



## Complaints Policy

<b>Date of last review:</b>	September 2021	<b>Review period:</b>	1 year
<b>Date of next review:</b>	September 2022	<b>Owner:</b>	Head of ATT
<b>Type of policy:</b>	Ark Teacher Training	<b>Approval:</b>	ATT Steerco

### 1. Introduction

- 1.1 Ark Teacher Training (ATT) is committed to creating a positive experience for trainees on the programme. It is recognised, however, that there may be occasions where a trainee may wish to raise a concern regarding their experience of the programme. Most concerns can be dealt with outside of the formal complaints process and should be raised by phone, email or in person with a relevant member of staff. The best person to speak to initially will be the member of staff who will have the best understanding of the situation and can best answer your queries. Wherever possible, informal concerns will be responded to quickly and resolved amicably. If an initial concern has been raised and the complainant feels the issue has not been addressed or if the school/department recommends the initial concern warrants more detailed investigation, a formal procedure is available.
- 1.2 Where a trainee wishes to make a formal complaint regarding Goldsmiths University, they should follow the [Goldsmiths Complaints Procedure](#).
- 1.2 Issues that may cause complaints include:
  - Relations within the ATT Programme.
  - Bullying and harassment regarding someone involved with Ark Teacher Training.
  - New training practices.
  - Training environment.
  - Organisational change.
  - Equal opportunities.
  - Discrimination.
  - Quality of training.
- 1.3 For Complaints relating to bullying and harassment, the Ark Teacher Training Code of Conduct and Cause for Concern process may be used.

### 2. Purpose

- 2.1 This policy aims to:
  - Enable any trainee to have a legitimate complaint heard.
  - Resolve complaints quickly and equitably.
  - Resolve complaints as close to their source as possible.
  - Encourage a harmonious training environment.



### **3. Scope**

- 3.1 This procedure applies to all participants on the Ark Teacher Training programme. It is not a substitute for good practice and, in the first instance, every effort should be made by all parties to resolve complaints in a fair and just manner without invoking this procedure.
- 3.2 The procedure applies to complaints that relate to the trainees' experience of the Ark Teacher Training programme whether in training or on placement.

### **4. Equal Opportunities**

- 4.1 The complaint procedure must always be applied fairly and in accordance with programme regulations, including the Ark Teacher Training Equal Opportunities Policy.

### **5. Responsibilities**

- 5.1 Ark Teacher Training is responsible for maintaining fair, consistent and objective procedures for matters relating to trainee discipline across the Ark Teacher Training Partnership Schools. This can be seen in the ATT Cause for Concern policy and procedure.
- 5.2 The Head of Ark Teacher Training has overall responsibility for the internal organisation, control and management of the policy.
- 5.3 The ATT Tutors and senior team have responsibility for the internal organisation, control and management of the policy in their area of responsibility.
- 5.4 Members of Ark Teacher Training and trainee representatives who may be involved in complaint matters should be competent for the task. They should be familiar with the provisions of the complaint procedure and know how to conduct or represent at complaint hearings.

### **6. Timing**

- 6.1 Complaints should normally be conducted within the timescales laid down in the procedure. However, if there is a valid reason to do so, timescales can be varied. If this is initiated by ATT Tutors, the trainee should be given an explanation and informed when a response or meeting can be expected.
- 6.2 All efforts should be made by trainees to attend meetings that constitute part of this procedure. When there are valid reasons to reschedule meetings, then these should be rearranged within 5 working days.

### **7. Informal Stage**

- 7.1 A trainee should first raise a complaint (see Appendix 1 for a flow chart of the informal stage) with their ATT Lead, either orally or in writing. If the complaint relates to the trainee's ATT Lead, or ATT Tutor, it should be raised with the Deputy Head of ATT. If it is not appropriate to use the informal stage, the formal stage of the complaint procedure may be invoked immediately.
- 7.2 The ATT Lead will normally meet the trainee to discuss the complaint within 5 working days of receipt of the complaint. A decision will be communicated to the trainee within a further 5 working days of this meeting, normally in person or by a telephone call. The ATT Lead should keep a written record of the matter.

### **8. Formal stage**

- 8.1 Step one – Notification of complaint



8.1.1 If the trainee remains dissatisfied, the informal complaint procedure is inappropriate, or where the ATT lead has failed to respond to the trainee's concerns, the next step is for the trainee to write to their ATT Tutor (or to a senior member of Ark Teacher Training if the complaint involves a ATT Tutor or Chair of the Steerco in cases involving a senior member of the Ark Teacher Training ), giving full details of the complaint and the resolution sought without unreasonable delay.

8.1.2 The Head of Ark Teacher Training or ATT Tutor will acknowledge the complaint and depending upon the nature of the complaint may further attempts may be made to resolve the matter informally. However, if the outcome is not satisfactory the matter may proceed formally.

## 8.2 Step Two – Complaint hearing

8.2.1 The member of the ATT Tutor team will write to the trainee giving details of the hearing, which will normally take place within 10 working days of receipt of the complaint letter. Care should be taken to ensure that the Chair will not be a Cause for Concern procedure decision-maker, in case the complaint is serious and becomes subject to the Cause for Concern procedure.

8.2.2 The letter should inform the trainee of their right to be accompanied by a colleague or trade union representative. If a trainee's companion cannot attend on a proposed date, the trainee can suggest another date which should usually be within 5 working days.

8.2.3 The Deputy Head of ATT will hear the complaint. The person hearing the complaint may invite advisers (for example an HR representative) as appropriate. For all meetings a note taker will attend to take minutes of proceedings. It is their role to minute the significant points of the hearing and the decision of the panel but not to produce a verbatim record.

8.2.4 Where a complaint is against the Head of Ark Teacher Training, a member of the Steerco other than the Chair of the Steerco will conduct the complaint hearing. In such instances the trainee's right of appeal will be to the Chair of the Steerco and a representative from Ark who has not previously been involved.

8.2.5 The person hearing the complaint may decide to adjourn the hearing (for up to 10 working days) if necessary, to undertake further investigations.

8.2.6 At the hearing the trainee sets out their concerns. It is encouraged that the trainee raises concerns as quickly as after the event(s) to ensure that memories do not fade. The trainee should also make clear the action they have taken to resolve this complaint informally and the result of this; and what their preferred outcome is.

During the meeting the chair should ask questions to ensure they fully understand the concerns being raised. The meeting will then adjourn in order for the chair to consider the relevant information available. This may where appropriate, include an investigation into the matter to gather the facts.

8.2.7 The decision, and where appropriate, the action intended to resolve the complaint, will be communicated to the trainee and representative, in writing, within 5 working days of the hearing. The trainee must be notified, in writing, of their right to appeal and of their right to be represented by a work colleague or trade union representative at any appeal hearing.

8.2.8 The decisions normally open to the person hearing the complaint, are as follows:

- (i) That the complaint is upheld, and appropriate action will be taken
- (ii) That the complaint is partially upheld (where part of the complaint is upheld and part is not), and where relevant appropriate action will be taken
- (iii) That the complaint is not upheld

- (iv) The Chair may recommend further mediation by an appropriate third party in order to facilitate working relationships

8.2.9 If, following this stage, the trainee remains dissatisfied with the decision, they may register an appeal. This must be done by writing to the Head of Ark Teacher Training (or Chair of the Steerco if the complaint was against the Head of Ark Teacher Training), within 10 working days of receipt of the decision.

### 8.3 Step three - Appeal

8.3.1 Appeals against complaint decisions will usually be considered by the panel in relation to one or more of the following grounds:

- (i) The **Procedure** – the grounds of appeal should detail how procedural irregularities prejudiced the complaint decision.
- (ii) The **Facts** – the grounds of appeal should detail how the facts do not support the decision or were misinterpreted or disregarded. They should also detail any new evidence to be considered.
- (iii) The **Proposed Action** – the grounds of the appeal should detail how the proposed action is inappropriate given the circumstances of the case.

8.3.2 The Head of Ark Teacher Training will write to the trainee, giving details of the appeal hearing, which will normally take place within 10 working days of receipt of the trainee's appeal. The letter must inform the trainee of their right to be accompanied at the appeal hearing by a union representative or colleague.

8.3.3 The Head of Ark Teacher Training or the Chair of the Steerco and a representative from Ark who has not previously been involved in the case will hear the appeal, which will focus on specific reasons for not accepting the previous decision and will not be a re-hearing. The panel may invite advisers (for example an HR representative) as appropriate. For all meetings a note taker will attend to take minutes of proceedings.

8.3.4 During the meeting the chair may ask questions to ensure they fully understand the grounds of the appeal raised. The meeting will then adjourn in order of the appeal chair to consider the relevant information and reach a decision. Where appropriate this can include reviewing the original complaint documentation and speaking with decision makers through the process. The Chair will communicate the decision within 10 working days of the appeal meeting, which will be final.

8.3.5 The trainee must be sent a Completion of Procedures letter within 10 working days and informed of the opportunity to appeal externally.

### 8.4 External Appeal

There is no further procedure internal to Ark Teacher Training for a complaint to be pursued. A trainee will be issued with a 'Completion of Procedures' (CoP) letter within one month of the completion of step three. The CoP letter will confirm that internal procedures have been exhausted; list the issues raised and considered, and the outcome; and inform the trainee of their right to submit a complaint to the Office of the Independent Adjudicator together with the deadline for doing so.

## 9. Record keeping

9.1 Managers and Panels must keep written records of meetings and discussions relating to the formal complaint. These must be written during or as soon after the event as possible to ensure the accuracy of the record. Written records must be signed and dated by all parties. Copies of all final meeting records must be given to trainees. Written confirmation of the outcome of any meetings will be sent

to the trainee for their information and a copy kept on the trainee's personnel file in accordance with the General Data Protection Regulation (GDPR).

Records should include:

- The nature of the complaint
- What was decided and actions taken
- The reason for the actions
- Whether an appeal was lodged
- The outcome of the appeal
- Any subsequent developments

9.2 Trainees may also wish to keep records of events to support their case.

## 10. Special Situations

### 10.1 Collective Complaints

10.1.1 In circumstances where a complaint is raised by or on behalf of more than one person, the details of the complaint must be set out in writing and signed by all who are party to the complaint. The trainees may nominate one person to represent the group, in most cases this will be the trade union representative or trade union representatives where the trainees involved are members of more than one trade union.

10.1.2 Where the group is represented by one union it may be appropriate for the problem to be resolved through the collective agreements between the appropriate union and Ark Teacher Training.

### 10.2 External sources of help

10.2.1 In certain circumstances it may, with mutual agreement, be helpful to seek external advice and assistance during the complaint procedure. For instance, where relationships have broken down, an external facilitator might be able to help resolve the problem. This intervention should be initiated in consultation with HR.

### 10.3 Complaints arose during the Cause for Concern procedure

10.3.1 Sometimes a trainee may raise a complaint during a Cause for Concern process. Where this happens and depending on the circumstances, it may be appropriate, to suspend the Cause for Concern procedure for a short period until the complaint can be considered. The trainee should raise the complaint in accordance with this procedure.

10.3.2 Depending on the nature of the complaint, Ark Teacher Training may need to consider bringing in another manager to continue to hear the Cause for Concern case.

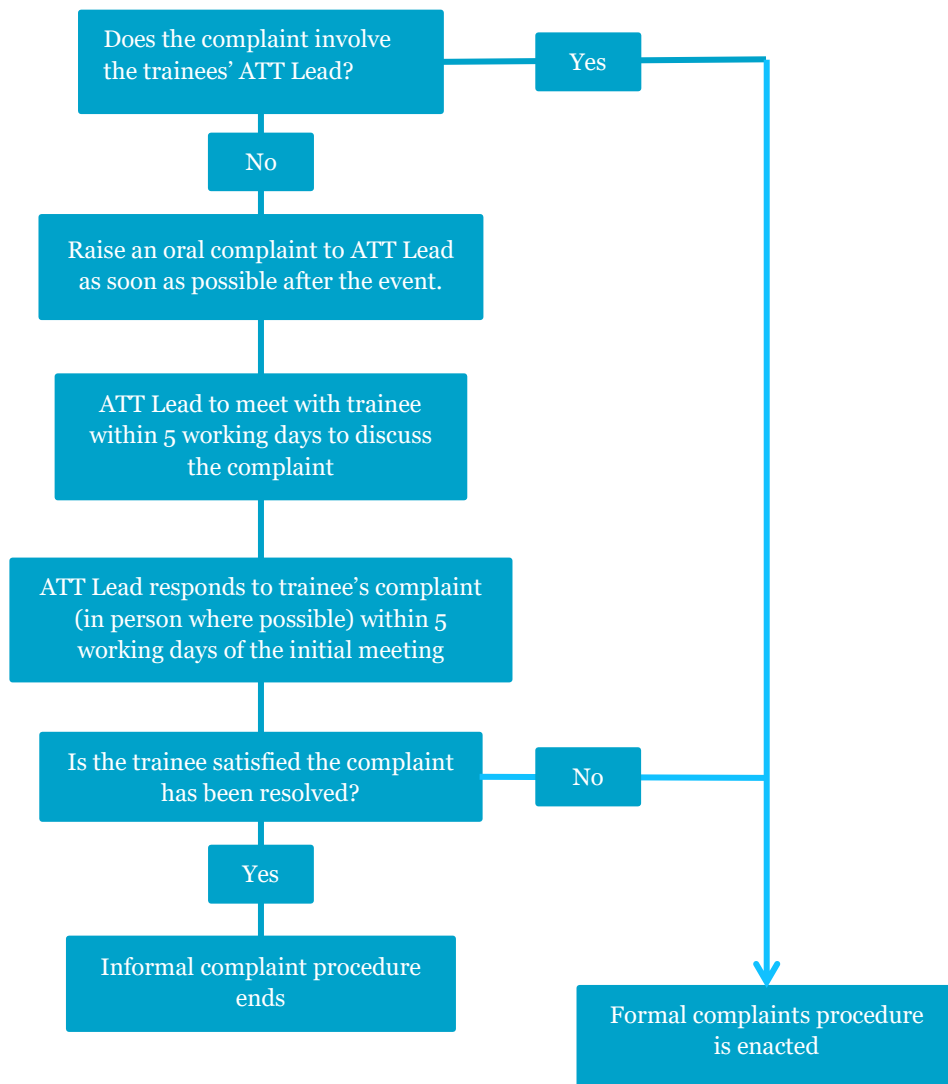
### 10.4 When the Complaint Procedure should not be used

10.4.1 Where Ark Teacher Training has enacted the Cause for Concern process (or has indicated) against the complainant. If the complainant is unhappy about the Cause for Concern process being enacted, the Cause for Concern appeal process should be used. If the complainant has an unrelated complaint, the Cause for Concern process/appeal and complaint procedure can run concurrently.

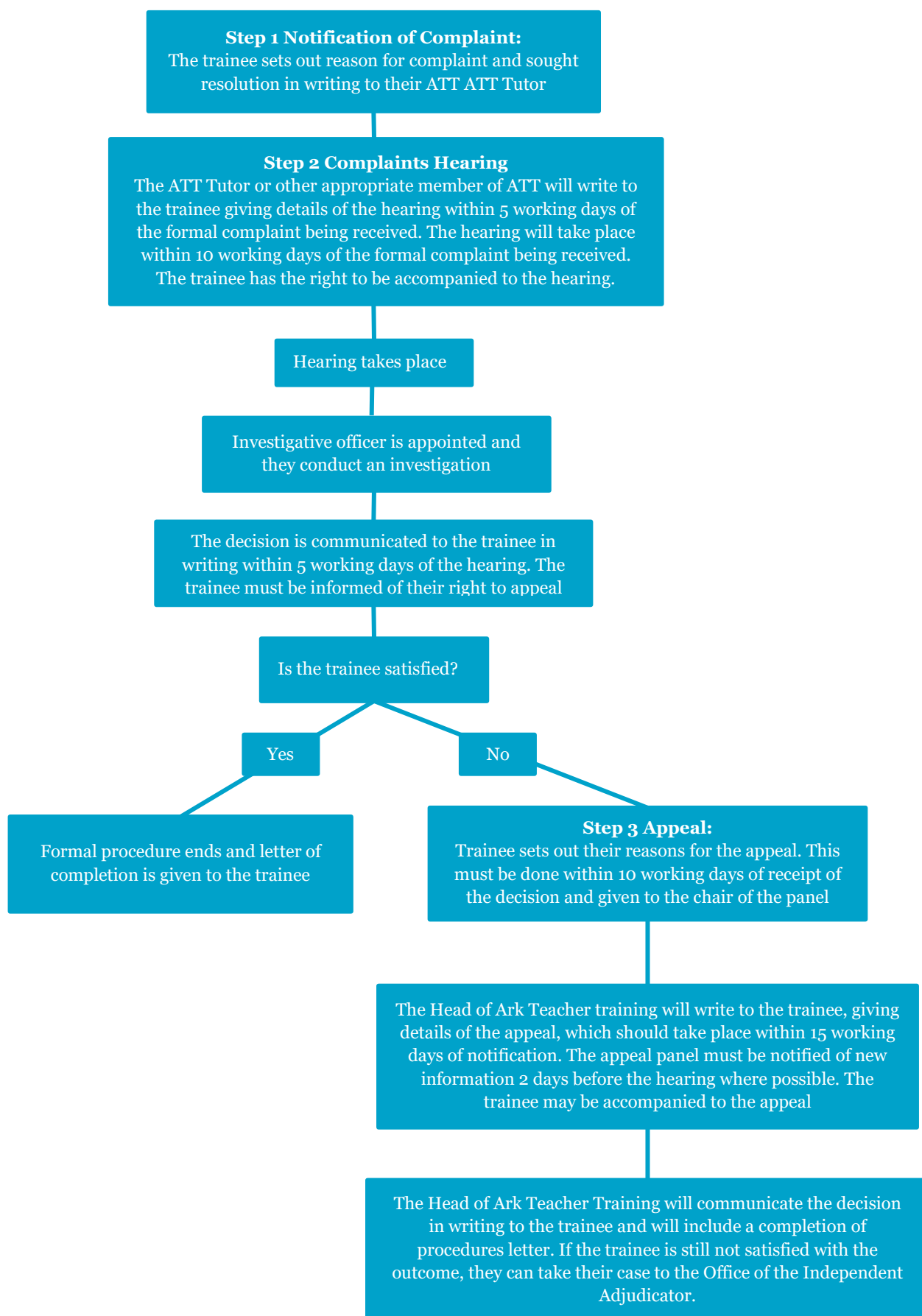
## 11. Review

This policy will be reviewed every two years in consultation with the recognised unions and the Office of the Independent Adjudicator.

## Informal Complaints Procedure



## Formal Complaints Procedure



## Complaint Hearing Structure

