

## **Complaints Handling Procedure Annual Report 2018/19**

### **Background**

1. The Public Services Reform (Scotland) Act 2010 gave the Scottish Public Services Ombudsman (SPSO) responsibilities and powers, specifically, to oversee the development of model Complaints Handling Procedures (CHPs) for each sector including higher education. The main aims of the model CHP are early resolution of a complaint as close to the point of contact as possible and making best use of lessons learned from complaints.
2. All Scottish universities were required to adopt the two stage model CHP by 30 August 2013. Following the internal approval of a suitable procedure by Court, on the recommendation of Senate, the University implemented the current CHP on 27 August 2013. This document is publicly available here:  
<https://www.strath.ac.uk/media/ps/strategyandpolicy/ComplaintsHandlingProcedure.pdf>

### **Recording and Reporting**

3. It is a requirement of the SPSO's model CHP that the University records all complaints and that reports detailing key performance information are submitted quarterly to the Executive Team and annually to Court. SPSO Guidance indicates that such reports are expected to contain:
  - performance statistics detailing: the volume and types of complaints received and key performance information, e.g. on the time taken and the 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
4. Annex A provides key performance information on the volume and types of complaints received during 2018/19 and on the resolution times achieved. It also provides qualitative information on some of the actions taken or recommendations made to deliver service improvement in response to complaints received by the University during 2018/19.

### **Summary Analysis**

5. The University recorded 122 complaints during the 2018/19 academic year. This is a slight decrease on 2017/18 but is still almost twice as many as recorded during 2016/17 and suggests that work to increase awareness and recording of complaints is continuing to have an effect. There were concerns that the previous low overall number of complaints (compared with similar sized competitors) was due more to under recording than service quality. The majority of complaints (93%) were received from students or former students of the University. The remainder of complaints received were from members of the public and applicants for study or employment.
6. Complaints were received across all academic faculties with a reasonably even spread across faculties. The number of complaints in both the Business School and Faculty of Engineering were inflated by groups of complaints, on the same issue and by the same cohort, submitted separately by a significant number of students. All the faculties are reflecting on where issues have been raised by multiple complainants where complaints have been wholly or partially upheld. Thirteen percent of complaints received were related to areas within Professional Services, predominantly Estates.

7. The percentage of complaints resolved at frontline varied throughout the year, from 74% in quarter 3 to only 20% in the final quarter, with a total of 47% across the period. This was a significant decrease on the 63% of the previous year.
8. While this was a disappointing and significant increase in the number of complaints progressing to investigation, it should be noted that 31% of investigations were requested by the complainant and the majority of the remaining investigations were of complex complaints that were not suitable for frontline resolution.
9. The final quarter saw a spike in the number of complaints progressing to investigation. The average of complaints resolved at frontline over the first three quarters was 53%. The final quarter also saw a significant number of complaints related to issues of course quality or organisation, supervision or support, perceived by the complainants to directly impact their performance. An increase in complaints of this nature, closely following the meetings of the Examination Boards and immediately before graduation, is not surprising. These complaints, by their very nature, can only rarely be handled successfully at frontline.
10. The groups of complaints mentioned in paragraph 6 also impacted the number moved to investigation. If these complaints had been made, or recorded, as group complaints the percentage of complaints resolved at frontline would have been 54%.
11. The time taken to resolve frontline complaints fluctuated throughout the year, averaging 5.8 days, only very slightly above the 5 working day target and an improvement of 1.5 days on the 2017/18 average. Sixty percent of frontline complaints were resolved within the 5 working day target, down from 65%. However, 82% were resolved by the end of the permitted extension period. This suggests that the message on frontline complaint handling is getting out and that resolution times are improving even for those complaints that are not resolved within 5 working days.
12. Complaints investigated at stage 2 of the procedure were resolved within an average of 28.5 days, slightly above the 20 working days target. This resolution timeframe has always been considered to be very challenging, particularly for complex complaints. Nonetheless, 37% of stage 2 complaints were completed within 20 working days and 68% within 30 working days.
13. The most frequent types of complaints recorded were those relating to:
  1. Teaching and/or assessment (30%)
  2. Staff Attitude and/or Conduct (23%)
  3. Academic Support (15%)
14. Lessons learned and actions taken to improve services are recorded following each complaint, where appropriate, and examples of the learning points recorded during 2018/19 are included at **Annex B**.
15. Staff continue to engage well with the complaints process and work is continuing to encourage a greater focus on frontline resolution. During 2018/19 briefing sessions on handling frontline complaints, open to all staff, were attended by 44 staff. From the beginning of 2019 these were delivered monthly. An additional briefing was held for a group of staff in Student Experience. The training for those investigating complaints has also been refreshed and delivered once during 2018/19 and again at the beginning of 2019/20 with very positive feedback.

## **SPSO Recommendations**

16. The SPSO approach to recommendations focuses on better outcomes in relation to services as well as for individuals. SPSO expects organisations to share their findings to

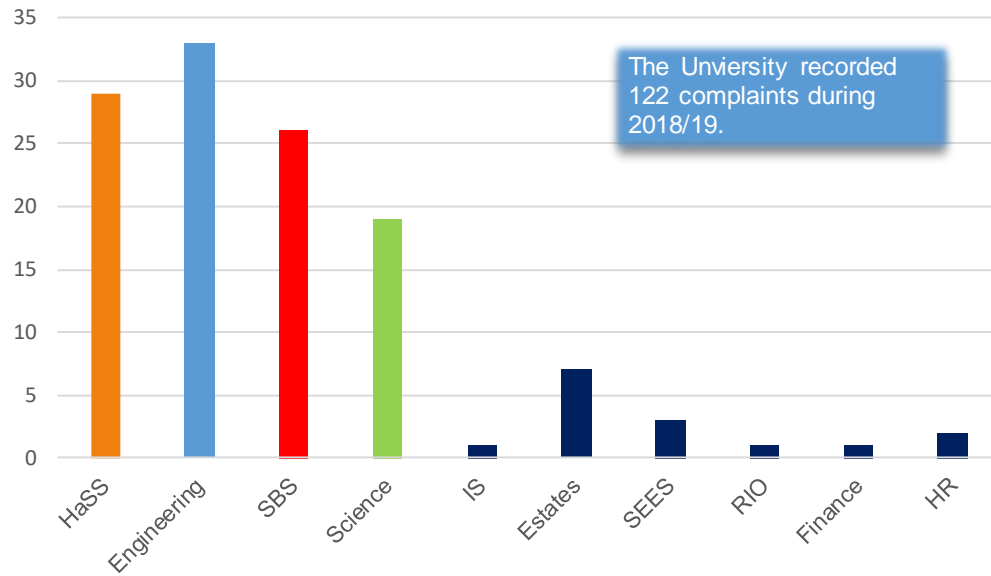
enable learning and improvement across the organisation and to embed learning from complaints in governance structures to ensure recommendations are shared with the relevant internal and external decision-makers, including members of Court.

17. The SPSO has made one recommendation and given feedback to the University in the last year, following investigations into complaints raised by 4 former students. **Annex C** contains details of the SPSO's recommendations and feedback along with the action taken in response. Recommendations from the SPSO along with follow up actions, where appropriate, are reported to Executive Team quarterly.

### **Recommendation**

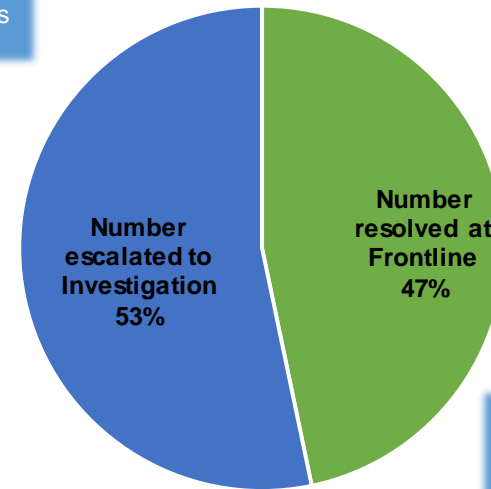
18. Court is invited to **note** the Complaints Handling Annual Report for 2018/19.

Complaints Received by Area 1 August 2018 to 31 July 2019



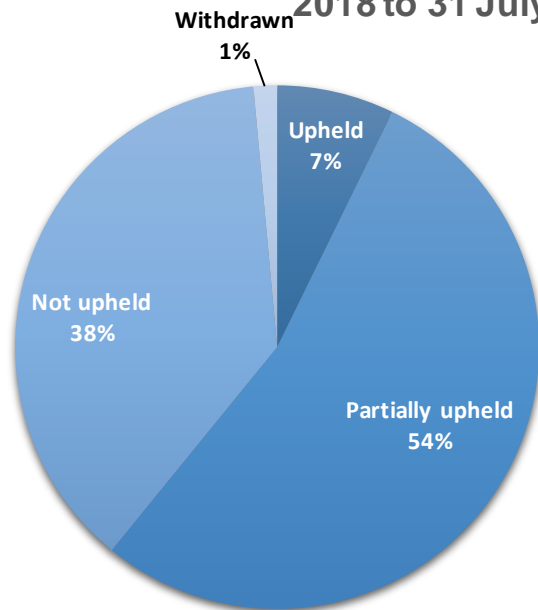
Frontline (Stage 1) - 1 August 2018 to 31 July 2019

60% of complaints resolved at Frontline stage were handled within 5 working days



Average resolution time for complaints resolved at Frontline was 5.8 working days.

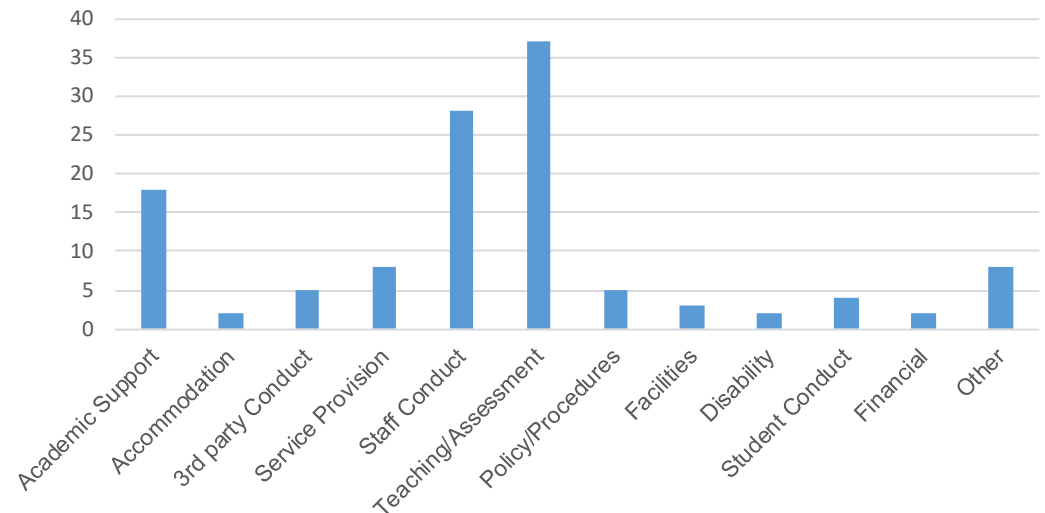
Investigation (Stage 2) Outcomes 1 August 2018 to 31 July 2019



69 investigations were resolved. Average investigation = 28.5 working days

37% of Investigations were completed within 20 working days

Complaints Received by Category 1 August 2018 to 31 July 2019



**Learning from Complaints 2018/19 – Examples**

| <b>Complaint Category</b>  | <b>Complainant</b> | <b>Complaint Summary</b>  | <b>Outcome</b>   | <b>Learning</b>  |
|----------------------------|--------------------|---|------------------|--|
| Service Provision          | Student            | PhD Student complaint about the length of time taken from thesis submission to examiner approval to viva organisation.  | Resolved         | SharePoint site updated to clarify the time required to schedule a viva examination.   |
| Service Provision          | Student            | Student complained about a lack of published information and communication on changes to Open Studies provision eligible for the SAAS Part-time Fee Grant following changes in 2018/2019.   | Resolved         | Website updated to clarify change in policy and future issues of printed copy will include clarification.  |
| Academic Support           | Student            | Complaint is regarding delays in feedback being received which affected progress.   | Partially Upheld | Staff to review email processes /response times, prioritising emails from students, for whom they act as Supervisor, include an appropriate 'out of office' signature on their email when unavailable  |
| Financial Issues           | Student            | Student unaware could not claim travel expenses for a retrieval placement.  | Resolved         | Programme handbook and the claim form to be updated.   |
| Teaching and/or Assessment | Student            | Student complained that exam questions were the same as those in the tutorials but that the model answers provided in tutorials were not sufficient for full marks in the exam. No solutions were provided for the mock exam, so students found it hard to know exactly what they should write in the exam. | Resolved         | Students will be given the opportunity to raise this with the External Examiners. A session will be arranged for all students to review their exam script and the Lecturer will explain what was expected in the exam. Department will ensure that staff do not use tutorial questions verbatim in exam papers in future.                  |
| Teaching and/or Assessment | Student            | Student is unhappy with academic support and assessment and alleges that they had not received constructive advice for their retrieval placement.   | Partially Upheld | Department to develop a clear description of the process undertaken to reach the final placement assessment for inclusion in the Student Handbook and the guidance on completing placement reports. It will be made clear to students that they can request meetings with their tutors to discuss Board decisions and the grading process. |
| Teaching and/or Assessment | Students           | The complainants raised concerns regarding the Structure and Content of a course.   | Partially Upheld | Undertake review of the course to ensure content, delivery, assessment and support are appropriate.  |

**ANNEX B**

|   |                  |  |                  |   |
|---|------------------|--|------------------|---|
| Teaching and/or Assessment                      | Student          | Complaint surrounding the information and advice provided on a dissertation. Related allegations about staff conduct.  | Partially Upheld | Provide appropriate information about dissertations and ensure systems are in place to help students and supervisors if the relationship between the two breaks down. |
| Teaching and/or Assessment                      | Student          | Group of students dissatisfied with the feedback and marking of a group project.   | Resolved         | Points raised will feed into the module review process.   |
| Academic Support                                | Student          | Student asked to leave a tutorial as they had not undertaken the preparatory work. Tutor unaware of Disability Service recommendation not to question student in class.      | Resolved         | Tutors should be advised of changes to support needs as soon as possible after the information is received by the DDC.  |
| Other   | Student          | A student complained about the showing and discussion of a movie, the content of which might affect some students, without warnings.   | Resolved         | Add warnings to Myplace about possible controversial material.  |
| Reasonable Adjustment/Disability-related        | Student          | Student listed several issues around provision of information, errors in solutions, lack of feedback and reasonable adjustments.   | Resolved         | Content and delivery to be reviewed prior to next session. Staff to be reminded of their duties with respect to reasonable adjustments.                               |
| University Policy, Procedures or Administration | Student          | PhD student was not happy with the way they were treated in the allocation of Teaching for tutorials.  | Partially Upheld | Wording of future calls to be amended to set a deadline by which applications should be received before allocations are made.   |
| Teaching and/or Assessment                      | Student          | A class representative submitted a formal complaint about the quality of teaching and assessment in a module.  | Partially Upheld | Department to undertake a review of all tutorial/mock exam questions in the module and correct any errors prior to the 2019/20 academic year.                         |
| Staff Attitude and/or Conduct                   | Student          | Complaint from a student regarding a CV checking appointment.  | Resolved         | Peer review instigated for the member of staff involved.  |
| Academic Support                                | Member of Public | Complainant had asked their former supervisor for an employment reference and felt that the resulting reference misrepresented them and included inappropriate information.. | Upheld           | HoDs to ensure that all members of staff who are likely to be requested to provide references are made aware of the EHRC guidance                                     |

## SPSO Recommendations and Feedback

During 2018/19, one recommendation was made by the SPSO following investigation into complaints raised against the University by a former student.

| Complaint   | Outcome    | Recommendation  | University Response  |
|---|------------|---|--|
| Supervisors unreasonably failed to follow relevant policy or procedure in relation to supervision | Not Upheld | Update the PGR policy and code to explain the level of supervision a student could expect in their writing up phase and when not paying fees. | The PGR CoP is under review, involving a major overhaul of both the regulations and the PGR CoP to address fundamental issues. As part of this process, a project-based Working Group was identified as the most appropriate method of achieving this task. The Terms of Reference for this group were forwarded to SPSO along with the proposed outputs and the minutes of the first meeting. The recommendation from this complaint has been fed into the process and clarifying the level of supervision during the writing up phase is one of the expected outputs of the revised PGR CoP. |

Feedback was provided by the SPSO, following investigation into complaints raised against the University by four ex-students, during 2018/19. These were not formal recommendations and no confirmation to SPSO was required. The Ombudsman expects all organisations to learn from complaints and requests that the findings from its report be shared throughout the organisation. The learning should be shared with those responsible for the operational delivery of the service as well as the relevant internal and external decision-makers who make up the governance arrangements for the organisation, for example elected members, audit or quality assurance committee or clinical governance team.

| Complaint   | Outcome   | Feedback  | University Response  |
|---|---|---|--|
| The university's investigation of the complaint was unreasonable  | Not Upheld  | The university might wish to reflect on the content of Stage 2 outcome letter, in the spirit of good practice and continuous improvement, in terms of including more detail about why your complaint was not upheld, referring to key evidence and giving the university's view on it.  | The University will reflect as appropriate when reviewing procedures, guidance and training for investigators. |
| The University unreasonably failed to take into account all relevant information during the appeals process   | Not Upheld  | <ol style="list-style-type: none"> <li>1. Although there was no obligation on the University to comment on each piece of evidence submitted for the Senate appeal, it may have been good practice to note the evidence submitted for the appeal in the outcome letter, as had been done for the Faculty appeal.</li> <li>2. It may have been helpful for the Senate outcome letter to clarify that the doctor's note incorporated the period of the assignment but that it remained the University's position that there was no evidence of the impact that these medical issues had on the student's ability to work on the assignment.</li> </ol> | The University will take this feedback into account in future appeal cases.                                    |
| The University did not respond reasonably to the complaints, specifically that the University took the word of those being investigated with no evidence to support it. | SPSO decided not to consider the complaint further. | When dealing with complaints where no clear, independent evidence to support differing recollections is found and no definitive conclusion can be drawn it is reasonable that such complaints are recorded as not upheld. However, when communicating this, the University should take steps to ensure their communications make clear why this outcome has been recorded and that it does not mean the University has concluded that the complainant's recollection is inaccurate.   | The University will take this feedback into account in future cases.   |

**ANNEX C**

| <b>Complaint</b>   | <b>Outcome</b>                                      | <b>Feedback</b>  | <b>University Response</b>   |
|--|---|--|--|
| The University's offer of a placement was not reasonable and not in line with the Course handbook. | SPSO decided not to consider the complaint further. | The University may wish to consider clarifying the information provided to students regarding travel time to placements specifically in the PG Handbook. | Feedback communicated to the Course Team. Appropriate amendments being considered. |