



## ACADEMIC MISCONDUCT POLICY

**2020/2021**

<b>At the time of publishing the following roles were held:</b>	
<b>SCITT LEAD</b>	<b>MRS. W. KENDALL</b>
<b>CHAIR OF THE CTT BOARD</b>	<b>MRS. V. HEPBURN-FISH</b>

<b>Approved by<sup>1</sup></b>	
<b>Name:</b>	Mrs. V. Hepburn-Fish
<b>Position:</b>	Chair of the Board of Directors of CTT
<b>Signed:</b>	<i>V. Hepburn-Fish</i>
<b>Name:</b>	Mrs. W. Kendall
<b>Position:</b>	SCITT Lead
<b>Signed:</b>	<i>Wendy Kendall</i>
<b>Date:</b>	September 2020
<b>Review date<sup>2</sup>:</b>	September 2021

We want to resolve your complaint quickly and informally so that we have the chance to put things right so you can keep learning and developing. Our experience shows the best way of achieving this is for you to start by talking to the SCITT Lead, the Chair of the Board of CTT, or if related to the PG Cert element of the programme, the Academic Tutor at Sheffield Hallam University.

**Professional Concerns**

Should be directed to the SCITT Lead. Followed by your External Mentor.

**Personal Concerns**

Should be addressed to the SCITT Lead either by email, phone or in person.

During the complaints process, we expect staff and trainees to be reasonable and act fairly showing respect for each other and the process.

**What is a complaint?**

We treat something as a complaint if you tell us you are not satisfied with the standard of service we provide or with something we have done or have not done.

**Academic Concerns**

should be directed to your Academic Tutor.

**Matters not suitable for this Complaints Procedure.**

Some matters are not suitable for resolution through this Procedure. The table below lists matters which cannot be considered using this Complaints Procedure and tells you where you can raise those matters.

<p>Disputes or appeals about your academic performance or results</p> <p>Disputes about the outcome of action taken against you for Academic Misconduct</p>	<p>You may be able to make an Academic Appeal. Read: Sheffield Hallam University's procedures.</p>
<p>Disputes about the outcome of a 'Fitness to Practise' Panel</p>	<p>You may be able to appeal against a Fitness to Practise decision made against you.</p> <p>Read: Fitness to Practise policy</p>
<p>Matters relating to the Student Loan Company or Student Finance England</p>	<p>These are independent organisations with their own complaints procedures. Contact: Student Finance England Student Loan Company</p>

Bullying and Harassment	<p>You may be able make a complaint under our Bullying and Harassment Procedures. There are procedures covering allegations against staff or trainees.</p> <p>Read: Bullying and Harassment Policy</p>
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### Who can complain?

You can complain if:

You are a trainee on CTT SCITT programme; or

You have recently left CTT SCITT programme, provided you complain within **one month** of leaving.

### Anonymous Complaints

We will not usually accept an anonymous complaint. This is because it is difficult for us to investigate it properly, and for us to report the outcome to you, when we do not know your identity.

### Your time limits

There is a time limit for making a complaint under this Procedure. You must make sure we receive your complaint within **three months** of the date the subject matter affected you.

### Example:

Sometimes, a matter may have a long-term or continuing effect on you. When this is the case, we treat the time limit as starting to run from the date you were first affected by the matter.

There are other time limits which apply at different Steps of the Procedure:

- • Step 1 Early Resolution - we aim to complete this Step and notify you of the outcome within **28 calendar days** of receiving your complaint by email.
- • Step 2 Formal Investigation - we aim to complete this Step and notify you of the outcome within **36 calendar days** of the date we received your complaint by email.
- • Step 3 Appeal Step – we aim to complete the Appeal and notify you of the outcome within **28 calendar days** of receiving your request for a Appeal.

We want to resolve complaints quickly, but this is not always possible and sometimes we may be unable to complete our investigations in time. Where there is a delay, we will write to you to inform you of the delay and we will keep you regularly informed of progress.

### Complaints requiring a swift response

Sometimes a complaint might need to be dealt with quickly because your matter has become urgent. Examples of when a complaint might need a swift response include complaints:

- involving a threat of serious harm;
- where the impact of issues raised might harm your health;
- where you are experiencing significant distress;
- relating to disability support; or
- issues of a highly sensitive nature.

When you first inform us of your complaint, make it clear that the matter is urgent and give clear reasons why you need us to deal with it more quickly.

## **Dealing with your complaint**

There are a number of overriding principles which inform how we deal with your complaint.

### **Confidentiality**

We will manage your complaint confidentially. This means that we will only involve people in your complaint who need to be included. Confidentiality is a mutual obligation. We expect everyone involved in your complaint to act respectfully and keep matters confidential. This includes witnesses and people providing evidence, support or advice. Remember that any person named in your complaint has a right to put their side of the case. The information you provide will remain confidential. However, there may be times when the information provided may be used, for example, by yourself in mitigation for an academic result, or when considering your fitness to practise or if there is a safeguarding concern.

### **Mediation**

At any Step in the Complaints Procedure, we may suggest the complaint is resolved through mediation. This allows for an independent person to help us try to resolve the complaint. You do not have to agree to mediation, it is voluntary and confidential. The mediator is impartial, will not take sides and will not impose a solution.

### **Fairness**

We expect staff and trainees to be reasonable and act fairly showing respect for each other and the process. We will give you a fair and equal opportunity to state your case and we will give you clear reasons for the decision we reach. We will make sure you are not disadvantaged because you have made a complaint.

### **Independence**

We will make sure that decisions about your complaint are taken by people who are independent of the situation.

### **Standard of proof**

When we make a decision based on evidence this will be using the balance of probability. For example, when deciding whether something happened, we will consider the evidence, then decide whether it is more likely than not that it happened.

### **Record Keeping**

We will keep a record of your complaint throughout the process and we advise you to do the same.

## **Retention Period for Information**

We will keep the information we gather when investigating your complaint for the duration of 15 months from the date your complaint is received.

## **Supporting Evidence**

We ask that you do not include unnecessary personal information, particularly about third parties, in your appeal or complaint. If you have mitigation based around the health of a family member, we do not need to see detailed medical information about that person; what we need is evidence about the effect the circumstances have had on you.

## **The three-Step Complaints Procedure**

There are potentially three steps in the complaints procedure:

- Step 1
- Step 2
- An Appeal

### **Step 1**

Step 1 is intended to allow you to resolve your complaint quickly and locally, by which we mean with the staff involved. It is very important to us that good staff/trainee relationships are maintained.

We strongly encourage you to start your complaint at Step 1 as experience shows it is the quickest and easiest way of reaching a resolution, but you can request your complaint is started at Step 2.

We may decide your complaint is too serious or complex to be dealt with by Step 1 and we may choose to start your complaint at Step 2. We will inform you of our decision to treat your complaint this way.

### **Starting your complaint at Step 1**

Identify a member of staff to direct your complaint to. This will usually be:

- your Support Mentor;
- your External Mentor;
- the SCITT Lead; or
- the Chair of the Board.

You can start your complaint by sending an email to the member of staff stating you wish to make a complaint and asking to arrange an appointment to discuss it. You should include an overview of your complaint in the body of your email or as an attachment. It helps us to deal with your complaint efficiently if you write the word 'Complaint' in the subject line of your email. This makes it completely clear that you wish to make a complaint rather than provide feedback to us. You also need to CC. the SCITT Administrator to ensure we keep a log of all complaints.

## How we will deal with your Step 1 complaint

Step 1 is an informal way of resolving your complaint by meeting with you to discuss the issues you have raised. We will discuss the outcome with you and we will inform you by email of the date this Step has been completed. The date of this email is important as it triggers the time limit for taking your complaint to the next Step.

### Possible outcomes

The person dealing with your complaint has discretion to consider any reasonable option to resolve your complaint.

Experience shows that the majority of complaints are resolved at this Step without the need for you to take your complaint to the next Step. If you are not satisfied with the outcome of Step 1 you can ask for your complaint to move to Step 2. You must make sure we receive your Complaint within **14 calendar days** of the date we notified you of the outcome of your Step 1 complaint. You will find this date on the email we sent telling you Step 1 was complete.

## Step 2

There are two ways you can use Step 2 to resolve your complaint:

- by starting your complaint at this Step; or
- to take your Step 1 complaint further.

### Starting or continuing your complaint at Step 2

You can start your complaint by sending an email to the SCITT Administrator stating you wish to make a complaint at Step 2. You should include an overview of your complaint in the body of your email or as an attachment along with copies of any documents which support your complaint.

### How we will deal with your Step 2 complaint

Once we have received your *Complaint* we will:

- check you have submitted your complaint using the correct procedure;
- check you have submitted your complaint within the time limits;
- acknowledge receipt of your complaint by email;
- inform the staff involved of your complaint; and
- provide them with a copy of your *Complaint* and supporting documents. If you have named a member of staff, or other person, in your *Complaint* we will inform that person and send them a copy of your complaint and supporting documents. We will appoint a member of staff to investigate your complaint and we will tell you who that person is. Complaints vary and because of this, the way we investigate them might vary but the investigator will usually:
  - meet with you;
  - gather information about the issues by talking to you and other people;
  - consider the documents you have provided; and
  - consider other documents discovered as part of their investigation.

## Possible Outcomes

The investigator has the authority and discretion to consider any reasonable option to resolve your complaint. If you are dissatisfied with the outcome of Step 2, you can request a Appeal of the Step 2 decision.

## An Appeal

If you are dissatisfied with the outcome of the Step 2, you can request an appeal but only on certain grounds. The appeal will not usually consider your complaint afresh, nor involve a further investigation. The focus of the appeal is on *how* your complaint has been dealt with.

Appeals for complaints are normally carried out by the SCITT Lead.

## Making a request for an Appeal

To request an Appeal, you must email the SCITT Administrator stating you wish to request an Appeal and you must state which grounds for Appeal you think apply in your case from the following:

- the investigation of the complaint was not conducted fairly;
- the investigation failed to take account of relevant material;
- new evidence has since come to light which, for valid reasons, you were unable to provide earlier in the complaints process and which would have materially affected the decision made at Step 2; or
- that the decision reached was wholly unreasonable.

When you make your request for an Appeal, you must explain why you think any or all of the grounds apply in your case and include any supporting documents. When sending an email to the SCITT Administrator, it helps us deal with your request more efficiently if you use the phrase 'Request for Appeal' in the subject line of your email.

## Time limits

You must make sure your request for an Appeal reaches the SCITT Administrator within **14 calendar days** of the date we advised you of the outcome of Step 2.

We aim to complete the Appeal, and inform you of the outcome, within **28 calendar days** of receiving your request.

If your complaint is upheld, and we have offered to resolve it, the actions leading to a resolution may take longer than 28 calendar days to complete. We will advise you of how long we estimate a resolution may take and we will keep you informed of our progress. If the process is delayed for any reason, we will contact you to explain why and to advise you of when the Appeal will be completed.

## The Appeal Process

We will consider *how* your complaint has been dealt with and whether the process has been fair and reasonable. We will not consider a new complaint, or a new aspect of the complaint. The Appeal will consider:

- all of the material gathered, and assessed;<sup>8</sup>
- any supporting documentation you provide; and

- whether you have established any of the grounds for an Appeal. The Strategic Lead may, at their discretion, call for additional information or request an interview with you.

### **Possible Outcomes**

If any or all of the grounds for Appeal are met, the Strategic Lead may consider one or more of the following actions to resolve your complaint:

- refer the matter back to the Step 2 investigator, with directions on how to deal with the ground(s) for Appeal which have been established;
- instigate a fresh investigation using a different member of staff;
- refer the matter for informal resolution;
- conclude the matter by offering a resolution;
- refer the matter to mediation; or
- convene an Appeal Panel to consider the complaint.

### **Appeal Panel**

If the Strategic Lead decides to convene an Appeal Panel, the Panel has sole responsibility for resolving your complaint. It has the same powers as the Strategic Lead to resolve your complaint. The Appeal Panel will consist of two CTT SCITT Leadership and Management Committee members.

### **Time Limits for Appeal Panels**

We will usually hold an Appeal Panel within **14 calendar days** of the Strategic Lead's decision to convene the Panel. We will advise you if it is likely to take longer than this. We will inform you of the reason for the delay and give you a projected time when the Panel meeting will take place.

Where it is possible, we will inform you of the Panel's decision on the day of the hearing. We will then send a written decision and reasons within **28 calendar days** of the Panel meeting. If it is not possible to give you the decision on the day we will send a written decision and reasons within **28 calendar days** of the Panel meeting.

### **Can I be represented?**

At any Step of the process you can be supported, advised or represented by a member of the CTT SCITT Partnership. You do not need to be legally represented; our academic misconduct procedure is not a legal process.

### **Trainees with additional needs**

If you have a disability or additional needs which might affect how you participate in the academic misconduct procedure, please let us know. Tell us as soon as you make a complaint and we will discuss with you what support you might need. We are able to make reasonable adjustments to this Procedure to remove any disadvantage you might otherwise experience. Some examples of adjustments we can make are:

- extending deadlines if you are too ill to take part in the Procedure or pausing it and re-starting it when you are well;
- allowing you to be accompanied by a family member or other support worker as well as a representative from the CTT community; or

- providing documents to you in your preferred format. **Termination of the Procedure**

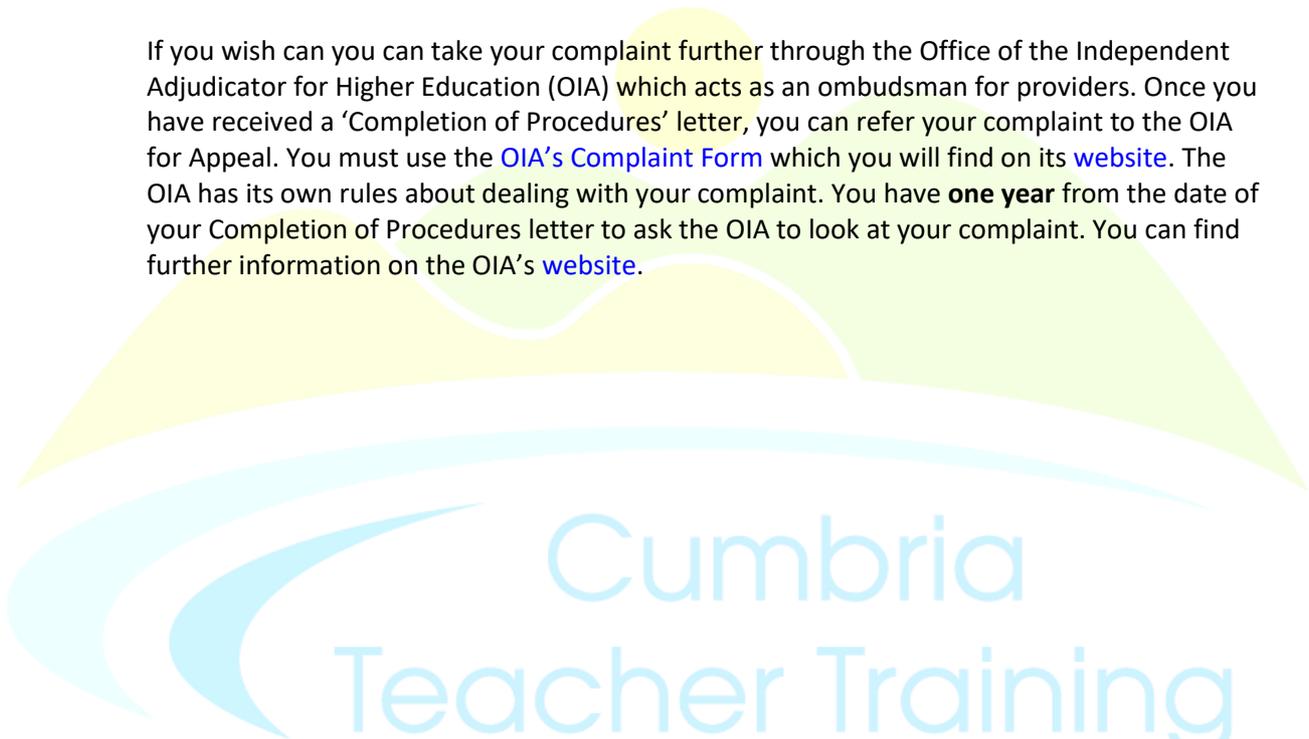
We may terminate our consideration of your complaint if you act unreasonably, inappropriately or in a frivolous or vexatious manner. Before terminating your complaint, we will ask you to modify your conduct. If there is no improvement in your conduct, we may terminate our consideration of your complaint. We will write to you to explain our decision and the reasons for making it.

### **Completion of Procedures**

If your complaint gets to the end of the Appeal Step and we do not uphold your complaint, we will write to you confirming that you have reached the end of our Complaints Procedure. This letter is called the 'Completion of Procedures' letter.

### **Taking your complaint further**

If you wish you can take your complaint further through the Office of the Independent Adjudicator for Higher Education (OIA) which acts as an ombudsman for providers. Once you have received a 'Completion of Procedures' letter, you can refer your complaint to the OIA for Appeal. You must use the [OIA's Complaint Form](#) which you will find on its [website](#). The OIA has its own rules about dealing with your complaint. You have **one year** from the date of your Completion of Procedures letter to ask the OIA to look at your complaint. You can find further information on the OIA's [website](#).

The logo for Cumbria Teacher Training features a stylized sun with rays in yellow and green, and a blue wave-like shape below it. The text 'Cumbria Teacher Training' is written in a light blue, sans-serif font, centered below the graphic.

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