MID ESSEX ITT
INITIAL TEACHER TRAINING

Trainee Complaints Policy

1. Guiding Principles

1.1. This policy has been put together following the guidance from the **Office of the Independent Adjudicator for Higher Education's Good Practice Framework**

1.2. 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".

1.3. Mid Essex ITT will ensure that complaints are handled in line with the principles of fairness, transparency, proportionality, timeliness and independence. The purpose of the complaints procedure is to provide a clear framework for addressing concerns, resolving issues where possible, and improving the trainee experience. Complaints will be handled in a way which is supportive, respectful and maintains the dignity of all parties involved.

1.4. This policy should be read alongside the Mid Essex ITT Appeals Policy, Fitness to Practise Policy, and Safeguarding Policy where relevant.

2. Scope and Expectations

2.1. This procedure is applicable to all current or recent Mid Essex ITT trainees.

2.2. This procedure is not for processing appeals.

2.3. Where a complaint raises safeguarding or fitness to practise concerns, Mid Essex ITT will ensure that appropriate procedures are followed alongside or prior to this process.

2.4. This procedure is not applicable for Mid Essex ITT trainees appealing decisions relating to their Postgraduate Certificate in Education (PGCE) as this is awarded by Anglia Ruskin University.

2.5. The complaints procedure does not normally consider matters of academic or professional judgement unless there is evidence that such judgement was exercised unreasonably or without due process.

2.6. Examples of complaints include:

- failure by the provider to meet obligations including those outlined in the handbook
- misleading or incorrect information in brochures or promotional material and other information provided by the provider
- concerns about the delivery of a programme, teaching or administration including, where applicable, that provided by a partner provider
- poor quality of facilities, learning resources or services provided directly by the provider
- complaints involving other organisations or contractors providing a service on behalf of the provider

3. Submitting a Complaint

3.1. Trainees should submit a compliant in writing or via email, to the Director. This will trigger the first stage, Early Resolution.

3.2. Complaints should clearly outline the nature of the concern and include any supporting evidence where available.

4. Timing of Complaints

4.1. Mid Essex ITT must notify trainees of their right to submit a complaint and of the time frame in which to make a complaint.

4.2. Trainees must lodge a complaint within 90 calendar days of the incident about which the trainee is complaining.

4.3. Complaints at Mid Essex ITT will be considered as soon as possible, and where practicable, reviewed and completed within 90 calendar days of the receipt of the complaint. Mid Essex ITT will keep trainees informed where it is not possible to meet the stated timescales.

5. Stages of the Complaints Procedure

i. Early Resolution
ii. a Formal Stage (including Appeals Committee)
iii. a Review Stage
iv. independent External Review (OIA)

6. Early Resolution

6.1. Mid Essex ITT will aim to address straightforward concerns swiftly and locally before a trainee decides whether to submit a formal complaint.

6.2. Where appropriate and proportionate the trainee should be provided with a written outcome.

6.3. Mid Essex ITT will give trainees an opportunity to seek clarification of a decision, or to discuss their concerns with a nominated member of staff. This will provide an opportunity to manage the trainee's expectations before they decide whether to submit a formal appeal.

6.4. Trainees who are not satisfied with the outcome of the Early Resolution can submit a second, written request to the Director if they wish to pursue the Formal Stage of the complaints procedure.

6.5. Where appropriate and proportionate the trainee should be provided with a written outcome.

7. The Formal Stage

7.1. On receipt of a formal complaint, Mid Essex ITT will undertake an initial evaluation to check that the complaint is submitted under the correct procedures and is submitted within any deadline, and is in the required written format. This process may result in:

i. the complaint being rejected, for example because it is submitted late
ii. the complaint proceeding to formal consideration
iii. the trainee being referred to a different procedure

7.2 Permissible grounds for complaints are listed in 2.4.

7.3 The formal stage will be dealt with by staff who have not been involved previously.

7.4 Where a complaint is rejected at initial evaluation, Mid Essex ITT will provide a clear written explanation of the reasons for the decision.

7.5 If the trainee's expectations appear to go beyond what Mid Essex ITT can reasonably deliver, or what is in its power to deliver, the staff member should explain this to the trainee as soon as possible in writing in order to manage expectations about possible outcomes.

7.6 The procedures followed should be proportionate to the nature of the complaint and the complexity of the issues raised. The member of staff investigating the complaint may talk to key staff and consider documents and other evidence. The level of investigation will be proportionate to the seriousness and complexity of the complaint.

7.7 Complaints can be reviewed by a panel, the Appeals Committee – see Appendix

7.8 Mid Essex ITT will write to the trainee setting out its decision at the conclusion of this stage.

7.9 If the trainee is not satisfied with the outcome, they should submit a request for review to the Director in writing or via email within 10 working days.

8. The Review Stage

8.1. The review stage is where the trainee can request a review of the process of the formal stage to ensure that appropriate procedures were followed and that the decision was reasonable.

8.2. A request for review should be submitted to the Director in writing or via email.

8.3. A request for a review may be on limited grounds, including but not confined to:
- i. a review of the procedures followed at the formal stage
- ii. a consideration of whether the outcome was reasonable in all the circumstances
- iii. new material evidence which the trainee was unable, for valid reasons, to provide earlier in the process.

8.4. The review stage will not usually consider the issues afresh or involve a further investigation.

8.5. Mid Essex ITT will allocate the request for review to a designated member of staff not involved at any previous stage.

8.6. A complaint must have been considered at the formal stage before it can be escalated to the review stage.

9. Closing the Complaint at the Review Stage

9.1. If the complaint is not upheld, the outcome of the review stage should be communicated to the trainee in writing by issuing a Completion of Procedures letter as soon as possible and within 28 days.

9.2. The decision should also advise the trainee about their right to submit a complaint to the OIA (see External Independent Review) within 12 months.

9.3. The Completion of Procedures Letter confirms that Mid Essex ITT's internal procedures have been exhausted.

9.4. If the complaint is upheld, Mid Essex ITT will provide the trainee with a Completion of Procedures letter and explain how and when it will implement any remedy, and whether that includes an apology.

10. Independent External Review

10.1. If Mid Essex ITT dismisses the trainee's complaint, it will notify the trainee of:
- i. Their right to submit a complaint to the Office of the Independent Adjudicator (OIA) for review;
- ii. The time limit for doing so is 12 months based on current OIA time frame
- iii. Where and how to access advice and support: https://www.oiahe.org.uk/

11. Complaints and Confidentiality

11.1. Complaints should be handled with an appropriate level of confidentiality, with information released only to those who need it for the purposes of investigating or responding to the complaint. No third party should be told any more about the investigation than is strictly necessary in order to obtain the information required from them.

11.2. All information will be handled in accordance with data protection legislation

12. Complaints, Behaviour and Representatives

12.1. Trainees can appoint a representative to support them during the complaints process.

12.2. Trainees may appoint a representative to submit the complaint for them.

12.3. There is an expectation that trainees, their representatives and staff members should act reasonably and fairly towards each other, and treat the processes themselves with respect.

12.4. Mid Essex ITT has a responsibility to protect its staff against unacceptable behaviour.

12.5. If a trainee's or representative's behaviour is deemed unacceptable, their access to staff or procedures might be restricted. Mid Essex ITT will inform the trainee if a decision has been made to restrict access, and the procedures for reviewing such a decision.

13. Frivolous or vexatious complaints and appeals

13.1. Examples of such complaints and appeals include:
- i. complaints or appeals which are obsessive, harassing, or repetitive

ii. insistence on pursuing non-meritorious complaints or appeals and/or unrealistic, unreasonable outcomes
iii. insistence on pursuing what may be meritorious complaints or appeals in an unreasonable manner
iv. complaints or appeals which are designed to cause disruption or annoyance
v. demands for redress which lack any serious purpose or value.

14.2 Mid Essex ITT may terminate consideration of an appeal complaint if it considers it to be frivolous or vexatious. Any decision to terminate consideration of a complaint on these grounds will be proportionate and clearly justified. In such cases, Mid Essex ITT should write to the trainee explaining why it is terminating consideration of the matter. The trainee should be provided with details of how to appeal against the decision and any associated timescale.