



South
Lanarkshire
College

East Kilbride

COMPLAINTS HANDLING PROCEDURE

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FOREWORD

South Lanarkshire College's complaints handling procedure (CHP) has been developed with reference to the model procedure published by the Scottish Public Services Ombudsman (SPSO). The definitions, principles, timescales and information contained in this complaints handling procedure (CHP) have been based on and/or adapted from the SPSO guidance. Our complaints handling procedure seeks to conduct thorough, impartial and fair investigations of complaints so that we can make evidence-based decisions on the facts of a case.

South Lanarkshire College's aim is get things right first time and therefore we value student comments and suggestions. We have devised an extensive range of student consultation and feedback mechanisms to help us improve our levels of service. However, we do recognise that, on occasion, our service may fall short of expectations and we also value any complaints we receive.

We recognise that the fewer people who are involved in responding to a complaint and the quicker a response is given, the lower the cost of that complaint in terms of resources and redress and the higher the level of satisfaction for the student.

This CHP is available via the College website, staff Web Portal, student VLE, and in hard copy and alternative formats on request. The College CHP informs students of their right to appeal to the SPSO.

South Lanarkshire College's leaflet *How to Complain* explains the College's CHP procedures to students and informs them of their right of appeal to the SPSO. This leaflet is also available on the College website, at Reception, in the Advice Centre and in alternative formats on request.

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

Stewart McKillop
Principal & Chief Executive

HOW TO USE THIS 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 students information on the complaints procedure. Together, these form our complaints handling procedure (CHP).

PRINCIPLES

The following principles underpin South Lanarkshire College's complaints handling procedure to ensure that it is effective:

User focused: it puts the student at the heart of the procedure whilst managing occasional difficult behaviour.

Accessible: it is clearly communicated, easily understood and available to all.

Quick and simple: it has as few steps as necessary within an agreed and transparent timeframe.

Objective and transparent: it is evidence-based and driven by facts, not assumptions.

Impartial, independent and accountable

Fair, proportionate and consistent: it treats complainants equally, striking a balance between the need for consistency and the individual circumstances of each complaint.

Seeks early resolution: it aims to resolve complaints at the earliest opportunity, to the student's satisfaction wherever possible and appropriate.

Delivers improvement: it is driven by the search for continuous improvement of our services to students

WHAT IS A COMPLAINT?

A complaint is an expression of dissatisfaction by one or more members of the public about an organisation's action or lack of action, or about the standard of service provided by the College or on its behalf. A complaint may involve more than one college service or be about someone working on our behalf, such as a contractor. See also Appendix 2.

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 we have not actioned or answered
- our policies
- wrong information about academic programmes or our 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 you cannot use another procedure (such as an appeal) to resolve the matter
- our failure to follow the proper administrative process.

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

ANONYMOUS COMPLAINTS

We value all complaints. This means all complaints are treated seriously, including anonymous ones and action will be taken to consider them further, wherever it is proper to do so. Generally, an anonymous complaint will be given consideration if it

gives enough information for us to make further enquiries. Failing this, it may not be pursued further. A decision not to pursue an anonymous complaint must be authorised by the responsible senior manager.

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

If an anonymous complaint is to be pursued, it will be recorded on the complaints system in order to ensure the completeness of the complaints data and to allow appropriate corrective action to be taken.

WHAT IF THE STUDENT DOES NOT 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. Students should be encouraged 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, they insist they do not wish to complain, the issue will be recorded as an anonymous complaint. This will ensure that:

- their details are not recorded 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
- corrective action is taken 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 **student*** may be unable or reluctant to make a complaint on their own. We will accept complaints brought by third parties as long as the student has given their personal consent.

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

*** In this complaints handling procedure, student refers to students / applicants / visitors / members of the public / customers**

COMPLAINTS INVOLVING MORE THAN ONE DEPARTMENT OR ORGANISATION

If the complaint relates to the actions of two or more College departments, the student must be informed who will take the lead in dealing with the complaint and that they will receive only one response covering all issues raised.

If the complaint is about the service or another organisation and the College is not involved in the issue, the student should be advised to contact the other organisation directly

If the complaint directly relates to a College service and that of another organisation for example a contractor providing a service on behalf of the College, a qualifications awarding body, a funding body or the provider of catering services the College will handle the complaint through this procedure.

Data Protection legislation and confidentiality must be considered when making any enquiries to an outside organisation about the complaint.

THE COMPLAINTS HANDLING PROCESS

The complaints process provides two opportunities to resolve complaints internally: frontline resolution and investigation. See Appendix 4: CHP flowchart

STAGE 1: FRONTLINE RESOLUTION

Frontline resolution aims to quickly resolve straightforward student 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 student, or asking a suitable member of staff to deal directly with the complaint.

A complaint can be made in writing, in person, by telephone, by email or by having someone complain on their behalf. Frontline resolution must always be considered, regardless of how the complaint has been received.

On receiving a complaint, you must first decide whether the issue can indeed be defined as a complaint. The student may express dissatisfaction about more than one issue which may mean you treat one element as a complaint, while directing the student to pursue another element through an alternative route. (see Appendix 2)

1.1 Frontline issues

The types of issue we will try to resolve at the frontline are non-complex / non-contentious issues including the following:

- A service that should have been provided and has not been provided
- A service that has not been provided to an appropriate standard
- A request for a service that has not been answered / actioned
- A complaint that a member of staff was rude or unhelpful
- A staff member who failed to attend a scheduled appointment

1.2 Key actions for frontline staff

You should explain that we value complaints and may use the information when we review service standards in future.

Frontline staff receiving a complaint will consider four key questions:

- What is the complaint?
- What does the student wish to achieve by complaining?
- Can I achieve this, or provide an explanation as to why not?
- If I can't resolve this, to whom can I refer the complaint for frontline resolution?

You should

- Listen carefully and take notes if required. It is important to be clear about the exact nature of the complaint and you may need to ask supplementary questions to get a full picture.
- Acknowledge the concerns being expressed.
- At the outset, clarify the desired outcome. They may not be clear in their own mind and you may have to probe further.
- Achieve the desired outcome, if it is possible for you to do so.
- If appropriate, give an apology verbally or in writing.
- Provide an explanation why the problem occurred and what will be done to prevent this happening in future. If you respond face to face, by telephone or email you do not need to write to them.
- Record the complaint in the complaints log
- Keep a full and accurate record of the decision you have reached and passed to the student.

1.3 Staff involved in complaint resolution

All staff who could potentially be the first point of contact for anyone wishing to make a complaint are considered to be frontline and will be trained and empowered to offer an on-the-spot apology, explanation or other action to try to immediately resolve any complaint relevant to their area of service. All complaints will be recorded in the relevant complaints log.

In the event that a member of staff is unable to deal with a particular complaint, they will signpost the student and/or the complaint to the appropriate person for frontline resolution.

Wherever possible, the member(s) of staff who are the subject of a complaint will not handle or respond to the complaint, nor will frontline staff that may have a clear conflict of interest in the matter. In this case, the complaint should be handed to a first line manager within the department or faculty for resolution.

1.4 Timescale for frontline resolution

The aim for frontline resolution is to provide a quick, informed response without the need for detailed investigation. Immediate resolution, face to face or on the telephone will be achieved within a short period of time; normally immediately or **within 24 hours** in the majority of instances.

If it is necessary to obtain information from other departments, the timescale extends to **no more than 5 working days** before a response is given. See appendix 3 for further information on timescales.

1.5 Extension to the timescale for frontline resolution

In exceptional circumstances, and with authorisation from a senior manager, frontline staff **may negotiate an extension of a further 5 working days** with the student if the extension will increase the possibility of the complaint being resolved at the frontline stage. The student must be informed about the reasons for the delay and when they can expect a response.

All attempts to resolve a complaint at this stage must take **no longer than 10 working days from the date you receive the complaint.**

The proportion of complaints that exceed the five-day limit must be reported to the senior management on a quarterly basis.

1.6 Closing the complaint at the frontline resolution stage

When you have informed the student of the outcome, you do not have to write to them as well, but the student may ask you to do so. Any written response must be authorised by a College Manager.

You should then close the complaint and update the complaints system accordingly.

1.7 When to escalate to the investigation stage

You must escalate a complaint to the investigation stage when:

- you tried frontline resolution but the student remains dissatisfied and requests an investigation. This may happen immediately when you communicate the decision at the frontline stage or some time later
- the student 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. (See section 2.1)

You must hand over all case notes and associated information to the person responsible for the investigation and record that you have done so.

STAGE 2: COMPLAINTS REQUIRING INVESTIGATION

It is important to be clear exactly what you are investigating and to ensure that both the student and the service understand the scope of the investigation.

It may be helpful to discuss and confirm these points with the student at the outset:

- What specifically is the student's complaint(s)?
- What does the student want to achieve by complaining?
- Are the student's expectations realistic and achievable?

It may be that they expect more than the College can provide and if so, this must be made clear as soon as possible.

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

You must record details of the complaint on the complaints system and where appropriate as a continuation of frontline resolution. Update the details when the investigation ends.

As the investigator, you must notify any complaint under investigation to the Senior Management Team and complete a complaint report. If you are escalating a previously closed complaint from the frontline stage, you should reopen the complaint on the complaints record system.

You should aim to resolve the complaint by either meeting the student's expectations or, where this is not appropriate, providing a full explanation of the College's position. You should establish all the facts relevant to the complaint, ensuring that the information gathered is accurate and complete. All points raised by the student and agreed at the start of the investigation should be fully investigated and considered in the final response.

As investigator, you will provide a full, objective and proportionate response that represents the College's definitive position and outlines any action that will be taken and when. Any decision / response made at this stage will be endorsed by the Principal or other member of the Senior Management Team.

Account will be taken of any specific needs of the complainant and the response will be made in a manner which is acceptable to the complainant.

The final response will tell the complainant about their right to complain to the SPSO should they be dissatisfied with the outcome of their complaint within 12 months of becoming aware of the issue which gave rise to the complaint.

2.1 Types of issue requiring investigation

The types of issue which will require investigation include the following:

- Frontline resolution was attempted, but the student remains dissatisfied and requests an investigation
- The student refuses to engage with the frontline resolution process
- The issues raised are complex and will require detailed investigation
- The complaint relates to issues that have been identified as serious, high risk or high profile involving:
 - death or terminal illness
 - homelessness
 - a claim of discrimination with due regard to the protected characteristics as set out in the Equality Act 2010
 - a child, young person or vulnerable adult**
 - an allegation of significant harm or abuse or where there is a suspicion that someone may suffer significant harm**
 - serious service failure eg major delays or repeated failures to provide a service
 - significant and ongoing press interest
 - a potentially significant risk to the College's operations
 - 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 student

* A complaint based on discrimination against an individual or group falling within one of the following protected characteristics should be notified to the Depute Principal: age, disability, race, religion or belief, gender reassignment, sex, sexual orientation, pregnancy or maternity. The Depute Principal will assign the investigator in these cases.

** A complaint involving a child, young person or vulnerable adult should be handled in line with the College's Safeguarding Policy and referred immediately to the College Child Protection Officer (Head of Student Services).

2.2 Key actions for staff investigating a complaint

Staff involved in investigating a complaint will also be aiming to get it right first time. The investigator will provide the student with their name and contact details as a single point of contact as soon as possible after the decision has been made to investigate the complaint.

The Investigator is responsible for undertaking a thorough but proportionate investigation: establishing what information is required; gathering that information; ensuring the information gathered is of a suitable quality and

accuracy; preparing a full and informed written report and response. The Investigator should seek to establish:

- what specifically is the student's complaint?
- what does the student want to achieve by complaining?
- are their expectations realistic and achievable?
- what should have happened?
- what did happen?
- what was the cause of any identified failings?
- what can be done to rectify any failings?

It may be that the student expects more than the College can provide and if so, this must be made clear to them as soon as possible.

The investigator should clarify any extra information that will be required to investigate the complaint and record the details in the complaints log. The record should also show that all case notes / papers from the frontline stage have been handed over to the investigator.

The investigator will give due regard to information that may be confidential, sensitive, restricted or covered by data protection legislation, with consent to access / share information being obtained where appropriate.

2.3 Staff investigating a complaint

Wherever possible, the investigator will not have been involved in the issues of the complaint.

The member of staff appointed to investigate the complaint will be independent and will have a thorough understanding of College CHP and a reasonable knowledge of the procedures of the department or function they are investigating. As such, they will normally be a member of the College Management Team or the Curriculum/Operational Management Team. They will be trained in how to plan and conduct investigations, including how to obtain and analyse evidence. They will have the authority and support of senior management to resolve complaints within pre-determined boundaries.

2.4 Timescale if investigation is required

Complaints requiring investigation will be acknowledged **within 3 working days**.

A full written response should be provided **within 20 working days**.

See appendix 3 for further information on timescales.

2.5 Extension to the timeline

If the complaint is complex, or where there are clear and justifiable reasons for extending the timescale, senior management will set time limits on any extended investigation as long as the student agrees. The student must be kept updated of the reason for the delay and the revised timescale. If they do not agree to an extension but it is unavoidable and reasonable, then senior management must consider and confirm any extension. Each case must be judged on its merits. Reasons for an extension might include the following:

- Essential accounts or statements, crucial to establishing the circumstances of the case are needed from staff, students 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 an extension were to be granted.
- Operations are disrupted by unforeseen or unavoidable events eg industrial action or severe weather.
- The student has agreed to mediation as a potential route to resolution.

If, in special circumstances, the investigation has to be suspended for any reason, the decision to suspend for a defined period will be formally recorded.

2.6 Mediation

If the complaint is complex or where students or other interested parties have become entrenched in their position, a different approach to resolving the complaint may be required. Mediation can help both parties understand what has caused the complaint and is therefore more likely to lead to a mutually satisfactory outcome. Therefore, where appropriate, a mediation or conciliation service using suitably trained and qualified mediators should be considered.

If both parties agree to mediation, a revised timescale will need to be agreed.

2.7 Closing the complaint at the investigation stage

You must let the student know the outcome of the investigation in writing or by their preferred contact method. The College's response must address all areas for which we are responsible and explain the reasons for the decision.

You must also make clear to the student:

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

The decision and details of how it was communicated to the student must be recorded on the complaints system.

2.8 Independent external review

Once the investigation stage has been completed, if the student is still dissatisfied with the decision or the way the College has dealt with the complaint, they can ask the SPSO or SQA (or other awarding body) to review their complaint. Students should be advised that SPSO does not have the power to revise course awards. If you remain dissatisfied with the way the awarding body has handled your complaint then you may complain to the qualifications regulator, SQA Accreditation.

GOVERNANCE OF THE COMPLAINTS HANDLING PROCEDURE

ROLES AND RESPONSIBILITIES

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

The College's final position on a complaint must be signed off by an appropriate senior member of staff and must confirm that it is the final decision of the College. This procedure ensures that College senior management own and are accountable for the decision and also reassures the student that their concerns have been taken seriously.

Principal

The Principal provides leadership and direction to guide and enable staff to perform effectively across all services, including ensuring an effective CHP, with a robust investigation process that demonstrates how we learn from the complaints we receive. The Principal 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 of the quality of the CHP.

Depute Principal

On the Principal's behalf, the Depute Principal 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

Where elements of complaints handling are delegated to other senior staff, the Depute Principal retains ownership and accountability for the management and reporting of complaints, for preparing and signing decision letters, and must be satisfied that the investigation is complete and that the response addresses all aspects of the complaint.

Associate Principals / Heads of Department

Senior managers may be involved in the operational investigation and management of complaints handling and are responsible for preparing and signing decision letters

to students. They must be satisfied that the investigation is complete and that the response addresses all aspects of the complaint.

Complaints Investigators

The complaints investigator is responsible and accountable for the management of the investigation and will be involved in the investigation and co-ordination of all aspects of the response to the student, including the preparation of a comprehensive written report detailing any procedural changes in service delivery that could result in wider opportunities for learning across the College.

College staff

A complaint may be made to any member of College staff, so all must be aware of the College's CHP and how to handle and record complaints at the frontline stage. They should also know to whom complaints should be referred if this is necessary. All staff are encouraged to try to resolve complaints quickly, as close to the point of service delivery as possible to prevent escalation.

College's SPSO Liaison Officer

The College's SPSO liaison officer will provide complaints information in a structured manner within requested timescales, providing comments on factual accuracy on behalf of the College in response to SPSO reports, and confirming and verifying that recommendations have been implemented.

COMPLAINTS ABOUT TEACHING STAFF

When serious complaints are raised against teaching staff, someone independent of the situation will conduct the investigation.

RECORDING, REPORTING, LEARNING AND PUBLICISING

Complaints provide valuable student feedback. One of the aims of this procedure is to identify opportunities to improve services across the College. All complaints must be systematically recorded so that the data collected can be used for analysis and management reporting to assist the College in its aim to continually improve service delivery.

Recording complaints

The College has structured systems for recording complaints, their outcomes and any resulting action(s). These provide a detailed record of any services that have failed to satisfy students.

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

- the student's name and address
- date the complaint was received
- nature of the complaint
- how the complaint was received
- the department to which the complaint refers
- the date the complaint was closed at frontline stage (if relevant)
- the date the complaint was escalated (if relevant)
- any action taken at the investigation stage (if relevant)
- the date the complaint was closed at the investigation stage (if relevant)
- the outcome of the complaint at each stage
- the underlying cause of the complaint
- any remedial action taken

Reporting complaints

Details of complaints are analysed for trend information to ensure we identify service failures and take appropriate action. By regularly reporting on our analysis, management can identify where services need to improve.

On a quarterly basis, the outcome and actions relating to complaints will be reported to the senior management team and published to show the improvements arising from complaints and how complaints can influence our services.

Publication helps ensure transparency in our complaints handling and reassures students that we value their complaints.

We must:

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

Learning from complaints

At the earliest opportunity after closing the complaint, the complaint handler must inform the student 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.

Publicising complaints performance information

The College will report annually on complaints handling 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 taken to resolve complaints and at what stage they were resolved.

MAINTAINING CONFIDENTIALITY

Confidentiality is important in complaints handling. It includes maintaining the student's confidentiality and explaining to them the importance of confidentiality generally. Legal requirements, for example, data protection legislation, as well as internal policies on confidentiality and the use of students' information must be considered at all times.

MANAGING UNACCEPTABLE ACTIONS BY STUDENTS

We recognise that people may be angry and upset when making a complaint and that a person may act out of character in times of trouble or distress. However, we will not accept unreasonable behaviour towards College staff. We record all incidents of unacceptable actions by complainants.

Unreasonable demands

A demand becomes unacceptable when it starts to (or when complying with the demand would) impact substantially on the work of the section or department. For example:

- repeatedly demanding responses within an unreasonable timescale
- insisting on seeing or speaking to a particular member of staff when that is not possible
- repeatedly changing the substance of a complaint or raising unrelated concerns

Unreasonable level of contact

The level of contact becomes unacceptable when the amount of time spent talking to a complainant on the telephone or responding to, reviewing and filing emails or written correspondence impacts on the work of the section or department. For example:

- a number of calls in one day or one hour
- repeated long telephone calls
- resending copies of information that has previously been submitted
- resending copies of information that is irrelevant to the complaint

Unreasonable use of the complaints process

It would be considered unreasonable for students to attempt to use the complaints process instead of the appropriate means of communication through for example: the Course Team Review, Bursary Appeal, Assessment Appeal or Disciplinary Appeal processes.

Abusive or aggressive behaviour

Behaviour or language (whether verbal or written) that may cause staff to feel afraid, threatened or abused will not be accepted. We will not accept unreasonable

behaviour including violence, threats, verbal abuse, derogatory remarks and rudeness towards staff.

How the College will deal with unreasonable, aggressive or abusive behaviour

The threat or use of physical violence, verbal abuse or harassment towards College staff is likely to result in a termination of all direct contact with the student and incidents may be reported to the police, particularly if physical violence is used or threatened.

We will not accept any correspondence by letter, fax or electronic means, that is abusive to staff or contains allegations that lack substantive evidence. The student will be told that their language is offensive, unnecessary and unhelpful and they will be asked to stop. They will be told that we will not respond to their correspondence if the action or behaviour continues.

College staff will end telephone calls if they consider the caller aggressive, abusive or offensive. College staff have the right to make this decision, to tell the caller that their behaviour is unacceptable and to end the call if the behaviour persists. They will record and inform their line manager of the action they have taken and the reason why it was taken.

In certain circumstances we may decide to:

- limit contact to telephone calls from the student at set times / set days
- restrict contact to a nominated member of College staff
- see the student by appointment only
- restrict contact with the student to writing only

A decision to restrict contact will only be made by a senior member of College staff. The College will always make it clear in writing what action we intend to take and we will give the reason for the decision. This decision and the reasons for it will be recorded on the student's file. Any appeal regarding restricted contact will be heard by a senior member of staff who was not involved in the decision to restrict contact. The Senior Management Team will review the status of all complainants with restricted contact arrangements on a regular basis.

SUPPORTING THE STUDENT

Everyone has an equal right of access to our CHP. Students 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.

Our commitment and responsibility to equality must always be taken into consideration. Where appropriate, this includes making reasonable adjustments to our service to help the student.

Several support and advocacy groups are available to support students in pursuing a complaint and students should be told about them.

TIME LIMIT FOR MAKING COMPLAINTS

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

Discretion must be used 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 student'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.

INFORMATION ABOUT THE SPSO

The following information must be included in any final decision letter to a student who has complained:

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
Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS

Freepost SPSO

Freephone: 0800 377 7330
Online contact: www.spsso.org.uk/contact-us
Website: www.spsso.org.uk
Mobile site: <http://m.spsso.org.uk>

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</p>

	logged on the college complaints database.
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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

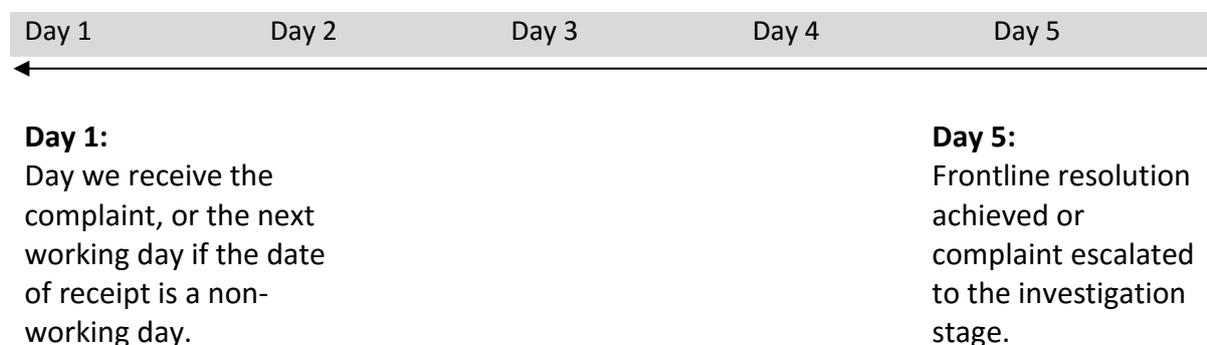
Appendix 3: Timelines

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

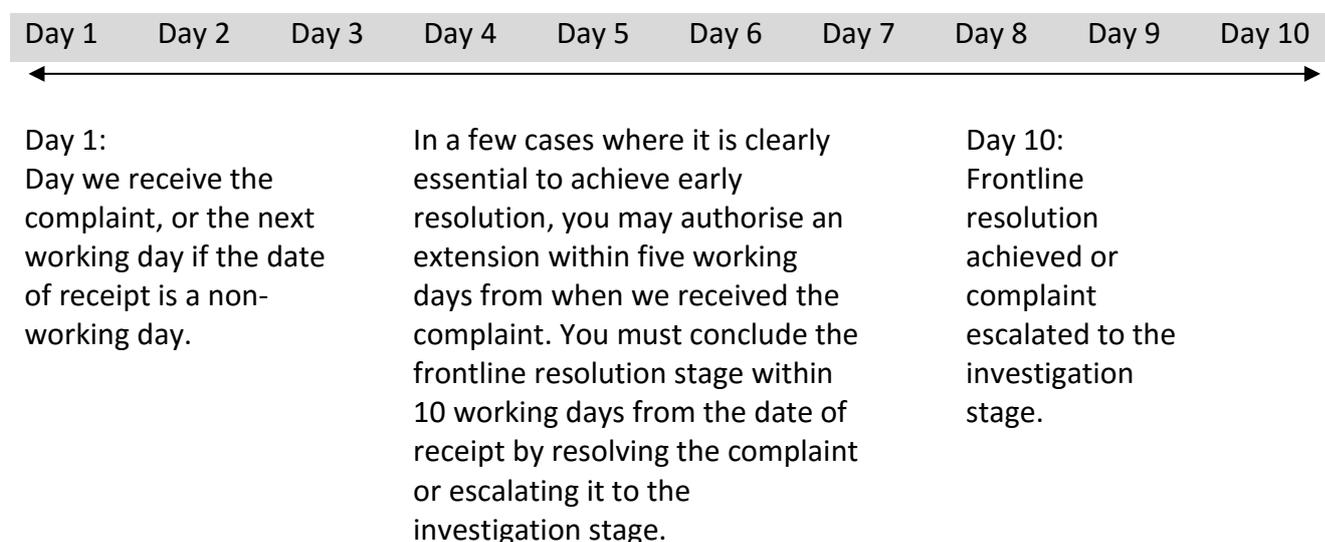
You must aim to achieve frontline resolution within five working days. The day you receive the complaint is day 1. Where you receive it on a non-working day, for example at the weekend or on a public holiday, day 1 will be the next working day.



[The date of receipt will be determined by the college's usual arrangements for receiving and dating of 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.



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.

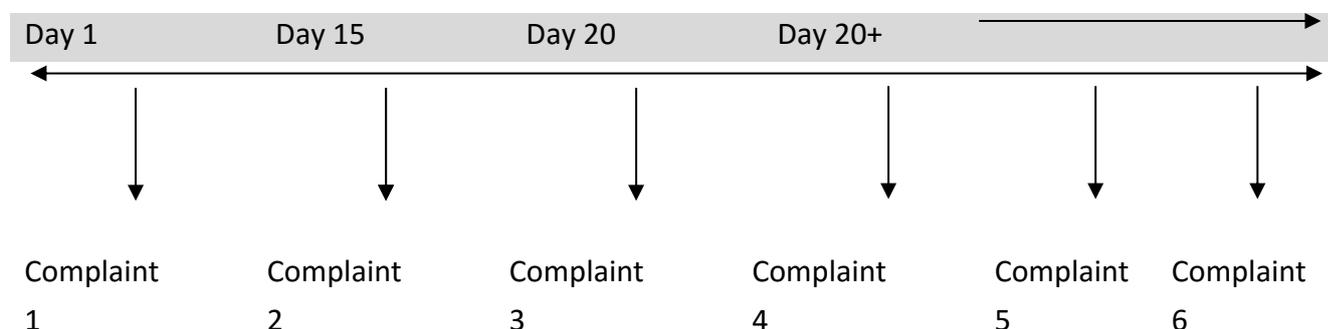
Investigation

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.

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

