representative will sum up the VNHTT actions;
- the Chair of the Committee will explain that both parties will hear from the committee within five school days;
- both parties will leave together while the committee decides;
- the Clerk, and any legal advisor assisting the committee (if applicable), will stay to assist the committee with its decision making.

The Clerk and or Complaints Committee reserves the right to modify the above procedure at their sole discretion, for example requiring the parent and the VNHTT representative to present their complaint/actions separately to the Complaints Committee in the absence of the other party.

A Complaints Committee may be adjourned if the Complaints Committee require further evidence or in exceptional circumstances (for example, if clarification sought by the Complaints Committee is essential to the proceedings). The adjourned date must be as soon as possible.

After the hearing, the Complaints Committee will consider their decision and inform you and, where relevant, the person complained about of their decision in writing within five school days. The letter will set out the decision of the committee together

with the reasons underpinning that decision. The committee can (by a majority if necessary):

- dismiss the complaint in whole or in part;
- uphold the complaint in whole or in part;
- decide on the appropriate action to be taken to resolve the complaint;
- recommend changes to the VNHTT systems or procedures to ensure that problems of a similar nature do not happen again.

## **5. Confidentiality**

All documentation and information retained in relation to a complaint will be treated in confidence unless there is a specific reason which would require disclosure for example a referral in relation to safeguarding, where the Secretary of State or a body conducting an inspection under Section 109 of the 2008 Act requests access to them.

## **6. Monitoring compliance with and effectiveness of the policy**

Effectiveness and compliance of this Policy will be monitored by the Board of Directors of SCRCAT Education Committee. Directors of SCRCAT retain full and final accountability for all aspects of ITT as set out in *Initial Teacher Training: Criteria and Supporting Advice. Statutory Guidance for Accredited ITT providers*.

## **7. Review**

This policy will be reviewed every 2 years.

## **Annex 1**

### Roles and Responsibilities

#### **The role of the Clerk of the Directors**

The Clerk of the Directors is the contact point for the complainant and the Complaints Committee, and should:

- ensure that the complainant is fully updated at each stage of the procedure;
- liaise with staff, Head of VNHTT, Director of Lifelong Learning, the Chief Executive Officer, academy and Chair of the Board of Directors (as applicable) to ensure the smooth running of the complaints procedure;
- be mindful of the timescales to respond to complaints;
- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR);
- ensure that the Complaints Committee has access to legal advice, where appropriate;
- set the date, time and venue of the meeting, taking reasonable steps to find a date that is convenient to all parties and that the venue and proceedings are accessible;
- collate any written material relevant to the complaint (for example: stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale;
- minute the meeting;
- notify all parties of the Complaint Committee's decision;
- assist the academy/Trust in issuing a summary letter to the complainant.

#### **The role of the Head of VNHTT (or other party investigating as applicable in accordance with the procedure) at Stage 2**

- to ensure that the complainant is fully updated at each stage of the procedure;
- to ensure that the correct procedure has been followed;
- to ensure that an investigation is carried out, and a report compiled;
- to meet the complainant, if appropriate;
- if the complaint is being referred to Stage 3, notify the Clerk of the Directors to arrange the Complaints Committee.

#### **The role of the Chair of the Complaints Committee**

The Chair of the Complaints Committee has a key role, ensuring that:

- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy;
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child;
- the remit of the Complaints Committee is explained to the complainant;

- the written material is seen by everyone in attendance (provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR);
- key findings of fact are made, and that any issues not previously mentioned in writing should not be raised at the meeting and, if they are mentioned at the meeting, these should not be noted or considered by the Complaints Committee;
- both the complainant and the VNHTT representative are given the opportunity to make their case, and seek clarity, either through written submissions ahead of the meeting, or verbally in the meeting itself;
- the Complaints Committee is open-minded, acts independently and no committee member has an external interest in the outcome or any involvement in an earlier stage of the procedure;
- the meeting is minuted.

**Annex 2**

**Complaints Form**

<b>Your name:</b>
<b>Students' name:</b>
<b>Your relationship to student:</b>
<b>Your address and postcode:</b>
<b>Your daytime telephone number:</b>
<b>Your evening telephone number:</b>
<b>Your email address:</b>
<b>Your complaint is:</b> (if you have more than one complaint, please number these)
What action have you already taken to try and resolve your complaint(s) in accordance with Stage 1 of the academy's complaints procedure? (Who did you speak to and what was the response?)
What would you like as an outcome from your complaint(s)?
Are you attaching any paperwork? If so, give details here:

