

NWSCITT Complaints Policy

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Committee Reviewed: NWSCITT Management Board

Date of next review: 24 months

Our Vision is to produce outstanding teachers who will ensure their students, whatever their starting point, thrive in all aspects of education. Our trainee teachers will value developing the whole person equally to the achievement of academic success.

North Wiltshire SCITT is part of Ascend Learning Trust (formerly known as Royal Wootton Bassett Academy Trust.)

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WHO CAN MAKE A COMPLAINT?

This complaints procedure is not limited to trainees that are registered on a NWSCITT Initial Teacher Training programme. Any person, including members of the public, may make a complaint to North Wiltshire SCITT about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

THE DIFFERENCE BETWEEN A CONCERN AND A COMPLAINT

A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. North Wiltshire SCITT and the Ascend Learning Trust take concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the NWSCITT Programme Manager, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the NWSCITT Programme Manager will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, North Wiltshire SCITT will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

HOW TO RAISE A CONCERN OR MAKE A COMPLAINT

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

[Complaints about anybody other than the Programme Manager](#) should be made in the first instance, to the Programme Manager via the SCITT office. Please mark them as Private and Confidential.

[Complaints that involve or are about the Programme Manager](#) should be addressed to the Accounting Officer (Chair of NWSCITT Management Board and CEO of ALT) via the SCITT office. Please mark them as Private and Confidential.

[Complaints about the NWSCITT Accounting Officer \(CEO\)](#) should be addressed to Nathan Coombes, Chair of Trustees, via the trust office (Hive, Caretaker Bungalow Noremars Junior School, Royal Wootton Bassett, SN4 8BT. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this policy. If you require help in completing the form, please contact the SCITT office. You can also ask a third-party organisation, for example Citizens Advice, to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure.

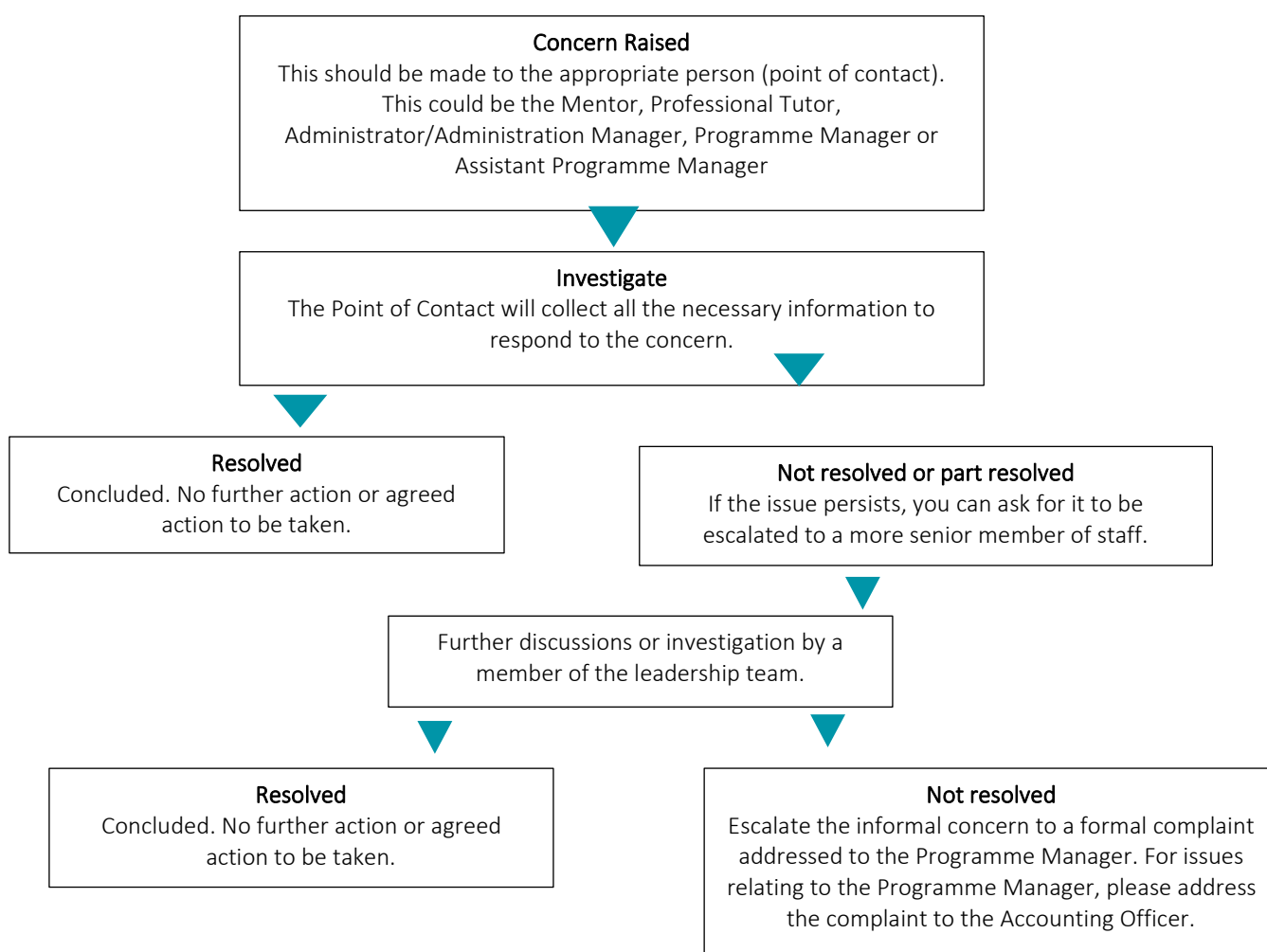
For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

CONCERN V COMPLAINT – WHEN TO RAISE A FORMAL COMPLAINT

A concern may be defined as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’. A complaint may be defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’.

It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure.

Therefore, before making a formal complaint we ask that you follow the chart below to allow us to address your worry or concern before taking further action.



ANONYMOUS COMPLAINTS

We will not normally investigate anonymous complaints. However, the Programme Manager and/or the Accounting Officer, will determine whether the complaint warrants an investigation.

TIME SCALES

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents.

We will consider complaints made outside of this time frame if exceptional circumstances apply.

COMPLAINTS RECEIVED OUTSIDE OF TERM TIME

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

SCOPE OF THIS COMPLAINTS PROCEDURE

This procedure covers all complaints about any provision or services by NWSCITT other than complaints that are dealt with under other statutory procedures such as staff conduct and safeguarding.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA), safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform you of a proposed new timescale.

If a complainant commences legal action against the SCITT in relation to their complaint, we will consider whether to suspend the complaints procedure until those legal proceedings have concluded.

RESOLVING COMPLAINTS

At each stage in the procedure, NWSCITT wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school SCITT policies in light of the complaint
- an apology.

WITHDRAWAL OF A COMPLAINT

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

APPENDIX 1 COMPLAINT STAGES

STAGE 1 – INFORMAL COMPLAINTS OR CONCERNS

It is to be hoped that most concerns can be expressed and resolved on an informal basis. Concerns should be raised with the relevant member of staff.

The informal stage may involve a meeting between the complainant and the appropriate member of staff. Should a complaint be made against a member of staff within one of our Partnership Schools, the Headteacher of that school may also be involved.

At the conclusion of their investigation, the appropriate person investigating the complaint will provide an informal response within 20 school days of the date of receipt of the complaint.

If the issue remains unresolved, the next step is to make a formal complaint.

STAGE 2 – FORMAL COMPLAINTS

Formal complaints must be made to the Programme Manager (unless they are about the Programme Manager), via the SCITT Office (admin@nwscitt.org.uk). This should be done in writing (preferably on the complaint form) and provide details such as relevant dates, times and the names of witnesses of events, alongside copies of any relevant documents.

Should the formal complaint be against the Programme Manager, then the complainant should direct their complaint to the Accounting Officer. In which case, the Accounting Officer will follow the procedures set out below.

The Programme Manager will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days. Within this response, the Programme Manager will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The NWSCITT Programme Manager can consider whether a face-to-face meeting is the most appropriate way of doing this.

Note: The NWSCITT Programme Manager may delegate the investigation to another member of the NWSCITT senior leadership team but not the decision to be taken.

During the investigation, the Programme Manager (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish.
- keep a written record of any meetings/interviews in relation to their investigation.

Please note, should a complaint be made against a member of staff within one of our Partnership Schools, the Headteacher may also be involved.

At the conclusion of their investigation, the Programme Manager will provide a formal written response within 20 school days of the date of receipt of the complaint.

If the Programme Manager is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions NWSCITT will take to resolve the complaint.

The Programme Manager will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

If the complaint is about the Programme Manager, a suitably skilled member of the Management Board will be appointed to complete all the actions at Stage 2.

Complaints about the Programme Manager or member of the Management Board must be made to the Accounting Officer via the SCITT office.

If the complaint is:

- jointly about the Programme Manager and Accounting Officer
- the entire Management Board
- The majority of the Management Board

Stage 2 will be escalated to the chair of Trustees.

STAGE 3 – MANAGEMENT BOARD PANEL HEARING

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a panel hearing consisting of at least three people who were not directly involved in the matters detailed in the complaint with one panel member who is independent of the management and running of the SCITT. This is the final stage of the complaints procedure.

A request to escalate to Stage 3 must be made to the Secretary of the NWSCITT Management Board within 5 school days of receipt of the Stage 2 response.

The Secretary will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 5 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Secretary will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 20 school days of receipt of the Stage 3 request.

If this is not possible, the Secretary will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Secretary will decide when to hold the meeting. It will then proceed in the complainant's absence based on written submissions from both parties.

If the complaint is:

- jointly about the Programme Manager and Accounting Officer
- the entire Management Board
- The majority of the Management Board

Stage 3 will be heard by the ALT trustees and an independent panel member.

A complainant may bring someone along to the panel meeting to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be considered under (Human Resources) staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 school days before the meeting, the Secretary will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 5 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to NWSCITT systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and NWSCITT with a full explanation of their decision and the reason(s) for it, in writing, within 5 school days. The letter to the complainant will include details of how to contact the Office of Independent Adjudicators (OIA) if they are dissatisfied with the way their complaint has been handled by NWSCITT/ALT.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions NWSCITT will take to resolve the complaint.

The panel will ensure that those findings and recommendations are sent by electronic mail or otherwise given to the complainant and, where relevant, the person complained about.

A written record will be kept of all complaints, and of whether they are resolved at the preliminary stage or proceed to a panel hearing, along with what actions have been taken, regardless of the decision.

All correspondence statements and records relating to individual complaints will be kept confidential, except where the Secretary of State or a body conducting an inspection under section 109 of the 2008 Act requests access to them.

NEXT STEPS

If the complainant believes the SCITT / Trust did not handle their complaint in accordance with the published complaints procedure or they have acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Office of Independent Adjudicators after they have completed Stage 3.

The OIA will not normally reinvestigate the substance of complaints or overturn any decisions made by NWSCITT. They will consider whether NWSCITT has adhered to education legislation and any statutory policies connected with the complaint and whether they have followed Part 7 of the Education (Independent School Standards) Regulations 2014.

The complainant can refer their complaint to the OIA online at: <https://www.oiahe.org.uk/>

APPENDIX 2 COMPLAINT FORM

Please complete and return to the Programme Manager who will acknowledge receipt and explain what action will be taken.

Your name:

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Email address:

Please give details of your complaint, including whether you have spoken to anybody at your placement school/NWSCITT about it.

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

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:

Complaint referred to:

Action taken:

Date:

APPENDIX 2 ROLES AND RESPONSIBILITIES

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
 - sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
 - interviewing staff and children/young people and other people relevant to the complaint
 - consideration of records and other relevant information
 - analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Programme Manager or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.
- The Programme Manager / Accounting Officer or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator

(This could be the Programme Manager, Accounting Officer, designated member of the Management Board or trustee or other staff member providing administrative support).

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Programme Manager, Accounting Officer, Chair of Trust or the Clerk to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - Sharing third party information
 - Additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person.
- keep records.

Secretary to the Management Board / Trust Board

The secretary/clerk is the contact point for the complainant and the committee and should:

- 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)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) 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
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Secretary/Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting.
- 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/young person.
- the remit of the committee is explained to the complainant.
- 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.
- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the school 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 issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently

- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure.
- the meeting is minuted.
- they liaise with the Secretary/Clerk (and complaints co-ordinator, if the SCITT has one).

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial and should be seen to be so; no governor / trustee may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the SCITT and the complainant. We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.