



TEMPLEGATE TRAINING  
ACADEMY CIC

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# Templegate Training Academy (TTA)

## Complaints Policy

**Reviewed: June 2020**

**Next Review: May 2021**

# Complaints Policy

## Purpose:

The purpose of this procedure is to provide a formal means through which students can channel any complaint they have against the services provided by the TTA and through which the management of TTA can resolve these complaints in a fair, open and timely manner.

## Principles:

The procedure is underpinned by the following principles:

- that all complaints are dealt with in a transparent and timely fashion
- that all parties act in good faith and with the object of coming to a mutually agreed resolution
- that the interests of both complainer and complained against are protected
- that all complaints are handled at the appropriate level for their degree of seriousness
- that at any stage resolution is possible via mediation and mutual agreement
- that the outcome should be demonstrably just and proportionate

## Scope of the Procedure:

This procedure is to be used for:

- concerns about the provision and delivery of programmes and related services
- complaints over any aspect of students' experience at TTA, including relationships with administrative or support services and other students
- complaints concerning discrimination in contravention of the TTA equality and diversity policy

It is not to be used for representations against decisions of examination boards (governed by the Appeals Procedure) or allegations of misconduct by students and staff (governed by the Disciplinary Procedures).

## Informal Resolution:

Many of the issues leading to complaints are simple misunderstandings, lack of proper communication, or administrative or process error, which only require swift action to resolve. Before any formal process begins, therefore, all parties should try to resolve the matter through informal discussion, mediation and problem-solving.

Students finding themselves with issues to resolve or unhappy about any experience they have had at the TTA should raise the matter at the earliest opportunity, either directly with those concerned or with their course coordinator, their Programme Leader or any member of the staff. They may also seek the help and advice of Student Liaison officer.

Programme leaders will normally be expected to resolve matters relating the students' programmes at this stage. For matters relating to inter-personal relationships, student might prefer to seek the mediation of their tutor or student advisor.

Only when such informal actions have not been sufficient to resolve the matter within a reasonable timescale should students invoke the formal procedure.

### **Formal Procedure:**

The formal procedure has two levels, Faculty and Management, each with two stages. Complaints against service departments are routed initially through the Faculty.

Most complaints should be resolvable through the Faculty level procedure and only progress to the Management level once the Faculty procedure has been exhausted without resolution. Complaints of a very grave nature, however, may be referred directly to the Management level.

### **Faculty Procedure:**

#### ***First stage***

Where students have not been able to resolve their difficulties through the informal route, they should write to their tutor, clearly stating the issue, describing their efforts to resolve this to date, and providing any evidence in support of their case.

The Tutor, or nominee<sup>1</sup>, will review the case, speak to both the complainant, those complained about, and any other relevant person, and seek a fair resolution.

This might be:

- ruling in matters of dispute
- acting to clarify and put right any misunderstandings
- admitting proven errors and apologising or other action as appropriate.

The tutor will then write to the student setting out the outcome of the complaint clearly, and explaining the next stage in the procedure, should the student wish to invoke it. If the case has been heard by a nominee, the tutor must review and endorse the nominee's recommendations for them to be accepted.

The tutor is responsible for ensuring that any actions agreed following his or her review are carried out expeditiously.

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<sup>1</sup> Nominees must be senior members of staff without any connection to the case; if such cannot be identified in the Department, the Head must take the case him/herself or seek a nominee from another department in the Faculty.

If the tutor, on reviewing the case, considers it to be of sufficient seriousness, he/she will refer it directly to the Quality Manager, to invoke the second stage of the Faculty procedure.

If, for good reason, students remain unsatisfied with the outcome of this stage, they should move to the next.

### ***Second stage***

Students dissatisfied with the resolution offered at Departmental level should then write to the Quality Manager, re-stating the original complaint and setting out the reasons why they remain unsatisfied with the previous outcome.

The Quality Manager will order a formal investigation into the complaint. This investigation will be undertaken by either one or two senior members of staff, depending upon the nature and seriousness of the complaint. The investigator(s) must be independent, and either from another department within the Faculty, or if this does not give sufficient distance in the specific case, from another Faculty or service department.

The Quality Manager will have the right to speak to all parties and to make other independent investigations of relevance to their enquiry before presenting a formal report on the complaint to come to a judgement on the issue and agree any appropriate remedy where a complaint has been upheld.

If the investigator recommends that the complaint is either wholly or substantially up-held, and the Head of s review upholds the recommendations, the exercise may be paper-based. If the recommendation is that the complaint is only partially upheld, or not upheld at all, then the investigator must convene a meeting of all parties (including the co-adjudicator) to review the evidence before coming to a final decision.

The investigator will then write to the student(s) setting out the judgement, the reasons which led to its being made, and any resulting action. He/she will also explain the next stage of the procedure, should the student(s) wish to invoke it.

The investigator is responsible for ensuring any actions agreed through the judgement are carried out expeditiously.

## **Management Procedure:**

### ***First stage***

Students wishing to invoke the next stage should write to the Admin Manager, setting out either

[a] why the procedure has not resolved the issue or

[b] why the matter is of so grave a nature that it must go straight to Management level.

The Quality Manager may also refer a complaint directly to Management level, should this be appropriate.

Where a complaint has passed through the Faculty procedure, the <sup>1</sup>CEO will review the letter of complaint, the Faculty investigatory report, and the letter of Head of s, and take the advice of a standing advisory panel. The panel will consist of the TTA Management team and a Faculty member who will take no part in either investigations or hearings.

If the panel finds that the complaint is such as could have been settled at Quality Manager level, the CEO will refer it back to the Head of s for further consideration in relation to specific areas where questions remain. The CEO will inform the student of this action in writing.

If the panel finds that, on the face of the evidence, the complaint is such as to warrant further consideration at Management-level, the CEO will appoint an independent senior member of staff to review the case in detail and prepare a report. He/she will also convene a hearing panel of at least two staff otherwise unconnected with the case and chaired by a senior Faculty member; the hearing panel will receive the report and come to a decision.

If the hearing panel upholds the complaint either wholly or substantially, it does not need to convene a formal hearing. If the panel is in doubt or is considering not upholding the complaint either partially or fully, then the CEO will arrange a formal hearing for the panel, at which the complainant and the Course Coordinator (or nominee) must each present their arguments.

Complaints referred directly to the CEO will be handled in the same way: those which the advisory panel finds could be settled at Faculty level will be referred to the Course coordinator, who may then choose whether they are handled at the first or the second Faculty stage; those which the advisory panel finds require Management-level attention will be referred to one or more independent investigators. The investigator(s) perform the same role at Management level as they would at Faculty level, second stage.

If the CEO and the advisory panel agree that the complaint is of so trivial a nature or has been frivolously pursued to this level, the complaint will be dismissed. This will constitute the completion of the Management process in such a case, and the student has then the right to refer the matter directly to the Office of the Independent Adjudicator without going through further TTA procedures.

The CEO will confirm any decision of the advisory or hearing panels in writing to the student(s), clearly explaining either what will happen next or the next stage in the procedure, should the student(s) wish to invoke it.

### ***Second stage***

Students wishing to invoke the next stage should write to the CEO, setting out why the Management panel has not resolved the issue, and asking for Board of Directors' scrutiny. The Board of Directors will appoint one of its members to review the case on its behalf. If the member finds that there remain unanswered issues at the Management panel stage, he/she will refer it back to the hearing panel for further consideration in relation to specific areas where questions remain. If he/she finds that there are no matters outstanding, and that the case has been fairly and reasonably resolved, then he/she will ask the CEO to write to the student(s) informing them of this judgement and referring them to the Office of the Independent Adjudicator, if they remain dissatisfied.

### **Complaints referred to more advanced stages in the Procedure**

Some complaints, either by their nature or their gravity, must be referred to a more advanced stage or level of the procedure without any other intervention. Examples of these are:

- complaints against a course tutor must be addressed directly to the Quality Manager for investigation
- complaints against Quality Manager must be referred to the CEO for Management-level scrutiny
- complaints involving evidence of staff collusion in any offence or other malpractice must be referred to the CEO for Management-level scrutiny
- complaints involving allegations of conduct constituting a criminal offence must be referred to the CEO for Management-level scrutiny

The Student Admin Manager will provide advice and guidance for those considering the propriety of advanced referral.

**Timing:**

The Management will always seek to resolve complaints in a timely manner, and would normally expect Faculty-level complaints to be resolved well within the following time-limits:

- for complaints to a course tutor: fifteen working days
- for complaints to Quality Manager: twenty-one working days

Complaints at Management-level are likely to be more complex and therefore may take longer to investigate and resolve and the following guidelines apply:

- for a decision of the advisory panel: ten working days
- for the independent review:
  - fifteen working days after the decision of the advisory panel
- for a panel hearing: ten working days after receipt of the reviewer's report

The course tutor, Quality Manager or Student Admin Manager as appropriate must ensure that there are no undue delays in the progress of any complaint for which they are currently responsible.

The TTA recognises, however, that not all complaints are amenable to speedy investigation and resolution and reserves the right to extend the time guidelines where strict adherence might impede the possibility of a fair and just outcome.

## **The Conduct of the Complaints Procedure:**

The TTA presumes that the complaints procedure will be conducted according to the principles of natural justice and expects that the following will apply in all cases:

- complaints will be made as soon as possible, and will not be raised a long time after the event[s] to which they refer<sup>1</sup>
- complaints will remain as originally set out; and will not accrete further complaints as proceedings develop
- students will provide independent evidence to support their complaint
- the investigation of the complaint at either Faculty or Management-level will be full and rigorous
- complaints will not be investigated by any one who has a material interest in the outcome
- investigations will be conducted with due regard for the privacy of all parties, and will disclose the issue only to those immediately involved and/or those whose participation is necessary for a resolution
- staff will not seek to hide any matter of relevance to the complaint
- staff and students who are subject to a complaint, or who are responsible for a service complained about, will be informed of this and invited to comment at the earliest opportunity
- staff and students who are subject to a complaint will have the right to know who is making the complaint<sup>2</sup>
- all parties will be allowed reasonable time to take advice before any meeting which forms part of the process
- students and staff concerned will have a right to see the investigatory report and the Management reviewer's report, subject to normal rules of confidentiality
- all parties will recognise that complaints may or may not be upheld
- students will not wilfully refuse to be satisfied with the resolution offered
- staff will readily acknowledge errors which have occurred

At each stage, a complaint will be reviewed to establish whether it should be taken forward or referred back to the earlier stage for further consideration. Complaints will normally only be referred back to an earlier stage once, to avoid their becoming trapped in a circular process.



## **Advice, Guidance and Support**

Before making a complaint, students should seek advice and guidance from a trusted source; this could be a known course tutor or Students Liaison Officer.

The Student Admin Manager provides authoritative, formal guidance on the applicability and operation of the procedure.

Students making a complaint have the right, in all discussions, meetings and hearings, to be accompanied by a friend, Student Liaison Officer or a legal advisor, who may speak on the students' behalf if they wish.

## **Anonymous and Third-Party Complaints:**

Students are responsible for making their concerns known themselves: anonymous or third-party complaints will only be admitted in exceptional circumstances.

A complaint made anonymously or by a third party must be referred to the CEO; the standing advisory panel will then consider:

- the gravity of the issues
- the credibility of the concern
- the likelihood of confirmation from attributable sources

The panel will then rule about its admissibility. If admitted, the panel will refer the complaint to either the Faculty second stage or the Management first stage as appropriate.

## **Students enrolled on TTA awards delivered at partner TTA:**

This procedure applies to students studying at the TTA.

Students studying on TTA should use the TTA's own procedures. When these are exhausted, the complaint must be referred to the Student Administration Manager for consideration at Management level. The advisory panel will decide whether or not to invoke the procedures of TTA.

## **Monitoring, Evaluation and Review**

Monitoring and evaluation of these procedures is the responsibility of the standing advisory panel, working together with the Management of TTA.

The panel will meet annually to review complaints submitted during the previous year. The review will include:

- the number and range of complaints submitted
- the timeliness and security of their resolution
- the operation of the procedures
- year-on-year comparisons

The review will be informed by annual reports from the Management department. These reports should include all complaints submitted through the formal procedures, and any recurring issue settled by informal intervention before the formal procedures are invoked.

If as a result of the annual review, any area of TTA is found to be a cause for concern, for example, by the number of complaints attracted, or a lack of timeliness in response, the CEO will, on behalf of the review panel, write to the senior member of staff responsible for that area to alert him/her to these concerns.

The panel will submit an annual report to the Directors, together with any recommendations for amendment to the procedures, or other action.