

Report on Complaints Handling in Session 2013/2014

Introduction

Amendments made in 2010 to the Scottish Public Services Ombudsman (SPSO) Act (2002) gave the Ombudsman the authority to develop standardised complaints-handling procedures across the public sector.

Although complaints relating to Further and Higher Education account for only 3% of those received by the SPSO, as listed public bodies under the 2002 Act, Universities were statutorily obligated to comply with the Ombudsman's intentions and a Model Complaints Handling Procedure (MCHP), developed with the SPSO, was implemented across all Scottish Universities in August 2013. The Working Group which co-ordinated the development of the new procedure was led by the University Secretary and the Clerk to Court and Corporate Governance Manager.

This report provides a summary and analysis of complaints handled in session 2013/14, the first year of the MCHP. Direct comparisons with figures from previous academic years are no longer possible as the previous 5-stage procedure for student-only complaints has been replaced by a 2-stage process for all individuals who receive a service from the University, including members of the public.

Until 31 August 2013, there were 5 possible stages to consideration of a student complaint:

- Stage 1: informal discussion of the complaint
- Stage 2: Informal complaint to the Head of School/Service
- Stage 3: Formal complaint to Secretary to Court & Head of the Secretariat
- Stage 4: Appeal and Review by the Student Complaints Review Panel
- Stage 5: Appeal to the Scottish Public Services Ombudsman (SPSO)

The MCHP introduced from 31 August 2013 has only two internal stages, Frontline (stage 1) Resolution and Investigation (stage 2), with emphasis upon the prompt resolution of complaints at the point closest to their occurrence. Additionally, the period of opportunity for complaints to be made has been extended to 6 months, rather than 3 months under the previous procedure.

After the Investigation stage has concluded a complainant, if still dissatisfied, may then appeal externally to the SPSO.

Introducing the MCHP at Abertay

During 2013, awareness-raising and training sessions were conducted by the University Secretary, the Compliance Officer and the Clerk to Court and Corporate Governance Manager, and training leaflets devised and distributed, in order that all University staff felt competent to handle Frontline complaints by the implementation deadline of 31 August.

Throughout session 2013-2014, training continued to be rolled-out and a section on the intranet page maintained by Secretariat established which includes downloadable leaflets, training materials, guidance and forms. A further link has been published on the University's external webpage which points to leaflets and other relevant information for interested parties. The Clerk to Court and Corporate Governance Manager represents Abertay on the Scottish HE Complaints Forum, which meets quarterly to monitor best practice and to liaise with SPSO staff in relation issues arising from the implementation of the MCHP.

Complaints Investigators

A group of approximately 20 senior members of staff across the University has undergone training provided by the SPSO in order to act as investigators at stage 2. This pool is maintained such that when staff leave or retire, new investigators are trained. This approach is intended to ensure that a range of investigative skills across the Schools and Services is available. Informal feedback has indicated that this training is considered broadly valuable by those concerned, although the first year of implementation had identified areas where additional, in-house training may be desirable.

Reporting and monitoring

The SPSO requires that internal reporting of complaints information takes place quarterly. Abertay has complied, with a report being provided quarterly to members of SMG containing both qualitative and quantitative information on complaints for each quarter.

Day-to-day detailed scrutiny, management, and monitoring of complaints is undertaken by the Clerk to Court and Corporate Governance Manager and the Compliance Officer.

Numbers and Source of Complaints arising under the new CHP

Table of total numbers of complaints received in session 2013-2014 and their source.

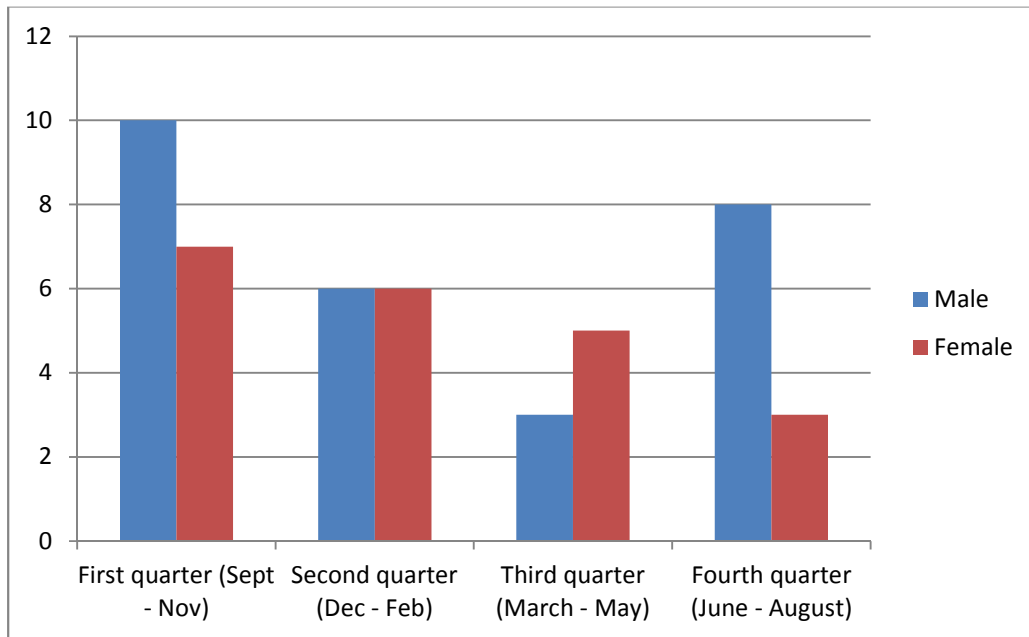
Quarter	Total number of complaints (Frontline and Investigation)	From Members of Public	From Students ¹
1 September – 30 November	17	1	16
1 December – 28 February	12	0	12
1 March – 31 May	8	0	8
1 June – 31 August	11	0	11
Total	48	1	47

Note: both internal stages of the CHP include any complaints made by members of the public. However, any staff complaints arising are handled under the Grievance Procedure, operated by Human Resources, and such cases are not included within this annual report.

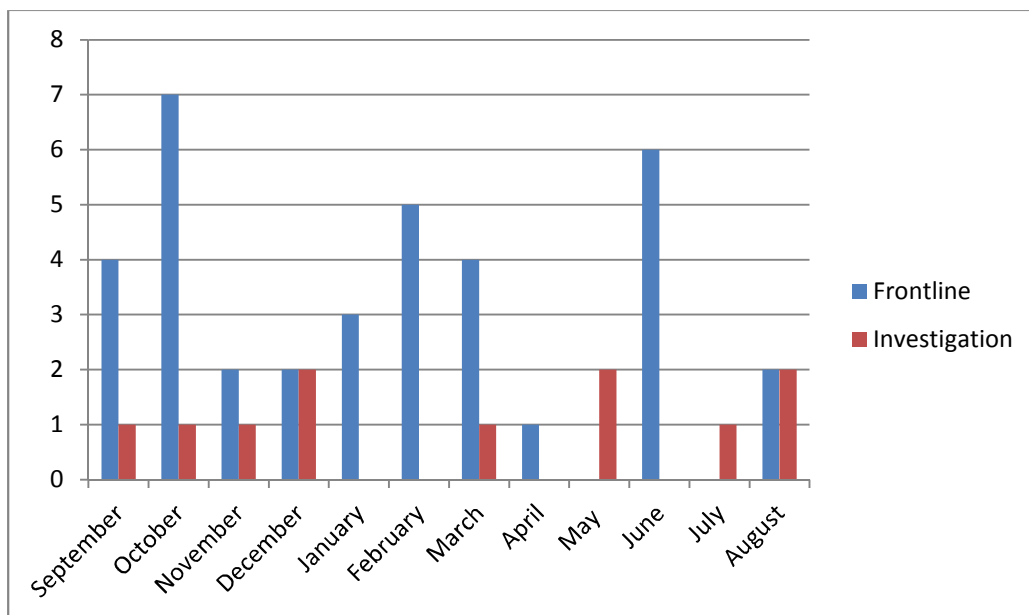
One complainant appealed to the SPSO during the year, who found that the matter was one of academic judgment (which is outwith the Ombudsman's remit) and also that there was no evidence of maladministration on the part of the University. Another case was referred by the complainant to the Ombudsman, who declined to investigate it on the basis that it involved academic judgment.

¹ Includes applicants.

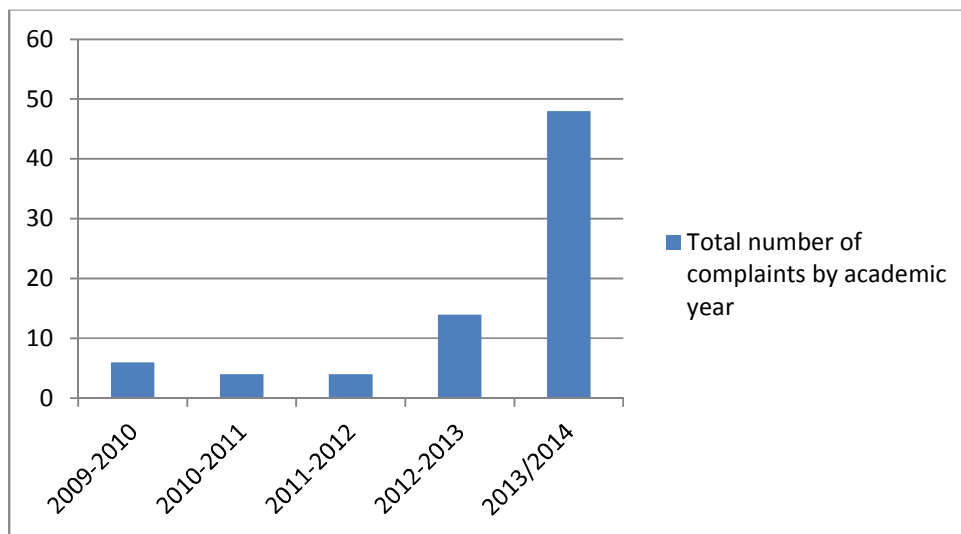
Gender of complainants



Numbers of complaints received by stage of CHP and month



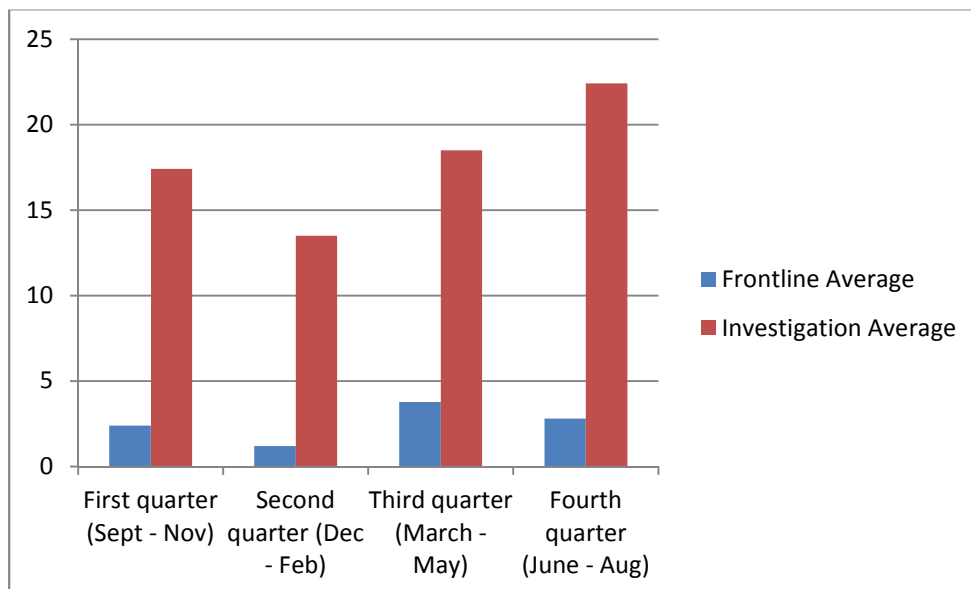
Total number of complaints received by academic year



The MCHP came into effect from the end of August 2013, and the figures presented above for 2013-2014 include both Frontline Resolution complaints and Stage 2 complaints investigations. These are not directly comparable with previous years' figures as, prior to 2013-2014, records were not kept of informal complaints and it is therefore wholly to be expected that the overall number of complaints reported has increased for 2013-2014.

Time taken to resolve complaints

The chart below shows the average length of time to deal with complaints in working days by quarter.



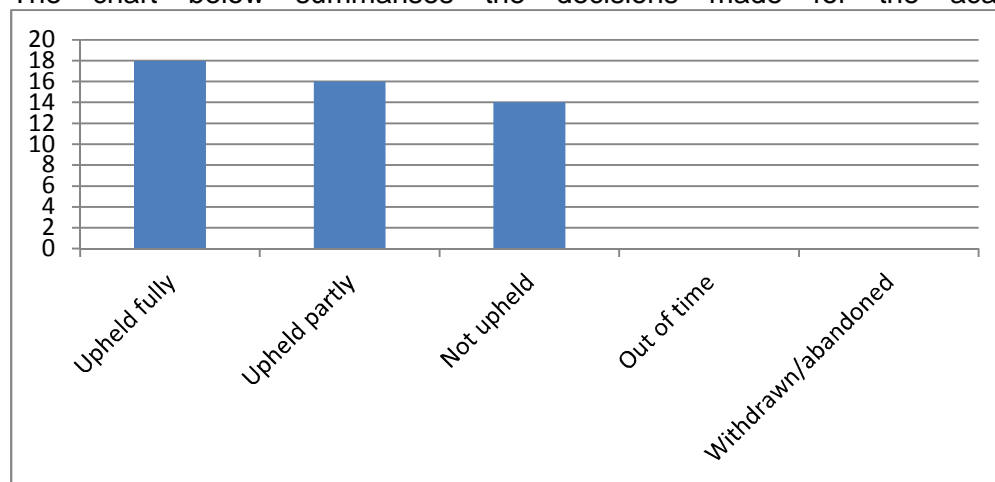
The targets for dealing with complaints set down by the SPSO, are 5 working days for Frontline Resolution and 20 working days for Complaint Investigation cases, which by nature are more complex. The figures for Frontline Resolution cases are well within the SPSO's targets, whilst those for Investigation cases are on average much nearer their target maximum duration.

This is largely to be expected, given the emphasis in the MCHP on rapid resolution of complaints at the Frontline Resolution stage. Investigations will inevitably take longer, because of their more complex nature, and investigating officers may have considerable amounts of University regulations, correspondence, records to review, and interviews to conduct.

The average duration for fourth quarter investigations was affected by one investigation which took 27 working days to complete and, as such, outwith the normal target period. However, as is permissible under the MCHP, the approval of the Vice-Principal (University Services) to extend the deadline for this case was sought and granted, given the lack of availability of staff interviewees during the summer vacation. The other two investigations during this quarter took place within or by the 20 working day target.

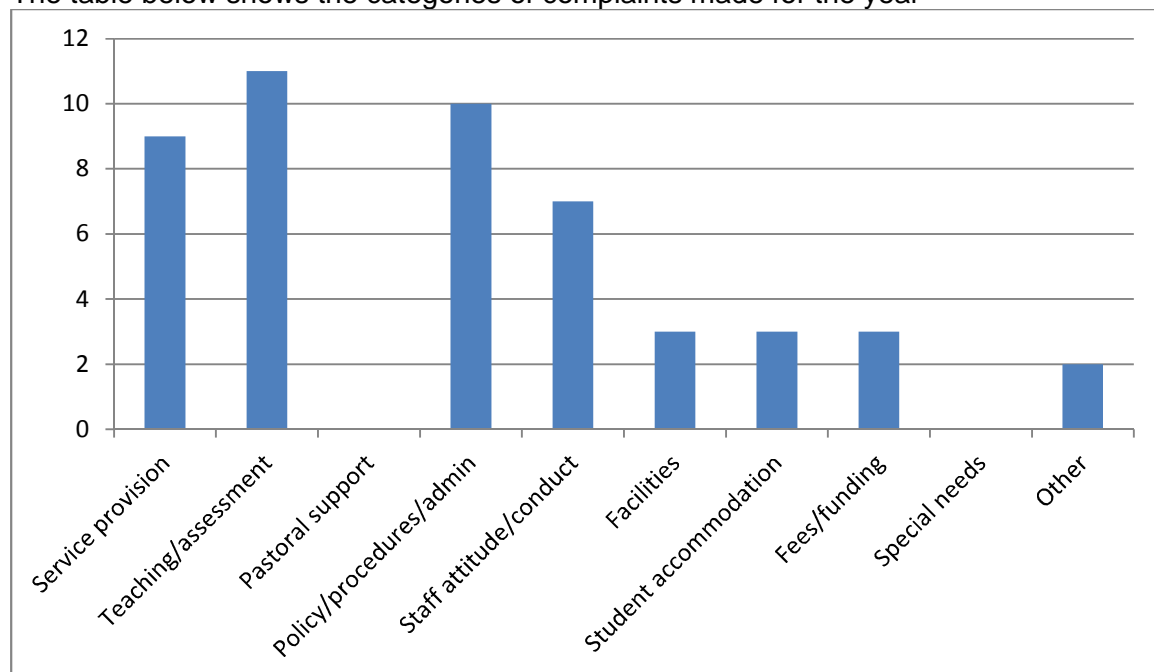
Complaint decisions for year

The chart below summarises the decisions made for the academic session.



Nature of complaints

The table below shows the categories of complaints made for the year



As you will see overleaf, this profile correlates broadly with the complaints about Higher Education received by the SPSO, although it should be noted that the SPSO collects data to 30 April and, as such, the 2013-2014 figures reported by the SPSO do not fully reflect the impact of the introduction of the MCHP and cannot be compared directly with the figures above.

The highest number of complaints received related to teaching and assessment. This is consistent with the SPSO's finding that the greatest number of complaints received relate to academic appeals, results and degree classification. In this, however, the remit of the Ombudsman is very narrow as, notionally at least, the SPSO has no jurisdiction over academic judgement.

The next highest category of complaint for Abertay is in relation to policy / procedure / administration. Again, this is similar to the overall sector profile.

The table below shows complaints received by the SPSO

Subject	2012/13	2013/14
Academic appeal/exam results/degree classification	31	43
Policy/administration	18	16
Teaching and supervision	11	8
Admissions	2	
Complaints handling	10	5
Special needs - assessment and provision	2	3
Other	0	2
Personnel matters	1	2
Plagiarism and intellectual property	5	2
Accommodation	3	1
Communication, staff attitude, and confidentiality	0	1
Grants/allowances/bursaries	3	
Facilities	1	1
Pre- Contractual or Commercial Matters	1	
Anti-social behaviour	1	
Student discipline	1	1
Welfare	1	
Subject Unknown	11	1
Total	102	86

Secretariat
October 2014