

The Further Education Model Complaints Handling Procedure

The Further Education Complaints Handling Procedure

Foreword

[This is a suggested foreword for endorsement by your College's Principal. You may, however, want to write an alternative foreword presenting the complaint handling procedure's key aims, benefits and requirements.]

[Our complaints handling procedure reflects [the college's] commitment to valuing complaints. It seeks to resolve customer dissatisfaction as close as possible to the point of service delivery. It also seeks to conduct thorough, impartial and fair investigations of customer complaints. Then, where appropriate, we can make evidence-based decisions on the facts of the case.

Working closely with the Scottish Public Services Ombudsman (SPSO) this procedure has been developed by college staff who are experienced at handling complaints. It provides a standard approach across the college sector, which complies with the SPSO's guidance on complaints handling.

The procedure aims to help us resolve problems successfully at the first time of asking. We want quicker, simpler and more streamlined complaints handling with local, early resolution by capable, well-trained staff. The procedure will enable us to tackle a customer's concerns properly and may prevent the same things going wrong for other people.

Complaints give us valuable information we can use to improve customers' satisfaction. They give our staff a first-hand account of the customer's views and experience, and can highlight problems we may otherwise miss. Handled well, complaints can give our customers redress when things go wrong, and can also help us continuously improve our services.

Resolving complaints early saves money and creates better customer relations. Sorting them out quickly and as close to the point of service as possible means they are less likely to escalate to the next stage of the procedure. Complaints that we do not resolve swiftly can greatly add to our workload.

This complaints handling procedure will help us do our job better, improve relationships with our customers and enhance the college's reputation. It will also help us keep students and other customers at the heart of what we do.]

How To Use This Complaints Handling Procedure	4
What is a complaint?	5
Handling anonymous complaints	5
What if the customer does not want to complain?	6
Who can make a complaint?	6
Complaints involving more than one department or organisation	6
The complaints handling process	7
Stage one: frontline resolution	8
<i>What to do when you receive a complaint</i>	8
<i>Timelines</i>	9
<i>Extension to the timeline</i>	10
<i>Closing the complaint at the frontline resolution stage</i>	10
<i>When to escalate to the investigation stage</i>	10
Stage two: investigation	11
<i>What to do when you receive a complaint for investigation</i>	11
<i>Timelines</i>	11
<i>Extension to the timeline</i>	12
<i>Mediation</i>	12
<i>Closing the complaint at the investigation stage</i>	12
<i>Independent external review</i>	12
Governance of the complaints handling procedure	14
Roles and responsibilities	14
Complaints about academic staff	15
Recording, reporting, learning and publicising	15
<i>Recording complaints</i>	15
<i>Reporting of complaints</i>	16
<i>Learning from complaints</i>	16
<i>Publicising complaints performance information</i>	16
Maintaining confidentiality	17
Managing unacceptable behaviour	17
Supporting the customer	17
Time limit for making complaints	17
Appendix 1 Complaints	18
Appendix 2 What is not a complaint	19
Appendix 3 Timelines	20
Appendix 4 Complaints Handling Procedure Flow Chart	23

How to use this Model Complaints Handling Procedure

This document explains to college staff how to handle complaints. It is relevant to all staff, not just those who would normally be responsible for handling complaints in the college. A separate document gives customers information on the complaints procedure. Together, these form our complaints handling procedure (CHP).

It is designed to be an internal document for each college to adopt and adapt. It contains references and links to more details on parts of the procedure, such as how to record complaints and the criteria for signing off and agreeing time extensions. These also explain how to process, manage and reach decisions on different types of complaints. Any text in italics may be amended or replaced by the college's own text as appropriate. The language used reflects its status as an internal document. So 'we' refers to the college, not the SPSO.

When using this document, please also refer to the 'SPSO Statement of Complaints Handling Principles' and best practice guidance on complaints handling from the Complaints Standards Authority (CSA) at the SPSO. It's here:

www.valuingcomplaints.org.uk

What is a complaint?

[The college's] definition of a complaint is:

'An expression of dissatisfaction by one or more customers about the college's action or lack of action, or about the standard of service provided by the college or on its behalf.'

A complaint may relate to, for example:

- > a failure to provide a service
- > an inadequate quality or standard of service
- > the admissions process
- > the disciplinary process
- > a request for a service or for information which has not been actioned or answered
- > our policies
- > wrong information about academic programmes or college services
- > the quality and availability of facilities and learning resources
- > accessibility of our buildings or services
- > the behaviour of a member of staff or contractor
- > a student's behaviour
- > treatment by or attitude of a member of staff or contractor
- > disagreement with a decision where the customer cannot use another procedure (such as an appeal) to resolve the matter
- > our failure to follow the proper administrative process.

This list is not meant to be complete.

Appendix 1 provides examples of complaints we may receive, and how we might handle them.

A complaint is **not**:

- > a routine first-time request for a service
- > a request for information or an explanation of policy or practice
- > a disagreement with academic judgement

- > a claim for compensation from the college
- > issues that are in court or have already been heard by a court or tribunal
- > disagreement with a decision where a right of appeal exists, for example the academic appeals process
- > a request for information under the Data Protection or Freedom of Information Acts
- > a grievance by a member of staff
- > an attempt to have us reopen or reconsider a complaint we have concluded or given our final decision on.

You must not treat these issues as complaints. Instead, direct customers to use the right college procedures.

Appendix 2 gives more examples of 'what is not a complaint' and how to direct customers properly.

[The college may provide examples of, or more guidance about, what is and what is not a complaint. Insert the details here or include them in an annex.]

Handling anonymous complaints

We value all complaints. This means we treat all complaints seriously including anonymous ones and will take action to consider them further, wherever it is proper to do so. Generally, we will consider an anonymous complaint if it gives enough information for us to make further enquiries. Failing this, we may decide not to pursue it. A decision not to pursue an anonymous complaint must be authorised by the responsible senior manager.

If an anonymous complaint contains serious allegations, we will refer it to a senior manager immediately.

If we pursue an anonymous complaint, we will record the issues as an anonymous complaint on the complaints system. This will help ensure the completeness of the complaints data we record and allow us to take corrective action where suitable.

What if the customer doesn't want to complain?

We regard as complaints all expressions of dissatisfaction that meet our definition of a complaint. If someone does not want to begin the formal complaints procedure, we will still record their dissatisfaction as a complaint so that we can take the opportunity to improve services. We should encourage customers to submit their complaint and allow us to deal with it through the procedure. This will ensure they are updated on the action we take and get a timely response to their complaint.

If, however, the customer insists they do not wish to complain, we will record the issue as an anonymous complaint. This will ensure that:

- we do not record their details on the complaints database
- we do not contact them again about the matter, and
- the complaints data we record are complete, while enabling us to fully consider the matter and take corrective action where suitable.

Please refer to the example in **Appendix 1** for further guidance.

Who can make a complaint?

Anyone who receives, requests or is affected by our services can make a complaint. Sometimes a customer may be unable or reluctant to make a complaint on their own. We will accept complaints brought by third parties as long as the customer has given their personal consent.

The college will support individuals or organisations wishing to complain about an aspect of its service. This is because we want to understand the nature of the complaint and how it might need to respond if a service is substandard or failing. This may include involving outside support, e.g. advocacy services, to help the customer.

Complaints involving more than one department or organisation

If a complaint relates to the actions of two or more college departments, you must:

- tell the customer who will take the lead in dealing with the complaint, and
- explain that they will get only one response covering all issues raised.

If a customer complains to the college about the service of another body, but the college is not involved in the issue, you should advise the customer to contact the other body directly.

However, you must handle a complaint through this procedure if it directly relates to a college service and the service of another body. The other body could be, for example, a school or contractor providing a service on the college's behalf, a qualifications awarding body or the provider of catering and cleaning services. If you need to make enquiries to an outside body about the complaint, always take account of data protection legislation and the guidance on handling our customers' personal information. The Information Commissioner has detailed guidance on data sharing and has issued a data-sharing code of practice.

These 'joint-service' complaints may be about such things as:

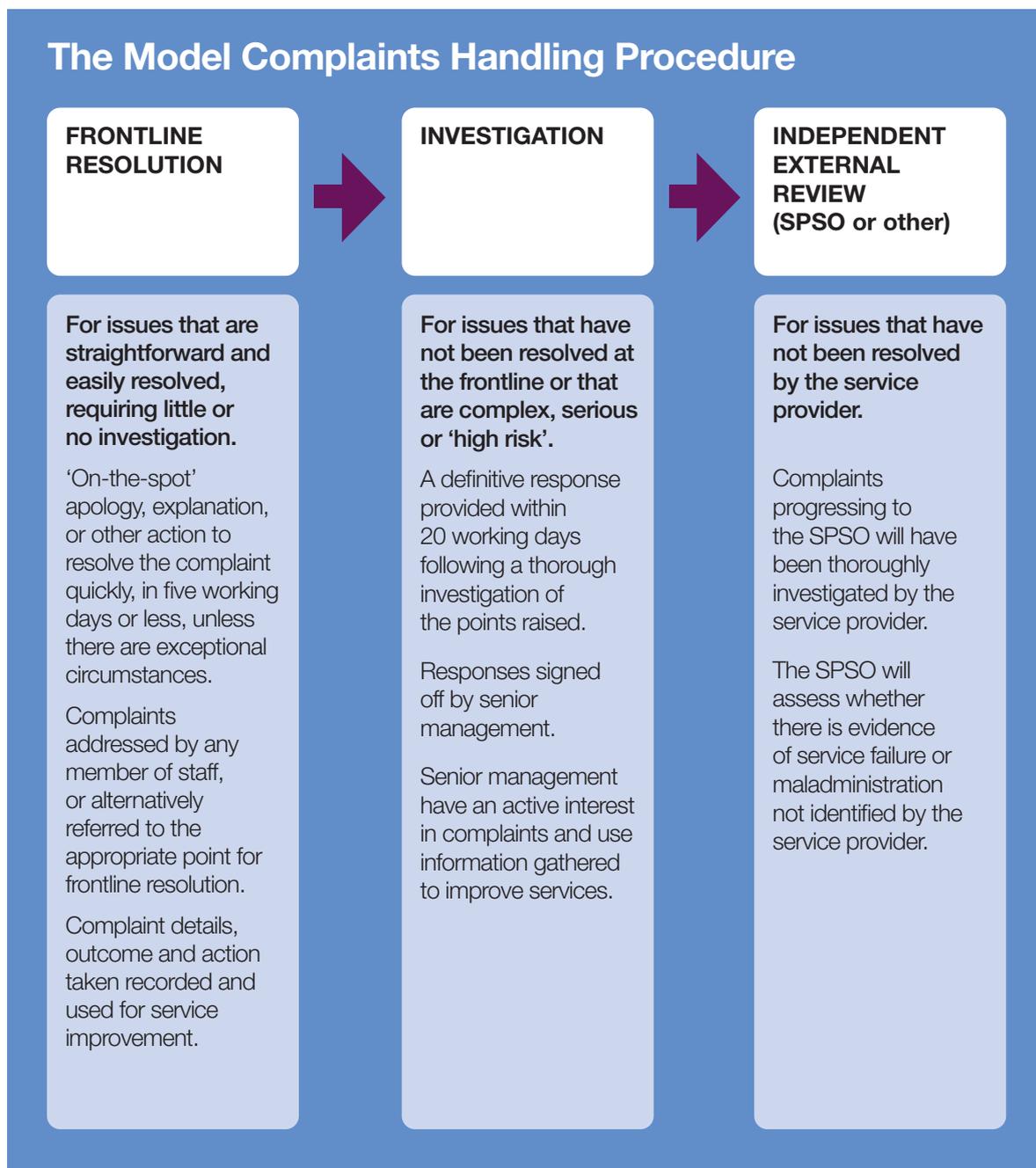
- property maintenance, where the customer's dissatisfaction relates to our service and that of an external facilities body
- accommodation not directly under our ownership
- third-party services, for example IT systems
- a student loan, where the customer is dissatisfied with our service and that of the Student Awards Agency for Scotland.

The complaints handling process

The college's CHP aims to provide a quick, simple and streamlined process for resolving complaints early and locally by capable, well-trained staff.

Our complaints process provides two opportunities to resolve complaints internally:

- 1 **frontline resolution**, and
- 2 **investigation**.



For clarity, the term 'frontline resolution' refers to the first stage of the complaints process. It does not reflect any job description within [the college] but means seeking to resolve complaints at the initial point of contact where possible.

Stage one: frontline resolution

Frontline resolution aims to quickly resolve straightforward customer complaints that require little or no investigation. **Any member of staff may deal with complaints at this stage unless they are the subject of the complaint or have a clear conflict in the matter. In this instance the complaint should be handed to a first line manager within the department or faculty for resolution.**

The main principle is to seek early resolution, resolving complaints at the earliest opportunity and as close to the point of service as possible. This may mean a face-to-face discussion with the customer, or asking a suitable member of staff to deal directly with the complaint.

Appendix 1 gives examples of the type of complaint we may consider at this stage, with suggestions on how to resolve them.

In practice, frontline resolution means resolving the complaint at the first point of contact with the customer. This can be done by the member of staff receiving the complaint or other appropriate staff.

In either case, you may settle the complaint by:

- providing an on-the-spot apology where suitable, and/or
- explaining why the problem occurred and, where possible, what will be done to stop it happening again.

You may also explain that we value complaints and may use the information the customer has given when we review service standards in the future.

A customer can make a complaint in writing, in person, by telephone, by email or online, or by having someone complain on their behalf. You must always consider frontline resolution, regardless of how you have received the customer's complaint.

[The college may provide examples of, or more guidance on, how they receive complaints given the organisational structure in place. Insert the details here or include them in an annex.]

What to do when you receive a complaint

- 1 On receiving a complaint, you must first decide whether the issue can indeed be defined as a complaint. The customer may express dissatisfaction about more than one issue. This may mean you treat one element as a complaint, while directing the customer to pursue another element through an alternative route (see **Appendix 2**).
- 2 If you have received and identified a complaint, record the details on our complaints system.
- 3 Next, decide whether or not the complaint is suitable for frontline resolution. Some complaints will need to be fully investigated before you can give the customer a suitable response. You must escalate these complaints immediately to the investigation stage.
- 4 Where you think frontline resolution is appropriate, you must consider four key questions:
 - What exactly is the customer's complaint (or complaints)?
 - What does the customer want to achieve by complaining?
 - Can I achieve this, or explain why not?
 - If I can't resolve this, who can help with frontline resolution?

What exactly is the customer's complaint (or complaints)?

It is important to be clear about exactly what the customer is complaining of. You may need to ask the customer supplementary questions to get a full picture.

What does the customer want to achieve by complaining?

At the outset, clarify the outcome the customer wants. Of course, the customer may not be clear about this, so you may need to probe further to find out what they expect and whether they can be satisfied.

Can I achieve this, or explain why not?

If you can achieve the expected outcome by providing an on-the-spot apology or explain why you cannot achieve it, you should do so. If you consider an apology is suitable, you may wish to follow the SPSO's guidance on the subject:

SPSO guidance on apology

The customer may expect more than we can provide. If so, you must tell them as soon as possible. An example may be where the customer is so dissatisfied with the location and day of a lecture that they demand both be changed, but we are only able to consider changing its location.

You are likely to have to give the decision face to face or by telephone. If you respond face to face, by telephone or by email, you need not write to the customer as well but you may choose to do so. It is important, however, to keep a full and accurate record of the decision you have reached and passed to the customer.

If I can't resolve this, who can help with frontline resolution?

If you cannot deal with the complaint because, for example, you are unfamiliar with the issues or area of service involved, pass details of the complaint to someone who can try to resolve it.

Timelines

Frontline resolution must be completed within **five working days**, although in practice we would often expect to resolve the complaint much sooner.

You may need to get more information from other departments to resolve the complaint at this stage. However, it is important to respond to the customer within five working days, either resolving the matter or explaining that the college will investigate their complaint.

Extension to the timeline

In exceptional circumstances, where there are clear and justifiable reasons for doing so, you may agree an extension of no more than five working days with the customer. This must only happen when an extension will make it more likely that the complaint will be resolved through frontline resolution.

When you ask for an extension, you must get authorisation from the appropriate senior manager, who will decide whether you need an extension to effectively resolve the complaint. Examples of when this may be suitable include staff (or contractors) being temporarily unavailable. If, however, the issues are so complex that they cannot be resolved in five days, it is right to escalate the complaint straight to the investigation stage. Where appropriate you must tell the customer about the reasons for the delay, and when they can expect your response.

If the customer does not agree to an extension but it is unavoidable and reasonable, a senior manager must decide on the extension. You must then tell the customer about the delay and explain why the extension has been granted.

It is important that such extensions do not become the norm; only rarely should you extend the timeline at the frontline resolution stage. All attempts to resolve the complaint at this stage must take no longer than **ten working days** from the date you receive the complaint.

The proportion of complaints that exceed the five-day limit will be evident from reported statistics. These statistics must go to our senior management team on a quarterly basis.

[The college may provide examples of, or more guidance about, extensions to the five-day timeline. Insert details here or include them in an annex.]

Appendix 3 provides further information on timelines.

Closing the complaint at the frontline resolution stage

When you have informed the customer of the outcome, you do not have to write to them as well, but you may choose to do so or the customer may ask you to do so. You must ensure that our response to the complaint addresses all the topics we are responsible for and explains the reasons for our decision. It is also important to keep a full and accurate record of the decision you have reached and given to the customer. You should then close the complaint and update the complaints system accordingly.

[The college may provide examples or more guidance about when to provide written confirmation of the decision at the frontline stage of the procedure. Insert the details here or include them in an annex.]

When to escalate to the investigation stage

You must escalate a complaint to the investigation stage when:

- you tried frontline resolution but the customer remains dissatisfied and requests an investigation. This may happen immediately when you communicate the decision at the frontline stage, or some time later
- the customer refuses to take part in frontline resolution
- the issues raised are complex and require detailed investigation
- the complaint relates to serious, high-risk or high-profile issues.

When you escalate a previously closed complaint from the frontline resolution stage, you should reopen the complaint on the complaints system.

Take special care to identify complaints that might:

- be serious, high risk or high profile, as these may require particular action, for example escalation to the college principal, or
- raise critical issues that need senior management's direct input.

We define potential high-risk or high-profile complaints as involving:

- an allegation of corruption against a college employee
- a claim of dereliction of duty by a college employee
- a claim of personal injury that has incapacitated the customer
- a potentially significant risk to the college's operations
- a claim of discrimination, with due regard to protected characteristics as set out in section 149(7) of the Equality Act 2010
- an allegation of significant harm or abuse or where there is a suspicion that someone may suffer significant harm
- serious service failure, for example major delays in providing, or repeated failures to provide, a service
- significant and ongoing press interest.

[The college may provide examples of, or more guidance on, high-risk/high-profile complaints. Insert details here or include them in an annex.]

You must hand over all case notes and associated information to the officer responsible for stage two, and record that you have done so.

Stage two: investigation

Not all complaints are suitable for frontline resolution and not all complaints will be satisfactorily resolved at that stage. Complaints handled at the investigation stage are typically complex or require a detailed examination before we can state our position. These complaints may already have been considered at the frontline resolution stage, or they may have been identified from the start as needing immediate investigation.

An investigation aims to establish all the facts relevant to the points made in the complaint and to give the customer a full, objective and proportionate response that represents our final position.

What to do when you receive a complaint for investigation

It is important to be clear from the start of the investigation stage exactly what you are investigating, and to ensure that both the customer and the service understand the investigation's scope.

It may be helpful to discuss and confirm these points with the customer at the outset, to establish why they are dissatisfied and whether the outcome they are looking for sounds realistic. In discussing the complaint with the customer, consider three key questions:

- 1 What specifically is the customer's complaint or complaints?
- 2 What does the customer want to achieve by complaining?
- 3 Are the customer's expectations realistic and achievable?

It may be that the customer expects more than we can provide. If so, you must make this clear to the customer as soon as possible.

Where possible, you should also clarify what extra information you will need to investigate the complaint. The customer may need to provide more evidence to help us reach a decision.

You must record details of the complaint on the system for doing so. Where appropriate, do this as a continuation of frontline resolution. Update the details when the investigation ends.

If the investigation stage follows attempted frontline resolution, you must hand over all case notes and associated information to the officer responsible for the investigation, and record that you have done so.

Timelines

The following deadlines are appropriate to cases at the investigation stage:

- complaints must be acknowledged within **three working days**
- you should provide a full response to the complaint as soon as possible but not later than **20 working days** from the time you received the complaint for investigation.

Extension to the timeline

Not all investigations will be able to meet this deadline. For example, some complaints are so complex that they require careful consideration and detailed investigation beyond the 20-day limit. However, these would be the exception and you must always try to deliver a final response to a complaint within 20 working days.

If there are clear and justifiable reasons for extending the timescale, senior management will set time limits on any extended investigation, as long as the customer agrees. You must keep the customer updated on the reason for the delay and give them a revised timescale for completion. If the customer does not agree to an extension but it is unavoidable and reasonable, then senior management must consider and confirm the extension. The reasons for an extension might include the following:

- Essential accounts or statements, crucial to establishing the circumstances of the case, are needed from staff, customers or others but they cannot help because of long-term sickness or leave.
- You cannot obtain further essential information within normal timescales, but have a reasonable expectation of doing so if there was an extension.
- Operations are disrupted by unforeseen or unavoidable events, for example industrial action or severe weather.
- The customer has agreed to mediation as a potential way of resolution.

These are only a few examples, and you must judge each case on its merits. However, an extension would be the exception and you must always try to deliver a final response to the complaint within 20 working days.

As with complaints considered at the frontline stage, the proportion of complaints that exceed the 20-day limit will be evident from reported statistics. These statistics must go to our senior management team on a quarterly basis.

Appendix 3 provides further information on timelines.

[The college may give reasons for, or more guidance about, extensions to the 20-day timeline. Insert the details here or include them in an annex.]

Mediation

Some complex complaints, or complaints where customers and other interested parties have become entrenched in their position, may require a different approach to resolving the complaint. Where appropriate, you may consider using services such as mediation or conciliation using suitably trained and qualified mediators to try to resolve the matter and to reduce the risk of the complaint escalating.

Mediation will help both parties understand what has caused the complaint, so is more likely to lead to mutually satisfactory outcomes.

If you and the customer agree to mediation, revised timescales will need to be agreed.

[The college may provide examples of, or more guidance about, mediation. Insert the details here or include them in an annex.]

Closing the complaint at the investigation stage

You must let the customer know the outcome of the investigation in writing or by their preferred contact method. Our response to the complaint must address all areas we are responsible for and explain the reasons for our decision. You must record the decision, and details of how it was communicated to the customer, on the system for recording complaints. You must also make clear to the customer:

- their right to ask SPSO to consider the complaint
- the time limit for doing so, and
- how to contact the SPSO.

Independent external review

Once the investigation stage has been completed, if the customer is still dissatisfied with the decision or the way we dealt with the complaint, they can ask the SPSO or the Scottish Qualifications Authority (SQA) (or other awarding body) to look at it. For qualifications that are regulated, if you remain dissatisfied with the way the awarding body has handled your complaint then you may complain to the qualifications regulator, SQA Accreditation.

Students should be advised that SPSO does not have the power to revise course awards. Only the SQA and other awarding bodies have the power to do this and students should always approach the SQA or other awarding body through the relevant procedure where this is what they want to achieve as a result of their complaint, following completion of the College CHP.

In all cases, the complaint must first have been considered by the college.

[For colleges: Please note that SPSO and SQA are in discussions about signposting arrangements to be included in the model CHP and the above text is subject to amendment.

SPSO and SQA have been working together to ensure that colleges can comply both with SPSO's legislation and, in specific circumstances, with the regulations and criteria of awarding bodies, and additionally, with those of qualifications regulators.

The SPSO Act 2002 requires colleges to signpost to the SPSO on conclusion of their CHP. SPSO consider complaints made about service failure and maladministration which may include issues surrounding course delivery.

The SQA and other awarding bodies are responsible for ensuring the quality of courses for which they are the awarding body. Additionally, for qualifications that are regulated, SQA Accreditation is ultimately responsible for ensuring the quality of these qualifications, associated courses and the awarding bodies which award them.

SQA and other awarding bodies will consider complaints from members of the public about issues relating to course quality if they remain dissatisfied by the college's response.

As both organisations have an interest in complaints about elements of course delivery, the SPSO and SQA are working up scenarios to clarify the most appropriate route for the individual to raise their complaint along with appropriate signposting materials.

We are currently developing a protocol for handling complaints about courses and assessment to ensure that there is a clear and transparent mechanism for handling complaints within the further education sector. This will include scenarios about the potential types of complaint that should be considered by either SPSO or an awarding body. The protocol will also include published turnaround times for all procedures to make clear that there is a focus on as short a complaints procedure as possible.

This information will be provided to develop a standardised approach for the sector to advise students how and to whom to address their complaint if they remain dissatisfied by a college's handling of their issue. Both organisations are committed to ensuring that students can raise complaints easily and have their complaints responded to as quickly and simply as possible. It is particularly important that they get access to the appropriate body depending on the desired outcome of their complaint.

The SPSO recommends that you use the wording below to inform customers of their right to ask SPSO to consider the complaint. The SPSO also provides a leaflet, **The Ombudsman and your organisation**, which you may find helpful in deciding how and when to refer someone to the SPSO.

Information about the SPSO

The Scottish Public Services Ombudsman (SPSO) is the final stage for complaints about public services in Scotland. This includes complaints about Scottish colleges. If you remain dissatisfied with a college after using its complaints process, you can ask the SPSO to look at your complaint. The SPSO cannot normally look at complaints:

- > where you have not gone all the way through the college's complaints handling procedure
- > more than 12 months after you became aware of the matter you want to complain about, or
- > that have been or are being considered in court.

The SPSO's contact details are:

SPSO
4 Melville Street
Edinburgh
EH3 7NS

SPSO
Freepost EH641
Edinburgh
EH3 0BR

Freephone **0800 377 7330**

Online contact **www.spsso.org.uk/contact-us**

Website **www.spsso.org.uk**

Mobile site: **<http://m.spsso.org.uk>**

Governance of the Complaints Handling Procedure

Roles and responsibilities

Overall responsibility for the management of complaints lies with the college's Principal and senior management, who are accountable to our Board of Management.

Our final position on the complaint must be signed off by an appropriate senior officer and we will confirm that this is our final response. This ensures that our senior management own and are accountable for the decision. It also reassures the customer that their concerns have been taken seriously.

*[The roles and responsibilities for each college will vary depending on size, organisational structure, portfolio responsibilities and a host of other business considerations. The following paragraphs provide general examples of the roles and responsibilities that a college may consider appropriate in respect of complaints handling. Colleges are, however, free to manage the CHP in the most efficient and effective manner for their organisation. **The following paragraphs explaining roles and responsibilities should be amended to suit the particular considerations of individual colleges. However, there must remain a clear description of the roles and responsibilities in relation to complaints handling for each level of the organisation.***

Principal/Chief Executive: *The Principal/Chief Executive provides leadership and direction in ways that guide and enable us to perform effectively across all services. This includes ensuring that there is an effective CHP, with a robust investigation process that demonstrates how we learn from the complaints we receive. The Principal/Chief Executive may take a personal interest in all or some complaints, or may delegate responsibility for the CHP to senior staff. Regular management reports assure the Principal/Chief Executive of the quality of complaints performance.*

Vice Principal(s): *On the Principal/Chief Executive's behalf, Vice Principals may be responsible for:*

- *managing complaints and the way we learn from them*
- *overseeing the implementation of actions required as a result of a complaint*
- *investigating complaints*
- *deputising for the Principal/Chief Executive on occasion.*

However, Vice Principals may decide to delegate some elements of complaints handling (such as investigations and the drafting of response letters) to other senior staff. Where this happens, Vice Principals should retain ownership and accountability for the management and reporting of complaints. They may also be responsible for preparing and signing decision letters to customers, so they should be satisfied that the investigation is complete and that their response addresses all aspects of the complaint.

Directors/Heads of Department: *may be involved in the operational investigation and management of complaints handling. As senior officers they may be responsible for preparing and signing decision letters to customers, so they should be satisfied that the investigation is complete and their response addresses all aspects of the complaint.*

Complaints investigator: *The complaints investigator is responsible and accountable for the management of the investigation. They may work in an academic department or as part of a centralised team. They will be involved in the investigation and in co-ordinating all aspects of the response to the customer. This may include preparing a comprehensive written report, including details of any procedural changes in service delivery that could result in wider opportunities for learning across the college.*

All college staff: A complaint may be made to any member of staff in the college. So all staff must be aware of the CHP and how to handle and record complaints at the frontline stage. They should also be aware of who to refer a complaint to, in case they are unable to personally handle the matter. We encourage all staff to try to resolve complaints early, as close to the point of service delivery as possible, and quickly to prevent escalation.

College's SPSO liaison officer: Our SPSO liaison officer's role may include providing complaints information in an orderly, structured way within requested timescales, providing comments on factual accuracy on our behalf in response to SPSO reports, and confirming and verifying that recommendations have been implemented.]

Complaints about academic staff

Complaints about academic staff can be difficult to handle, as there may be a conflict of interest for the staff investigating the complaint. When serious complaints are raised against academic staff, it is very important that someone independent of the situation conducts the investigation. We must ensure we have strong governance arrangements that set out clear procedures for handling such complaints.

[The college may provide examples or more guidance about the process for handling complaints against academic staff members. Insert it here or include it in an annex.]

Recording, reporting, learning and publicising

Complaints provide valuable customer feedback. One of the aims of this procedure is to identify opportunities to improve services across [the college]. We must record all complaints systematically so that we can use the data for analysis and management reporting. By doing so, we can identify and tackle what causes complaints. Also, where appropriate, we can identify training opportunities and improve our service.

Recording complaints

To collect suitable data we must record all complaints in line with SPSO minimum requirements, as follows:

- The customer's name and address.
- The date we received the complaint.
- The nature of the complaint.
- How we received the complaint.
- The department the complaint refers to.
- The date we closed the complaint at frontline resolution stage, if we did.
- The date we escalated the complaint to the investigation stage, if we did.
- Any action we took at the investigation stage.
- The date we closed the complaint was closed at the investigation stage, if we did.
- The complaint's outcome at each stage.
- The complaint's underlying cause and any remedial action we took.

We have structured systems for recording complaints, their outcomes and any resulting action. These provide a detailed record of services that have failed to satisfy customers.

[The college may provide examples or more guidance about how to record complaints in line with its system. Insert details here or include them in an annex.]

Reporting of complaints

We analyse complaint details for trend information to ensure we identify service failures and take appropriate action. By regularly reporting on our analysis, we can tell management where services need to improve.

On a quarterly basis we will publish the outcome of complaints and our actions in response. This shows the improvements arising from complaints, and that complaints can influence our services.

It also helps to ensure transparency in our complaints handling and reassure our customers that we value their complaints.

We must:

- publicise on a quarterly basis complaints outcomes, trends and actions taken
- use case studies and examples to show how complaints have helped improve services.

We should report this information regularly (at least quarterly) to our senior management team.

[The college may provide examples or more guidance about how complaints information will be reported internally. Insert details here or include them in an annex.]

Learning from complaints

At the earliest opportunity after closing the complaint, the complaint handler must inform the customer and staff of the relevant department about the investigation's findings and any recommendations.

Senior management will regularly review the information gathered from complaints and consider whether we could improve our services or update our internal policies and procedures.

As a minimum, we must:

- use complaints data to identify the root cause of complaints

- take action to reduce the risk of recurrence
- record the details of corrective action in the complaints file, and
- systematically review complaints performance reports to improve service delivery.

Where we have found that our services should be improved, we must:

- authorise the action needed to improve services
- designate an officer (or team) as the issue's 'owner', with responsibility for ensuring the action is taken and by when
- ensure the designated officer follows up to ensure the action is taken by the agreed date
- where appropriate, monitor performance in the service area to ensure the issue has been resolved
- ensure that our staff learn from complaints.

[The college may provide examples or more guidance about how complaints information will be used for learning. Insert details here or include them in an annex.]

Publicising complaints performance information

We also report annually on our performance in handling complaints in line with SPSO requirements. This includes statistics showing the volume and type of complaint as well as key performance details, for example on the time we took to resolve complaints and at what stage they were resolved.

Maintaining confidentiality

Confidentiality is important in complaints handling. It includes maintaining the customer's confidentiality and explaining to them the importance of confidentiality generally. We must always bear in mind legal requirements, for example, data protection legislation, as well as internal policies on confidentiality and the use of customers' information.

Managing unacceptable behaviour

In times of trouble or distress, people may act out of character. The circumstances leading to a complaint may result in the customer acting unacceptably. Customers who have a history of challenging or inappropriate behaviour, or have difficulty expressing themselves, may still have a legitimate grievance.

A customer's reasons for complaining may contribute to how they present their complaint. Regardless of this, we must treat all complaints seriously and properly assess them. However, the actions of customers who are angry, demanding or persistent may result in unreasonable demands on time and resources or unacceptable behaviour towards our staff. So we will apply our policies and procedures to protect staff from behaviour such as unreasonable persistence, threats or offensiveness from customers. If we decide to restrict a customer's contact with us under our unacceptable actions policy, we have a procedure for communicating that decision to them, notifying them of their right of appeal, and reviewing any decision to restrict contact with us. This will allow the customer to demonstrate a more reasonable approach later.

[The college may provide more guidance about its unacceptable actions policy and examples of how it works. Insert it here or include it in an annex.]

Supporting the customer

Everyone has an equal right of access to our CHP. Customers who do not have English as a first language may need help with interpretation and translation services. Others may have specific needs that we will seek to meet to ensure easy access to the procedure.

We must always take into account our commitment and responsibility to equality. Where appropriate, this includes making reasonable adjustments to our service to help the customer.

Several support and advocacy groups are available to support customers in pursuing a complaint. You should tell customers about them if need be.

[The college may provide examples or more guidance about arrangements to support the customer. Insert them here or include them in an annex.]

Time limit for making complaints

The customer has six months to put their complaint to us, starting from when they first knew of the problem. For us to accept a complaint outside this time, there have to be special circumstances.

We will use discretion when applying this time limit. In our decision making we will take account of the Scottish Public Services Ombudsman Act 2002 (Section 10(1)), which sets the time limit within which a member of the public can normally ask the SPSO to consider complaints. The limit is one year from when the person first knew of the problem, unless special circumstances mean we should consider complaints beyond this time.

If it is clear that a decision not to investigate a customer's complaint will lead to a request for external review of the matter, we may decide that this satisfies the special circumstances criterion. This will enable us to consider the complaint and try to resolve it.

Appendix 1

Complaints

The following tables give examples of complaints that may be considered at the frontline stage, and suggest possible actions to achieve resolution.

Complaint	Possible actions to achieve resolution
<p>Two related lectures have been cancelled due to bad weather. A student complains to the course leader that this will disadvantage her and her classmates in the forthcoming exam.</p>	<p>The course leader contacts all affected students and apologises for the cancellation. The course leader tells the students that two extra lectures have been scheduled and gives details of times and locations. This action and the complaint's outcome are logged on the college complaints database.</p>
<p>A woman complains to college reception that students in the hall of residence threw food out of a window as she was passing. She said this had been very unpleasant and it had damaged her clothes.</p>	<p>The receptionist apologises on the college's behalf and takes a note of her contact details. The receptionist passes them to the hall of residence manager, who writes the following day offering an apology and saying that the college expects its students to be positive members of the community. The residence manager offers to pay the cost of any dry-cleaning, and explains that the college will seek to identify the students to ensure that their behaviour does not recur. This action and the complaint's outcome are logged on the college complaints database.</p>
<p>A student complains that his profile, which he had provided for use in the college prospectus, had been incorrectly reproduced, attributing information to him that belonged to someone else.</p>	<p>The college writes to the student with an apology, an explanation of how the mistake happened, and details of how it will resolve the issue. This would include replacing the version on the college website, amending printed copies of the prospectus and making sure the correct text was included in future printed versions. These actions and the complaint's outcome are logged on the college complaints database.</p>
<p>A student complains that she has received a fine for the late return of library books when she had, in fact, returned the books on time.</p>	<p>A member of the library staff checks and confirms that the books had been returned on time, but the librarian had failed to update the computer system to reflect this. The student receives an explanation and an apology from the member of staff. This action and the complaint's outcome are logged on the college complaints database.</p>

Appendix 2

What is not a complaint

A concern may not necessarily be a complaint. For example, a customer might make a routine first-time request for a service. This is not a complaint, but the issue may escalate into a complaint if it is not handled effectively and the customer has to keep on asking for the service.

A customer may also be concerned about college decisions, which may have their own specific review or appeal procedures. So, where appropriate, the college must direct customers to the relevant procedure. The following examples give details of the type of issues or concerns for which you should not use the CHP. This is not a full list, and you should decide the best resolution route for each individual case.

Remember that although the customer may have another form of redress as detailed above, you must consider carefully whether or not you should manage a customer's comments within the CHP. Dissatisfaction with certain college decisions may simply require an explanation and direction to the correct route for resolution. If, however, a customer says they are dissatisfied with the administrative process we have followed in reaching a decision, you may consider that dissatisfaction through the CHP. An example may be a complaint from a customer who is dissatisfied with a decision and alleges that we failed to follow or apply the appropriate guidance in making it.

Example 1:

Appeal against an academic decision (separate appeals procedure)

Example 2:

Appeal against a student funding award/non-award

Example 3:

Claim for compensation against the college

Example 4:

Request under the Data Protection or Freedom of Information Acts

Example 5:

National qualification results

Example 6:

College exam results

Appendix 3

Timelines

General

In this procedure, 'day' means a working day. When measuring performance against the required timelines, we ignore non-working days such as weekends, public holidays and days when 'industrial action' interrupts our service.

Timelines at frontline resolution

You must aim to achieve frontline resolution within five working days. The day you receive the complaint is day 1. Where you receive it on a non-working day, for example at the weekend or on a public holiday, day 1 will be the next working day.



Day 1:

Day we receive the complaint, or the next working day if the date of receipt is a non-working day.

Day 5:

Frontline resolution achieved or complaint escalated to the investigation stage.

[The date of receipt is set by the college's usual arrangements for receiving and dating mail and other correspondence.]

Extension to the five-day timeline

If you have extended the timeline at the frontline resolution stage in line with the procedure, the revised response time must be no longer than 10 working days from the date we receive the complaint.



Day 1:

Day we receive the complaint, or the next working day if the date of receipt is a non-working day.

In a few cases where it is clearly essential to achieve early resolution, you may authorise an extension within five working days from when we received the complaint. You must conclude the frontline resolution stage within 10 working days from the date of receipt by resolving the complaint or escalating it to the investigation stage.

Day 10:

Frontline resolution achieved or complaint escalated to the investigation stage.

Transferring cases from frontline resolution to investigation

If it is clear that frontline resolution has not resolved the matter, and the customer wants to escalate the complaint to the investigation stage, you must pass the case for investigation without delay. In practice this will mean the same day that the customer is told it will happen.

Timelines at investigation

You may consider a complaint at the investigation stage:

- after attempted frontline resolution, or
- immediately on receipt if you believe the matter to be sufficiently complex, serious or appropriate to merit a full investigation from the outset.

Acknowledgement

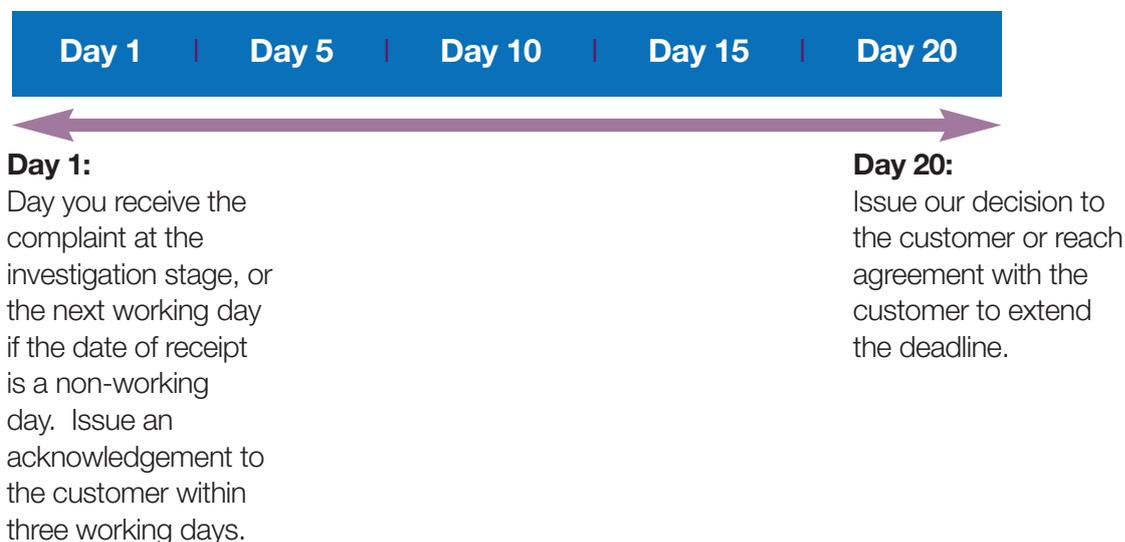
Within **three working days** of receipt, you must acknowledge all complaints that reach the investigation stage. The date of receipt is:

- the day the case is transferred from the frontline stage to the investigation stage, where it is clear that the case requires investigation, or
- the day the customer asks for an investigation after a decision at the frontline resolution stage. You should note that a customer may not ask for an investigation immediately after attempts at frontline resolution, or
- the date you receive the complaint, if you think it sufficiently complex, serious or appropriate to merit a full investigation from the outset.

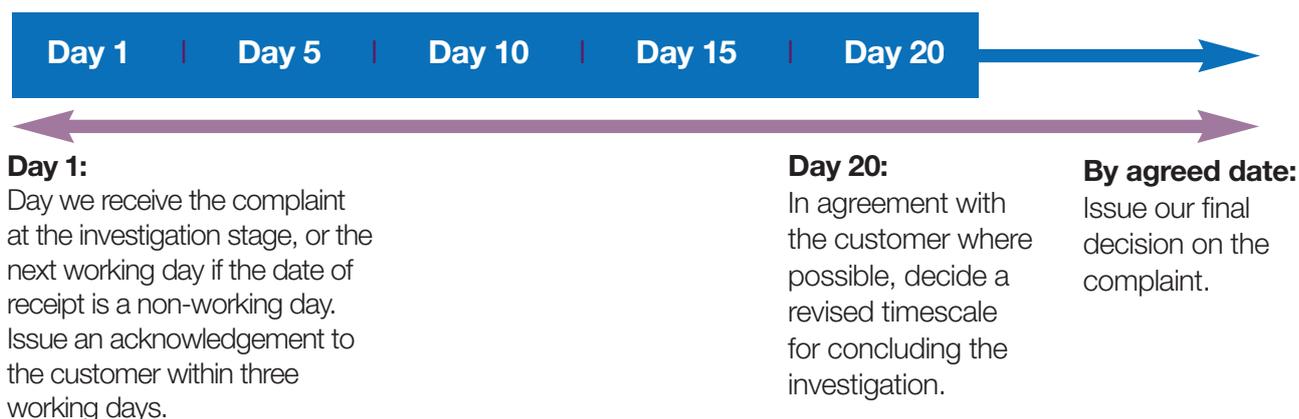
Investigation

You should respond in full to the complaint within **20 working days** of receiving it at the investigation stage.

The 20-working day limit allows time for a thorough, proportionate and consistent investigation to arrive at a decision that is objective, evidence-based and fair. This means you have 20 working days to investigate the complaint, regardless of any time taken to consider it at the frontline resolution stage.

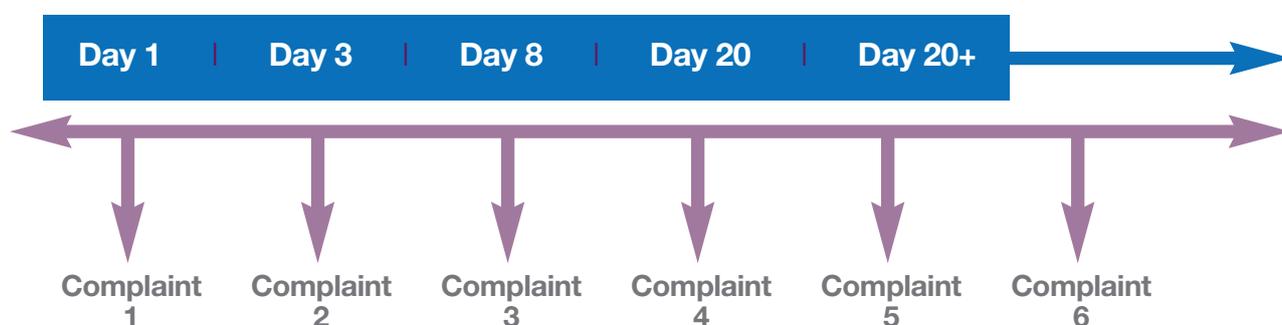


Exceptionally you may need longer than the 20-day limit for a full response. If so, you must explain the reasons to the customer, and agree with them a revised timescale.



Timeline examples

The following examples show when we conclude our consideration of a complaint, setting out the different stages and times when we may resolve a complaint.



Each complaint's circumstances are explained below:

Complaint 1

This is a straightforward issue that we can resolve by an on-the-spot explanation and, where appropriate, an apology. We can resolve such a complaint on day 1.

Complaint 2

This is also a straightforward matter requiring little or no investigation. In this example, we can reach resolution at day three of the frontline resolution stage.

Complaint 3

We considered this complaint appropriate for frontline resolution. We did not resolve it in the required timeline of five working days. However, we authorised an extension on a clear and demonstrable expectation that the complaint would be satisfactorily resolved within a further five days. We resolved the complaint at the frontline resolution stage in a total of eight days.

Complaint 4

This complaint was suitably complex or serious enough to pass to the investigation stage from the outset. We did not try frontline resolution; rather we investigated the case immediately. We issued a final decision to the customer within the 20-day limit.

Complaint 5

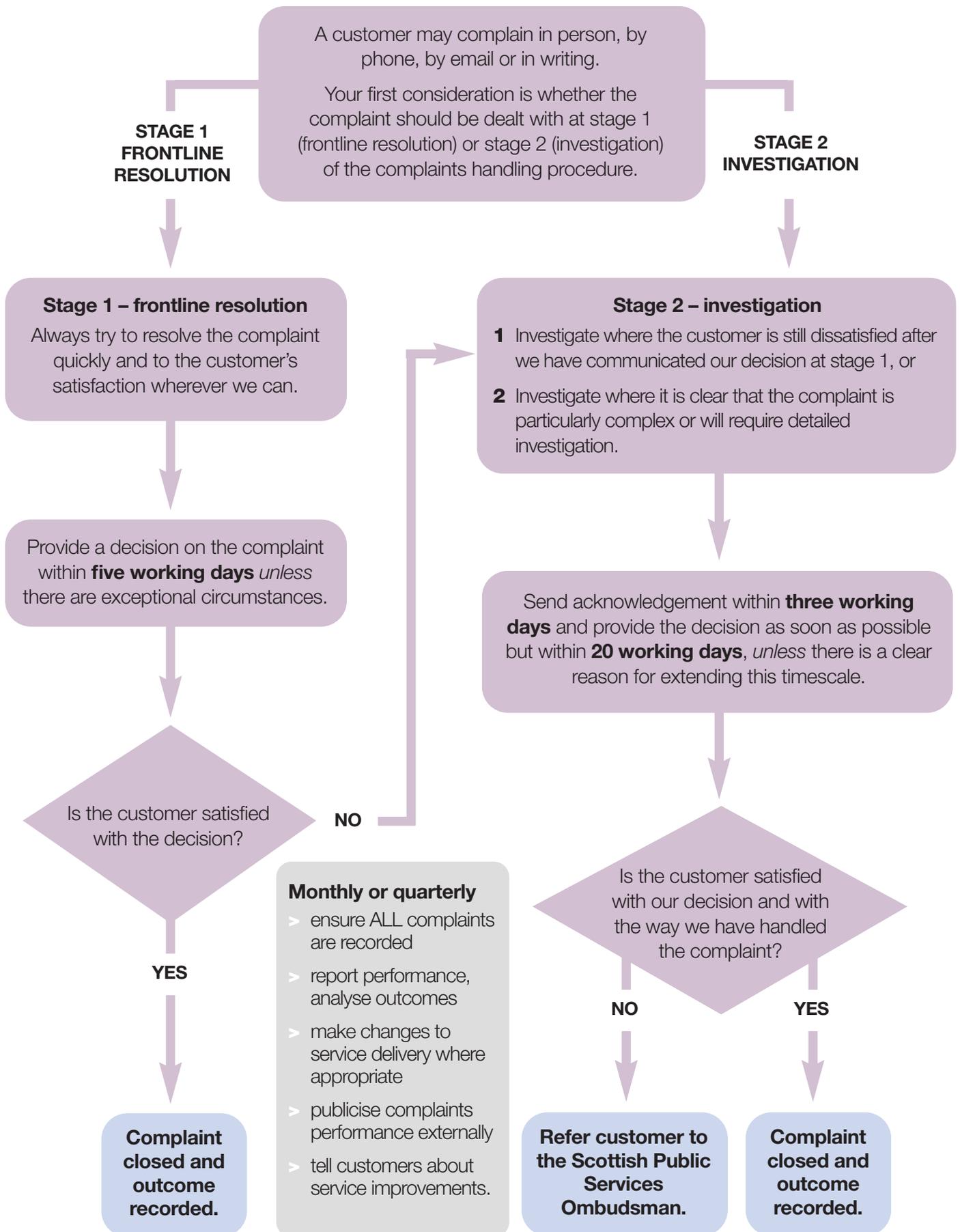
We considered this at the frontline resolution stage, after authorising a five-day extension. At the end of the frontline stage the customer was still dissatisfied. At their request, we conducted an investigation and issued our final response within 20 working days. Although the total timeline was 30 working days, we still met the combined time targets for frontline resolution and investigation.

Complaint 6

We considered this complaint at both the frontline resolution stage and the investigation stage. We did not complete the investigation within the 20-day limit, so we agreed a revised timescale with the customer for concluding it beyond the 20-day limit.

Appendix 4

The complaints handling procedure



SPSO

Scottish
Public
Services
Ombudsman

