



HANDLING COMPLAINTS

- ANSWERS TO FREQUENTLY ASKED QUESTIONS -

COMPLAINTS HANDLING RELATED QUESTIONS

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What happens if I am on annual leave or away from the University when the complaint is received?

What happens to out of office replies which state that emails may not be acknowledged within 5 - 7 days during peak periods?

MONITORING RELATED

Will complaints be monitored to ensure consistency in which issues are being recorded as complaints?

COMPLAINTS HANDLING RELATED QUESTIONS

What happens if we receive a multiple complaint which relates to another area? Who owns the complaint?

From Section CP1.4 of the Complaints Handling Procedure:-

If a complaint relates to the actions of two or more Schools or Services, the staff member receiving the complaint must confer with the other area(s) to decide who will take the lead on the complaint. Coordination may still be required between different areas of the University to ensure that the complaint is fully addressed in a single response. The nature of the complaint may also require parallel procedures to be initiated (such as academic appeal or disciplinary procedures).

Are admissions decisions covered in the new procedure?

Section CP1.1 of the Complaints Handling Procedure states:-

*The definition of a complaint is very broad and the list above is not exhaustive. However, not every concern raised with the University is a complaint. For example, the following **are not complaints**:*

- *a routine, first-time request for a service*
- *a request under the Freedom of Information (Scotland) Act or Data Protection Act*
- *a request for information or an explanation of policy or practice*
- *a response to an invitation to provide feedback through a formal mechanism such as a questionnaire or committee membership will generally not be treated as a complaint*
- *an insurance claim*
- *an issue which is being, or has been, considered by a court or tribunal*
- *an attempt to have a complaint reconsidered where the Institution's procedure has been completed and a decision has been issued*
- *a grievance by a member of staff which is eligible for handling through the grievance procedure*
- *an appeal about an academic judgement on assessment or admission.*

Section CP1.2 of the Complaints Handling Procedure states:-

CP1.2 Who can make a complaint?

The University's Complaints Handling Procedure covers complaints from anyone who receives, requests or is affected by our services.

This includes, although is not limited to:

- *a student's experience during their time (subject to the time limits detailed in section CP1.6) at the University (all referred to as 'students' through the remainder of this document);*
- *members of the public, where they have a complaint about matters which are (or which were at the time the issue arose) the responsibility of the University; and*
- *members of the public who are applying for admission to the University and whose complaint does not relate to academic judgement.*

Applicants are entitled to make a complaint via the procedure about any matter **with the exception** of a decision made not to admit them to study on a programme at the University for academic reasons. The current *Admissions Appeals Procedure* remains the process applicants should use when connected to dissatisfaction of this nature.

If I receive an anonymous complaint, should it be investigated?

Section CP1.1 of the Complaints Handling Procedure states:-

CP1.3 Anonymous Complaints

Complaints submitted anonymously will be considered if there is enough information in the complaint to enable the University to make further enquiries. If, however, an anonymous complaint does not provide enough information to enable us to take further action, we may decide not to pursue it further. However, the University may give consideration to the issues raised, and will record the complaint so that corrective action can be taken as appropriate.

Any decision not to pursue an anonymous complaint must be authorised by the University Secretary or his/her nominee. If an anonymous complaint contains serious allegations, it should be referred to the Head of the School or Service concerned immediately for consultation with the University Secretary.

At what point do issues raised at committees such as Staff Student Liaison Committees become a complaint?

Section CP1.1 of the Complaints Handling Procedure states that *"a response to an invitation to provide feedback through a formal mechanism such as a questionnaire or committee membership will generally not be treated as a complaint"*.

Matters raised in this fashion should not generally be treated as complaints though if a student expresses dissatisfaction at the response to any issues they have raised via such a forum then this should be considered a complaint if it fits the definition of a complaint in section CP1.1 of the Complaints Handling Procedure.

Can a complaint be made solely on the basis of a questioning of academic judgement?

No. As with Academic Appeals, complaints based solely on these grounds cannot be made.

Who qualifies as a “Senior Manager/Senior Management” where reference to this term is made in the procedure and it is not explicitly clear?

In sections CP2.2, CP2.4 and CP2.7 it is at the discretion of the School or Service as to who qualifies as the Senior Manager/Management referenced. For example, in Student & Academic Services, where section CP2.2 is concerned the “Senior Manager” would be regarded as a Head of Section, Assistant Director or the Director. In sections CP2.4 and CP2.7, “senior management” is regarded as the Assistant Directors and/or the Director.

How should complaints from parents of students/applicants be addressed?

Section CP1.2 of the Complaints Handling Procedure states:-

CP1.2 Who can make a complaint?

The University’s Complaints Handling Procedure covers complaints from anyone who receives, requests or is affected by our services.

This includes, although is not limited to:

- *a student’s experience during their time (subject to the time limits detailed in section CP1.6) at the University (all referred to as ‘students’ through the remainder of this document);*
- *members of the public, where they have a complaint about matters which are (or which were at the time the issue arose) the responsibility of the University; and*
- *members of the public who are applying for admission to the University and whose complaint does not relate to academic judgement.*

The basic processes for investigating complaints are the same for students, members of the public and applicants to the University.

Sometimes individuals may be unable or reluctant to make a complaint on their own. The University will accept complaints brought by third parties, as long as the individual affected has given their personal consent under the requirements of the Data Protection Act 1998. This usually means that the individual affected must give clear written authority for the third party to act on their behalf and state their relationship to the complainant. Complaints made by a third party with the explicit permission of the complainant will be dealt with according to the same timescales.

On obtaining written consent from a student to allow his/her parent to submit the complaint on their behalf it should be made clear the level of detail which may be disclosed to their parent. Only data and information directly relevant to the complaint should be disclosed to the parent.

For detailed Data Protection related information/advice, staff should contact Helen Mizen in Governance Services – 0131 455 6359 or email H.Mizen@napier.ac.uk.

COMPLAINTS RECORDING RELATED QUESTIONS

Are we recording all types of complaints - by phone, letter, email, social media and face to face?

Yes. Complaints may be made via any of these methods and should be recorded irrespective of how they are received. If you receive a complaint verbally rather than in written format, you may wish to request that the individual puts the matter in writing to ease the investigation and resolution attempts. This would also be helpful for record keeping.

Are we expected to keep an audit trail of Frontline Resolution stage complaints?

The requirement for this is not outlined in the procedure but individuals are strongly recommended to keep any communication connected to a complaint on file.

Should we send background information to the Departmental Complaints Contact?

No, the Departmental Complaints Contact should only be sent the completed spread sheet used to record a complaint. Line managers should make arrangements for offices to store any files (electronic or paper) related to complaints.

How do we record telephone conversations?

It is recognised it is difficult to record telephone conversations but if a telephone conversation results in a complaint being made it is worth considering asking the individual if they would be willing to email you the details of their complaint or ask them for their email address so that you can contact them and ask them to confirm your record of the conversation.

Are we expected to record complaints from staff about other internal members of staff?

The new University complaint procedure is aimed at students, applicants and members of the public. Staff complaints, as defined by section CP1.2, are not covered by this new procedure and should not be recorded. Matters concerning staff grievances should be considered under the University's HR policies and procedures.

Do we send the recording template to the Scottish Public Services Ombudsman?

No, though the SPSO may ask us to provide reports on recorded complaints to inform of them of the volume received, the nature of the complaints, the outcomes, the time taken to reach these outcomes and any lessons learned from complaints.

TIMESCALE RELATED QUESTIONS

Does the 5 working days timescale period for resolution at the Frontline stage include weekends and public holidays?

No, only days on which the University is open will be counted as falling within the timescale. Days where the University is closed for scheduled holidays or has to be closed due to adverse weather, power failure, building works etc will not count towards the timescale.

What happens if I am on annual leave or away from the University when the complaint is received?

All staff should have an out of office message set up on their telephone voicemail and their email address when they are going to be unable to access mail for a period spanning more than two to three working days. This should provide the individual attempting to contact them with an alternative address/individual to contact in their absence. The alternative contact should be someone who has a reasonable knowledge of the absent member of staff's job and should attempt to resolve the complaint in accordance with the procedure. This may be a situation where an extension to the 5 working day resolution period is applicable.

What happens to out of office replies which state that emails may not be acknowledged within 5 - 7 days during peak periods?

The SPSO expect all complaints to be resolved within 5 working days where possible. In exceptional circumstances, this may be extended by 5 days to 10 days in total or, in line with section CP2.4, be handled at Stage 2 where the time limit for final response on a complaint is 20 working days. Given the SPSO requirements, out of office messages should not suggest there will be a delay in responding to complaints. This means that inboxes should be managed to prioritise complaints. Managers will be required to consider the implications of the new procedures on email response times during peak times.

MONITORING RELATED QUESTIONS

Will complaints be monitored to ensure consistency in which issues are being recorded as complaints?

An annual report is submitted to Academic Board and University Court and this practice will continue. Senior managers will monitor complaints recorded in their area on a quarterly basis.