



Argyll College UHI Complaints Handling and Suggestions for Improvement Procedure

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Foreword by Argyll College UHI Principal

This Complaint Handling and Suggestions for Improvement Procedure (CHSIP) reflects Argyll College's commitment to valuing complaints and suggestions for improvement. Our aim is to resolve issues of dissatisfaction as close to the initial point of contact as possible and to conduct thorough and fair investigations of complaints so that, where appropriate, we can make evidencebased decisions on the facts of each individual case.

Resolving complaints early saves time and resource and contributes to the overall efficiency of the College. Concentrating on achieving an early resolution of a complaint as close to the point of contact as possible will free up the time of academic and support staff and ultimately contribute to the continued positive experience of our students and members of the public.

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Argyll College UHI Principal*

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1. What is a complaint?

For the purpose of this procedure, a complaint may be defined as:

'an expression of dissatisfaction by one or more individuals about the standard of service, action or lack of action by or on behalf of the College'

A complaint may relate to:

- the quality and standard of service, such as wrong information about academic programmes or college services
- failure to provide a service
- the quality of Argyll College facilities or learning resources
- accessibility of Argyll College buildings or services
- treatment by or attitude of a staff member, student or contractor
- inappropriate behaviour by a staff member, student or contractor
- the failure of Argyll College to follow an appropriate administrative process
- dissatisfaction with Argyll College's policy, although it should be recognised that policy is set at the discretion of the College
- disagreement with a decision where the customer cannot use another procedure (such as an appeal) to resolve the matter

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

- a routine, first-time request for a service
- a request for information or an explanation of policy or practice
- an appeal about an academic decision on assessment or admission
- an attempt to have a complaint reconsidered where the College's procedure has been completed and a decision has been issued
- disagreement with a decision where a right of appeal exists, for example the academic appeals process
- a grievance by a member of staff which is eligible for handling through the grievance procedure
- a request under the Freedom of Information (Scotland) Act or Data Protection Act
- an issue which is being, or has been, considered by a court or tribunal
- a request for compensation only
- an insurance claim

- 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.

These issues will be dealt with under the alternative appropriate policies and procedures rather than under the CHSIP. It should be noted, however, that some situations can involve a combination of issues, some are complaints and others are not, and each case should be assessed on a case by case basis. All relevant College policies and procedures are provided on the college website, intranet and in the College Handbook.

1.1. Who can make a complaint?

The CHSIP 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 at Argyll College (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 were at the time the issue arose) the responsibility of Argyll College; and
- members of the public who are applying for admission to Argyll College 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 Argyll College.

Sometimes individuals may be unable or reluctant to make a complaint on their own. Argyll College 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. Complaints made by a third party with the explicit permission of the complainant will be dealt with according to the same timescales.

1.2. Anonymous Complaints

Complaints submitted anonymously will be considered if there is enough information in the complaint to enable the College 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 College 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 line manager of the member of staff dealing with the complaint. If an anonymous complaint contains serious allegations, it should be referred to the line manager of the member of staff dealing with the complaint immediately.

1.3. Complaints involving more than one department

If a complaint relates to the actions of two or more support sections or academic areas, the staff member receiving the complaint must confer with the other area(s) to decide who will

take the lead on the complaint. The complainant will be told to whom the complaint is being passed and given their contact details. Coordination may still be required between different areas of the College 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).

1.4. Complaints involving other organisations or contractors who provide a service on behalf of Argyll College

If an individual complains to Argyll College about the service of another organisation, but the College has no involvement in the issue, the individual should be advised to contact the appropriate organisation directly.

Where a complaint relates to an Argyll College service and the service of another organisation, the complaint must be handled through the CHSIP. In particular, the same timescales will apply. This relates to complaints that involve services provided on the College's behalf (such as partner institutions and contractors) or to those provided by a separate organisation (such as awards agencies). If enquiries to an outside organisation in relation to the complaint are required, care must be taken to comply with Data Protection legislation and the guidance on handling personal information. Such complaints may include, for example:

- A complaint made in relation to provision of third-party services, for example IT systems.
- A complaint made about a service that is contracted out.
- A complaint made to the College about a student loan where the dissatisfaction relates to the service we have provided and the service the Student Awards Agency for Scotland has provided.

1.5. Time limit for making complaints

Complaints should be raised with Argyll College as soon as problems arise to enable prompt investigation and swift resolution. This CHSIP sets a time limit of six months to raise a complaint with the College, starting from when the complainant first became aware of the problem, unless there are special circumstances for requesting consideration of a complaint beyond this time.

Beyond the six-month time limit, the College will exercise discretion in the way that the time limit is applied. This will take account of the time limit within which a member of the public can normally ask the SPSO to consider complaints, which is twelve months from when the person first became aware of the issue about which they are complaining.

1.6. Handling of Suggestions

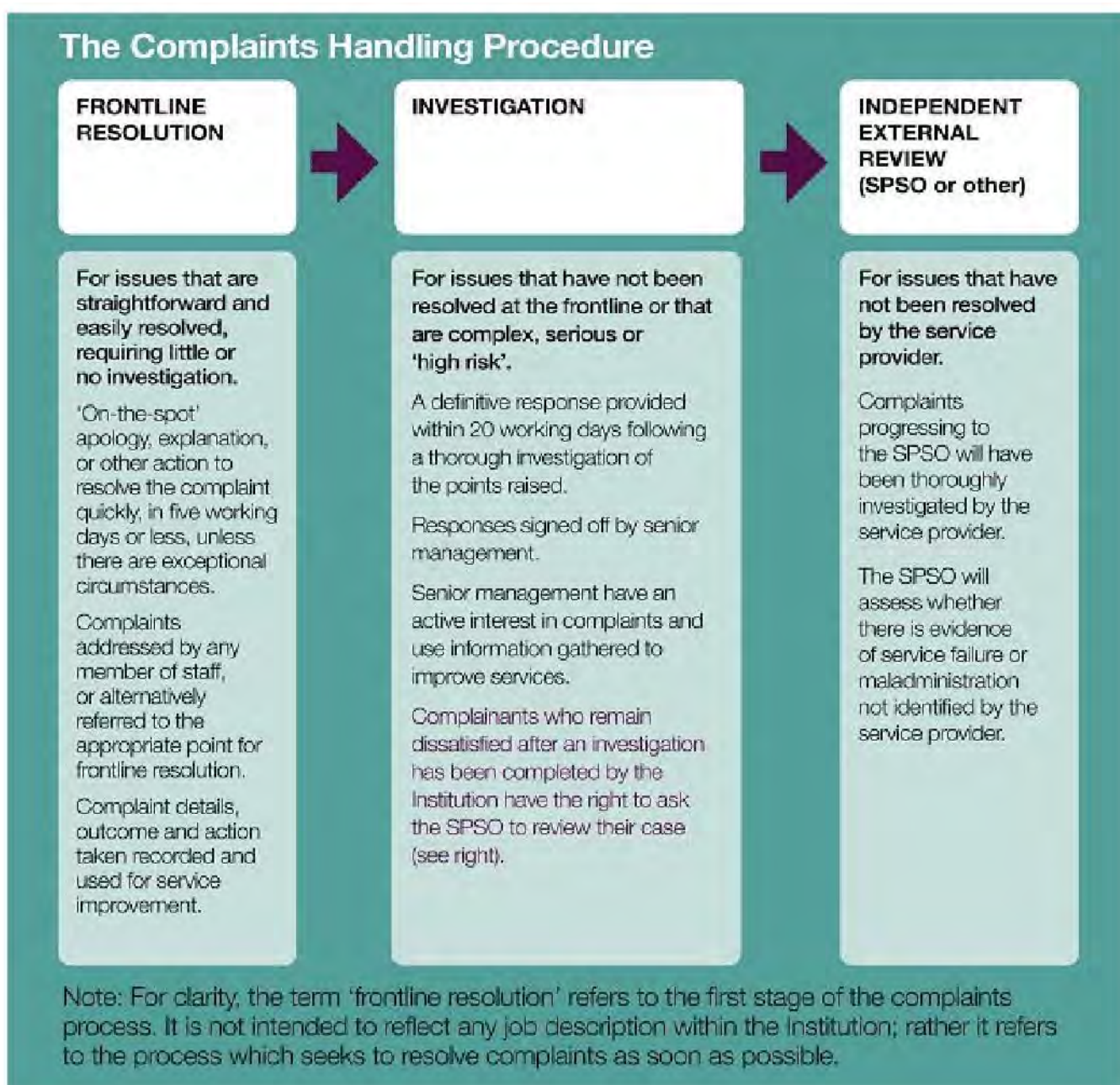
Argyll College welcomes positive comments and suggestions that help to improve services. Suggestions will be acknowledged and forwarded to the appropriate line manager for consideration.

2. The Complaints Handling Process

The CHSIP is intended to provide a quick, simple and streamlined process with a strong focus on early resolution by empowered and well-trained staff. The procedure involves up to two stages:

1 Frontline resolution seeks to resolve straightforward complaints swiftly and effectively at the point at which the complaint is made, or as close to that point as possible.

2 Investigation is appropriate where a complainant is dissatisfied with the outcome of frontline resolution, or where frontline resolution is not possible or appropriate due to the complexity or seriousness of the case.



2.1 Stage One: frontline resolution - to be completed within 5 working days

Anyone who has a complaint is encouraged to raise it initially at the point of, or as close to the point of, becoming aware of it and raise it with the support section or academic area within which the issue arose. Complaints at this stage may be made face-to-face, by phone, in writing or by email.

The purpose of frontline resolution is to attempt to resolve as quickly as possible complaints which are straightforward and require little or no investigation. Complaints at this stage of the process may be addressed by any relevant member of Argyll College staff and may be handled by way of a face-to-face discussion with the complainant, or by asking an appropriate member of staff to deal with the complaint.

Members of staff to whom complaints are made will consider some key questions:

- Is this a complaint or should the individual be referred to another procedure?
- What specifically is the complaint (or complaints) about and which area(s) of the College is /are involved?
- What outcome is the complainant hoping for and can it be achieved?
- Is this complaint straightforward and likely to be resolved with little or no investigation?
- Can the complaint be resolved on the spot by providing an apology /explanation /alternative solution?
- Can another member of staff assist in seeking a frontline resolution?
- What assistance can be provided to the complainant in taking this forward?

Resolution may be achieved by providing an on-the-spot explanation of why the issue occurred and/or an apology and, where possible, what will be done to stop this happening in the future.

If responsibility for the issue being complained about lies in the staff member's area of work, every attempt will be made to resolve the problem at source. If responsibility lies elsewhere, the staff member receiving the complaint will liaise with the relevant area rather than simply passing the complainant on to another office or academic area.

Extension to the five day timeline

Frontline resolution should normally be completed within 5 working days, though a resolution may be achieved more quickly. In exceptional circumstances a short extension of time may be necessary to increase the possibility of resolving the complaint at the frontline resolution stage (for example, by obtaining information from other areas where no single area of the College is responsible for the issue(s) being complained about). Where an extension is required this must be signed off by the line manager of the member of staff dealing with the complaint. The complainant must be told of the reasons for extending the deadline and advised of the new timescale for resolution. The maximum extension which

can be granted is 5 working days (i.e. not more than 10 working days in total from the date of receipt of the complaint).

Closing the complaint at the frontline resolution stage

The outcome will be communicated to the complainant. This may be face-to-face, by phone, in writing or by email. There is no requirement to send out further written communication to the complainant, although you may decide to do so. The response to the complainant must address all the topics for which the College is responsible, and explain the reasons for the decision.

Once a decision has been issued, the record of the complaint must be updated on the recording system, including details of the decision reached. The complaint should then be closed.

2.2. Stage two: Investigation - to be completed within 20 working days

These complaints may already have been considered at the frontline resolution stage, or they may be complaints identified upon receipt as appropriate for immediate investigation.

A complaint will be moved to the investigation stage when:

- frontline resolution was attempted, but the complainant remains dissatisfied. This may
- be after the case has been closed following the frontline resolution stage
- the complainant refuses to recognise or engage with the frontline resolution process and is insistent that the issue be addressed by a more senior officer
- the issues raised are complex and will require detailed investigation
- the complaint relates to issues that have been identified by Argyll College as high risk or high profile.

Special attention will be given to identifying complaints considered high risk /high profile, as these may require particular action or may raise critical issues requiring direct input from senior management. Potential high risk /high profile complaints may:

- involve a death or terminal illness
- involve serious service failure, for example major delays in service provision or repeated failures to provide a service
- generate significant and on-going press interest
- pose a serious operational risk to the College
- present issues of a highly sensitive nature.

A person can make a complaint in writing, in person, by telephone, by email or online or by having someone complain on their behalf. Where it is clear that a complaint will be immediately considered at the investigation stage, the complainant may be encouraged to

complete the appropriate complaint form to provide full details of the complaint and any relevant documentation. If they choose not to write it down and would prefer to complain in person, the complaint form can be completed with them and a letter to confirm the scope of the complaint issued to them.

The purpose of conducting an investigation is to establish all of the facts relevant to the points made in the complaint and to provide a full, objective and proportionate response to the complainant that represents the College's definitive position.

What Argyll College will do when it receives a complaint for investigation

The College will allocate the complaint to a Complaints Investigator (see section 3 of this procedure). It is important to be clear from the start of the investigation stage exactly what is being investigated, and to ensure that both the complainant and the complaints investigator understand the scope of the investigation. In discussion with the complainant, three key questions should be considered:

1. What specifically is the complaint (or complaints)?
2. What does the complainant want to achieve by complaining?
3. Do the complainant's expectations appear to be reasonable and achievable?

If the complainant's expectations appear to exceed what the College can reasonably provide or are not within the College's power to provide, the complainant will be advised of this as soon as possible in order to manage expectations about possible outcomes.

Details of the complaint must be recorded on the system for recording complaints. Where the complaint has been through the frontline resolution stage this must be shown in the complaints log. At the conclusion of the investigation the log must be updated to reflect the final outcome and any action taken in response to the complaint.

Timelines

The following deadlines will be used for cases at the investigation stage of the CHSIP:

- complaints will be acknowledged in writing within 3 working days
- the College will provide a full response to the complaint as soon as possible but not later than 20 working days from the time that the complaint was received for investigation.

Extension to the twenty day timeline

Not all investigations will be able to meet this deadline; for example some complaints are so complex that they will require careful consideration and detailed investigation beyond the 20 working days timeline. Where there are clear and justifiable reasons for extending the timescale, the line manager of the member of staff dealing with the complaint will exercise judgement and will set time limits on any extended investigation, with the agreement of the complainant. If the complainant does not agree to an extension but it is unavoidable and

reasonable, then the line manager of the member of staff dealing with the complaint must consider and confirm the extension. In such circumstances, the complainant must be kept updated on the reason for the delay and given a revised timescale for bringing the investigation to a conclusion. It is expected, however, that this will be the exception and that the College will always strive to deliver a definitive response to the complaint within 20 working days.

Where an extension has been agreed, this will be recorded appropriately and the proportion of complaints that exceed the 20 working day-limit will be evident from reported statistics.

Mediation

Some complex complaints (where, for example, the complainant and/or other involved parties have become entrenched in their position) may benefit from a different approach to resolving the complaint. Using mediation can help both parties to understand what is driving the complaint, and may be more likely to result in a mutually satisfactory conclusion being reached. Where the College and the complainant agree to mediation, revised timescales should be agreed.

Closing the complaint at the investigation stage

The outcome of the investigation will be communicated to the complainant in writing. The decision, and details of how and when it was communicated to the complainant, must be recorded on the system for recording complaints. The decision will also advise the complainant about:

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

Independent external review (SPSO)

Once the investigation stage has been completed, the complainant is entitled to ask the SPSO to look at their complaint. The SPSO considers complaints from people who remain dissatisfied at the conclusion of the College's CHISP. The SPSO looks at issues such as service failure and maladministration (administrative fault) as well as the way the College has handled the complaint.

The SPSO requires the College to use the wording below to inform complainants of their right to ask the SPSO to review the complaint.

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 university after 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	SPSO
4 Melville Street,	Freepost EH641,
Edinburgh	Edinburgh
EH3 7NS	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>

3. Governance of the Complaints Handling and Suggestions for Improvement Procedure

3.1 Roles and Responsibilities

All staff will be aware of:

- the CHSIP
- how to handle and record suggestions and complaints at the frontline resolution stage
- to whom they can refer a suggestion or complaint if they are unable to handle the matter personally
- the need to try and resolve complaints early and as locally (within their section) as soon as possible and
- their clear authority to attempt to resolve any complaints they may be called upon to address.

The Depute Principal will ensure that:

Argyll College's final position on a complaint investigation is signed off by an appropriate senior officer in order to provide assurance that this is the definitive response of the College and that the complainant's concerns have been taken seriously

- it maintains overall responsibility and accountability for the management and governance of complaints handling within the College
- it has an active role in, and understanding of, the CHISP (although not

- necessarily involved in the decision making process of complaints handling)
- mechanisms are in place to ensure a consistent approach to the way complaints handling information is managed, monitored, reviewed and reported at all levels in the College,
 - and complaints information is used to improve services, and this is evident from regular publications.

Principal: the Principal provides leadership and direction to the College. This includes ensuring that there is an effective CHSIP with a robust investigation process which demonstrates that organisational learning is in place. The Principal may delegate responsibility for the procedure, but must receive assurance of complaints performance by way of regular reporting. They should also ensure that complaints are used to identify service improvements, and that these improvements are implemented, and learning fed back to the wider organisation as appropriate.

Depute Principal/Student Support Manager/Centre Managers/Curriculum Managers: as Complaints Investigators these members of staff will be responsible for preparing and signing response letters to complainants and therefore must be satisfied that the investigation is complete and that their response addresses all aspects of the complaint.

Complaints Investigator: the Complaints Investigator is a suitably trained staff member responsible for the conduct of the complaints investigation and is involved in the investigation and the co-ordination of all aspects of the response to the complainant. This may include preparing a comprehensive written report, including details of any recommended procedural changes to service delivery. Complaints Investigators must have a clear remit to investigate effectively and reach robust decisions on more complex complaints. This also requires clear direction and support from senior management on the extent and limits of discretion and responsibilities in investigating and resolving complaints, including the ability to identify failings, take effective remedial action and apologise, where it is appropriate to do so.

All staff: a complaint may be made to any member of staff. Therefore, all staff will undertake appropriate training as they must be aware of the CHSIP and how to handle and record complaints at the frontline resolution stage. They should also be aware of whom to refer a complaint to, in case they are not able 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.

SPSO liaison officer (or officer with this responsibility): the Depute Principal will act as the SPSO liaison officer and will provide complaints information in an orderly, structured way within requested timescales, providing comments on factual accuracy on behalf of the

College in response to SPSO reports, confirming recommendations have been implemented, and providing evidence to verify this.

3.2 Complaints about senior staff

Complaints about senior 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 senior staff it is particularly important that the investigation is conducted by an individual who is independent of the situation. Complaints made against the Principal will be dealt with by the Argyll College Board.

4. Recording, reporting, publicising and learning

Valuable feedback is obtained through complaints and suggestions. One of the objectives of the CHSIP is to identify opportunities to improve provision of services across the College. Staff must record all complaints and suggestions so that we can use the data for analysis and management reporting. By recording and using information in this way, the causes of complaints can be identified, addressed and, where appropriate, training opportunities can be identified and improvements introduced.

4.1 Recording complaints

To collect suitable data, it is essential that all complaints are recorded in sufficient detail. The minimum requirements are as follows:

- name and contact details of the individual submitting the complaint or suggestion and student number (if applicable)
- date of receipt of the complaint or suggestion
- how the complaint or suggestion was received
- category of complaint or suggestion
- staff member responsible for handling the complaint or suggestion
- department to which the complaint or suggestion relates
- action taken and outcome at frontline complaint resolution stage
- date the complaint was closed at the frontline complaint resolution stage
- date the complaint investigation stage was initiated (if applicable)
- action taken and outcome at complaint investigation stage (if applicable) or action taken in relation to suggestion submission
- date the complaint was closed at the investigation stage (if applicable)

- underlying cause and remedial action taken (if applicable)
- response times at each stage

The College has structured systems for recording complaints and suggestions, their outcomes and any resulting action so that the complaint data can be used for internal reporting as indicated below.

4.2 Reporting of complaints

The College has a system for the internal reporting of suggestions and complaints information.

Regular reporting the analysis of complaints information helps to identify where improvements are required. Information reported internally will include:

- performance statistics, detailing complaints volumes, types and key performance
- information, for example on time taken and stage at which complaints were resolved
- the trends and outcomes of complaints and the actions taken in response including examples to demonstrate how complaints have helped improve services.

This information will be reported twice annually to the Operational Management Group and annually to the College Board.

4.3 Publicising complaints performance information

Argyll College will publish on a quarterly basis a summary of complaints and suggestion outcomes, trends and actions taken to improve services, with a focus on case studies and examples of how complaints and suggestions have helped improve services. This may also include positive feedback from students and members of the public.

This demonstrates the College's approach to improving services on the basis of complaints and suggestions and shows that complaints and suggestions can influence our services. It also helps ensure transparency in our complaints handling service and will help to demonstrate to our students and members of the public that we value their complaints and suggestions.

Argyll College will report on complaints handling performance annually in line with SPSO requirements. This includes performance statistics showing the volume and type of complaints and key performance details, for example on the time taken and the stage at which complaints were resolved.

4.4 Learning from complaints

The Complaints Investigator will always satisfy their self that all parties involved understand the findings of the investigation and any decisions made. Argyll College will ensure that procedures are in place to act on issues that are identified. These procedures facilitate:

- using complaints data to identify the root cause of complaints

- taking action to reduce the chance of this happening again
- recording the details of corrective action in the complaints file
- systematically reviewing complaints performance reports to improve performance.

The analysis of management reports detailing complaints performance will help to ensure that any trends or wider issues which may not be obvious from individual complaints are quickly identified and addressed. Where the College identifies the need for service improvement:

- an officer (or team) will be designated the 'owner' of the issue, with responsibility for ensuring that any identified action is taken
- a target date will be set for the action to be implemented, and followed up on to ensure delivery within this timescale
- where appropriate, performance in the service area will be monitored to ensure that the issue has been resolved.

4.5 Maintaining confidentiality

Confidentiality is an important factor in conducting complaints investigations. Argyll College will always have regard to any legislative requirements; for example, data protection legislation and also internal policies on confidentiality and the use of complainant information. Complaints will be handled with an appropriate level of confidentiality and information released only to those who need it for the purposes of investigating or responding to the complaint. No third party will be told any more about the investigation than is strictly necessary in order to obtain the information required from them.

Where a complaint has been raised against a student or member of staff and has been upheld, the complainant will be advised of this. However, it would not be appropriate to share specific details affecting specific students or staff members, particularly where disciplinary action is taken.

4.6 Managing unacceptable behaviour

It is recognised that people may act out of character in times of trouble or distress. The circumstances leading to a complaint may result in the complainant acting in an unacceptable way. Complainants who display difficult behaviour may still have a legitimate grievance, and the College must therefore treat all complaints seriously and assess them properly.

The actions of complainants who are angry, demanding or persistent may result in unreasonable demands on time and resources or unacceptable behaviour towards the College staff. Argyll College will, therefore, take steps to protect staff from such unacceptable behaviour, which will include informing the complainant of any decision to restrict their access, their right of appeal, and any process for reviewing such a decision to restrict contact.

4.7 Supporting the complainant

Anyone who receives, requests or is directly affected by the services that Argyll College provides has the right to access the College's CHSIP. Complainants who do not have English as a first language may need help with interpretation and translation services. Other complainants may have specific needs which the College will seek to address to ensure easy access to the CHSIP by making reasonable adjustments to help the complainant. The following internal and external support services can provide helpful support to those who wish to pursue a complaint with Argyll College:

Please speak to your local centre staff who will be able to assist you, alternatively contact:

Student Support Manager within Argyll College

Tel: (01631) 559673

Email: liz.richardson@uhi.ac.uk

Argyll & Bute Citizen Advice

Bureau Tel: (08456) 123808

Email: info@abcab.casonline.org.uk

Website: www.argyllandbutecab.org.uk

Isle of Arran Citizen Advice Bureau

Tel: (01294) 467848

Website: www.nacasadvice.org.uk

The Complaints Handling Procedure

