

University of St Andrews

Audit & Risk Committee

**UNIVERSITY COMPLAINT HANDLING PROCEDURE: REVIEW OF ACADEMIC
YEAR 2017/18**

1. Introduction

- 1.1. This review provides an assessment of the University's operation in this area during the period 01 August 2017 through 31 July 2018 and in particular:
- Whether the existing resources and controls in place are sufficient to ensure that the University's responses to complaint management remain effective, support organisational learning from complaints and are in-line with the requirements of the Regulator, the Scottish Public Services Ombudsman ("the SPSO");
 - Key achievements during the reporting period;
 - An assessment of the level of challenges and key risks for the coming 12 months; and
 - Mitigating actions to be implemented.

2. Action requested

- 2.1. Committee are asked to note this report.

3. Consultation

- 3.1. This paper was reviewed and approved by the Vice-Principal, Governance. This report contains no areas of concern to management.

4. Background / context

- 4.1. The Scottish Public Services Ombudsman Act 2002 ("the Act") established an independent complaints function, operating across the public sector. In academic year 2013/14, all Scottish higher education institutions were required to manage complaints following a standard approach, developed specifically for the sector i.e. *The Scottish Higher Education Model Complaints Handling Procedure* ("the CHP"). This standard was developed by the SPSO with representation from the sector.
- 4.2. The CHP is a 2 stage process. Issues of complaint that are straightforward and easily resolved, requiring little or no investigation, are managed at stage 1. For issues that cannot be resolved at stage 1, or those that are complex or of a serious nature, a more involved investigation process is available, i.e. stage 2. Complaints managed via stage 2 require senior management involvement, where the University's definitive response is provided, normally within 20 working days. If a complainant is dissatisfied following the conclusion of stage 2, they have the option to seek a review of the University's management of a complaint from the SPSO.

- 4.3. There is no provision within the CHP for academic decisions to be questioned. Academic appeals are dealt with separately, although in the minds of students they are often conflated. All issues of complaint received via stage 2 are first assessed with input from the Court and Senate Office, to ensure that issues are dealt with under the correct procedures. This “triage” process is effective and is working well.

Operation

- 4.4. In January 2015 responsibility for day to day management of the CHP moved to the University’s Information Assurance and Governance function. The processes of managing stage 2 complaints and responding to the SPSO (non-academic) reviews requires a similar skills set to managing freedom of information requests, internal reviews and Regulator case management: the intention being to manage complaints more efficiently and effectively, fulfilling obligations while limiting the resource burden of compliance.

Assessment of the management controls

- 4.5. It is considered that the University’s approach to managing the CHP continues to be appropriate. This paper provides the underlying details as to how the assessment on the appropriateness of management controls for compliance with SPSO requirements for the operation of the University’s CHP was reached.

Revisions to the operation of the CHP

- 4.6. During the reporting period, no changes to the operation of the CHP were made. It is proposed that for academic year 2018/19 minor changes are made; notably to make it clear that the 20 working day period for assessing and responding to an investigation under stage 2 does not commence until both the University and the complainant have agreed the scope of the complaint.

Summary of the complaints managed under stages 1 and 2

- 4.7. APPENDIX A, below, provides a breakdown of the complaints managed under the CHP for academic year 2017/18, with comparative figures for the previous reporting period.

Complaints managed under stage 1 of the CHP

The number of stage 1 complaints reported has increased from 55 to 64 since the last reporting period. The increase is partly explained by Schools becoming more confident at identifying what constitutes a front-line complaint, and at resolving these at a local level. Only 1 complaint raised with a School at level 1 progressed to level 2, which suggests that front-line complaints resolution in Schools is effective. The increase in stage 1 complaints from Units (9) does not present any cause for concern; there is no clustering that could point towards underlying failings that require further investigation or attention.

Complaints managed under stage 2 of the CHP

- 4.8. 8 complaint submissions were received, with the complainants seeking investigation under stage 2 of the University CHP. However, of these only 3 were found to be eligible for investigation under the said stage. Of the 5 complaints that did not progress under stage 2 of the CHP:
- 4.8.1. 2 were withdrawn;
 - 4.8.2. A complaint was made outwith the normal timeframe, with no mitigating circumstances provided;
 - 4.8.3. A complaint was made by a third party, without the knowledge/consent of the individual who was the subject of the claimed issues of complaint. The party who raised the complaint did not return with consent; and
 - 4.8.4. A complainant refused to provide information necessary to allow the University to consider the complaint.
- 4.9. In terms of outcomes of the complaints that were assessed under stage 2:
- 4.9.1. 2 were partially upheld with 1 complaint not being upheld; and
 - 4.9.2. All required an extension to the prescribed time limit (20 working days), which was secured with the agreement of the complainants.
- 4.10. The 3 stage 2 complaints received and addressed during the reporting period represent a continued fall, when compared with the number of complaints received over previous reporting periods i.e. 11, 21, 41, and 4 respectively.
- 4.11. Complaints surrounding contractual matters, where a complainant seeks compensation, do not fall within the scope of the CHP. During the reporting period a small number of requests were received via the CHP, seeking refunds for teaching fees in light of industrial action. These were not treated as complaints and the Proctor's Office responded.

Analysis

- 4.12. Analysis of the 3 stage 2 complaints addressed via stage 2 of the CHP during the reporting period did not reveal any patterns which may suggest a failing in how University services and/or operations are delivered. Each area of complaint was unique: all concerned different areas of the University's operation, with no connections to complaints received in the previous reporting period.

Complaints referred to SPSO for a decision during the reporting period

- 4.13. 2 individuals sought assistance from SPSO during the reporting period, seeking to challenge the University's management of their respective complaints. In both instances it was found that the University had acted reasonably and had managed matters correctly; neither of the matters presented were taken forward to the SPSO investigation stage.
- 4.14. The relatively low number of complaints referred to SPSO for a decision, along with the fact that the findings (thus far) fall for the University, suggests that the

University's operation of the CHP (at stage 2) is robust and fit for purpose. I.e. when issuing stage 2 outcome letters following investigation or when refusing to accept a complaint under the said procedure, the decisions reached tend to be right first time.

Organisational learning

4.15. Organisational learning from complaints managed via stage 2 of the CHP is effective:

4.15.1. All stage 2 complaints are investigated by a senior University Officer, who is normally a member of the Principal's Office. The final decision on each complaint (as communicated via an outcome letter) is usually made by the Vice-Principal, Governance or on rare occasion the Principal and Vice Chancellor (where a complaint directly involves a member of the Principal's Office). Thus, issues can be promptly identified and steps put in place to remedy these, or further work can be commissioned;

4.15.2. All complaint outcomes are reviewed by the Head of Information Assurance and Governance – any potential issues or areas for further assessment are identified and communicated to the Vice Principal, Governance. Where appropriate, a follow-up lessons learned assessment review, involving all relevant parties and chaired by the Vice-Principal, Governance is undertaken: to agree on the contributory factors (why the complaint arose) and to agree and implement lessons learned. Notable areas of organisational learning also feature in this annual report, as appropriate; and

4.15.3. A separate assessment, focusing on complaints related to academic provision is presented to the Proctor for review by the University Academic Monitoring Group.

4.15.4. Those elements of complaints which were partially upheld mainly related to the timely provision of information to the complainant and the way in which information was conveyed. Lessons drawn from the complaints have been taken forward by the relevant schools and units concerned, and where appropriate have been incorporated more broadly into CAPOD's training provision.

5. Next steps

5.1. No significant challenges or risks are anticipated to emerge during academic year 2018/19 - the operation of the CHP across the Scottish Higher Education Sector is now well established and the experience of the University is a downward trend in the number of complaints received at stage 2.

5.2. Since the implementation of the CHP there have been a number of staffing changes within the Principal's Office, from which stage 2 investigators are normally drawn. To maintain the effectiveness of the University's CHP, training

for the investigation of stage 2 complaints will be planned and delivered during academic year 2018/19.

- 5.3. We shall continue to work with schools and units to gain a better understanding of the effectiveness of informal stage 1 complaint resolution and to identify any patterns of learning that can be drawn from these.

6. Recommendations

- 6.1. Committee are asked to note the:

- Key achievements to date;
- The assessment of the challenges and risk position, for the next academic year; and
- Planned mitigating actions to be implemented.

7. Further information

- 7.1. Additional information can be provided by Mr Christopher Milne, Head of Information Assurance and Governance, author of this paper.

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21 August 2018

APPENDIX A

STAGE 1 AND STAGE 2 COMPLAINTS: 2016/17 – 2017/18

Stage	Schools/Services	Number		Completed within time frame		SPSO Decision 2016/17	SPSO Decision 2017/2018
		2016/17	2017/18	2016/17	2017/18		
1	Schools	0	8	-	-	NA	NA
	Services	55	64	-	-	NA	NA
	Total	55	72				
2	Schools	0	1	2	0	0	0
	Services	4	2	1	0	2	2 (Passed for initial assessment. SPSO decision: no further action required).
	Total	4	3	3	0	2	2

STAGE 1 COMPLAINTS: FRONTLINE RESOLUTION 2016/17 – 2017/18

School	Outcome			Service	Outcome		
	Received at stage 1		Escalated to stage 2 from stage 1		Resolved at stage 1		Escalated to stage 2 from stage 1
	2016/17	2017/18			2016/17	2017/18	
			2017/18				2017/18
Art History	0	0	0	Academic Registry	7	6	0
Biology	0	0	0	Admissions	0	2	0
Chemistry	0	0	0	CAPOD	0	1	0
Classics	0	0	0	Careers	1	2	0
Computer Science	0	1	0	Chaplaincy	0	0	0
Divinity	0	0	0	Chief Legal Officer	0	0	0
Economics and Finance	0	0	0	Corporate Communications	0	0	0
English	0	0	0	Development	4	8	0
English Language Teaching	0	1	0	Environmental Health and Safety Services	1	0	0
Geography and Geosciences	0	0	0	Estates and Campus Services	0	4	0
History	0	0	0	Finance	0	0	0
International Relations	0	0	0	HR Services	2	0	0
Management	0	0	0	IT Services	4	2	0
Mathematics and Statistics	0	0	0	Knowledge Transfer Centre	0	0	0
Medicine	0	1	0	Library	3	2	0
Modern Languages	0	1	0	Principal's Office	0	0	0
Philosophical, Anthropological and Film Studies	0	0	0	Procurement	0	0	0
Physics and Astronomy	0	1	1	Residential and Business Services	32	31	0
Psychology and Neuro Sciences	0	3	0	Saints Sport	-	0	0
				Study Abroad	0	0	0
				Student Services	1	6	0
Total	0	8	1	Total	55	64	0

STAGE 2 COMPLAINT SUBMISSIONS 2017/18

Course Type	School/Service	Category	Reason for complaint	Outcome	Closed within 20 working days	Escalated from stage 1 to stage 2
UG	Student Services	Current student	Service based	Partially upheld	No	No
UG	Saints Sport	Current student	Service based	Not upheld	No	No
UG	Physics and Astronomy with Student Services	Current student	School based	Partially upheld	No	Yes