



**QuEST**

Quality Enhancement Support Team

# **UWS Complaints Handling Procedure**

## **Part 1: Overview & Structure**

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**UWS**

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# Foreword

The UWS Complaints Handling Procedure (CHP) reflects the University of the West of Scotland's commitment to valuing complaints. It seeks to resolve dissatisfaction as close as possible to the point of service delivery and to conduct thorough, impartial and fair investigations of complaints so that, where appropriate, we can make evidence-based decisions on the facts of the case.

The procedure was first developed by the Scottish Public Services Ombudsman (SPSO), in collaboration with representatives of the Higher Education sector.

The Model Complaints Handling Procedures (MCHPs) were revised in 2019 by the SPSO, in consultation with all sectors. This new edition includes a core text, which is consistent across all public services in Scotland, with some additional text and examples specific to this sector. As far as is possible, SPSO has produced a standard approach to handling complaints across Scotland's public services, which complies with the SPSO's guidance on a MCHP. This procedure aims to help us 'get it right first time'. We want quicker, simpler and more streamlined complaints handling with local, early responses by capable, well-trained staff.

All staff across UWS must cover this procedure as part of their induction and must be given refresher training as required, to ensure they are confident in identifying complaints, empowered to resolve simple complaints on the spot, and familiar with how to apply this procedure (including recording complaints).

The UWS Complaints Handling Procedure will enable us to address a complainant's dissatisfaction and may help us prevent the same problem from happening again. For our staff, complaints provide a first-hand account of the complainant's views and experience and can highlight problems we may otherwise miss. Handled well, complaints can give our students and members of the public a form of redress when things go wrong and can also help us continuously improve our services.

Handling complaints early creates better relations with students and other members of the public. Handling complaints close to the point of service delivery means we can deal with them locally and quickly, so they are less likely to escalate to the next stage of the procedure.

The Complaints Handling Procedure will help us do our job better, improve relationships and enhance public perception of UWS. It will help us keep the student and members of the public at the heart of the process, while enabling us to better understand how to improve our services by learning from complaints.

# Structure of the Complaints Handling Procedure

This Complaints Handling Procedure (CHP) explains to staff how to handle complaints.

The CHP consists of:

- Overview and Structure (part 1) – this document;
- When to use the Procedure (part 2) – guidance on identifying what is and what is not a complaint, handling complex or unusual complaint circumstances, the interaction of complaints and other processes, and what to do if the CHP does not apply;
- The Complaints Handling Procedure (part 3) – guidance on handling a complaint through stages 1 and 2, and dealing with post-closure contact;
- Governance of the procedure (part 4) – staff roles and responsibilities and guidance on recording, reporting, publicising and learning from complaints;
- The guide for students and members of the public (part 5) – information for students and members of the public on how we handle complaints;
- Acceptable Behaviour (part 6) – information for students and members of the public on how we handle unacceptable behaviour.

When using the CHP, please also refer to the 'SPSO Statement of Complaints Handling Principles' and good practice guidance on complaints handling from the SPSO.

[www.spsso.org.uk](http://www.spsso.org.uk)

# Overview of the CHP

Anyone can make a complaint, either verbally or in writing, including face-to-face, by phone, letter, email or via Contact Scotland BSL.

We will try to resolve complaints to the satisfaction of the complainant wherever this is possible. Where this isn't possible, we will give the complainant a clear response to each of their points of complaint. We will always try to respond as quickly as we can (and on the spot where possible).

Our complaints procedure has two stages. We expect the majority of complaints will be handled at stage 1. If the complainant remains dissatisfied after stage 1, they can request that we look at it again, at stage 2. If the complaint is complex enough to require an investigation, we will put the complaint into stage 2 straight away and skip stage 1.

## Stage 1: Frontline response

For issues that are straightforward and simple, requiring little or no investigation.

'On-the-spot' apology, explanation, or other action to put the matter right.

Complaint resolved or a response provided in five working days or less (unless there are exceptional circumstances).

Complaints addressed by any member of staff, or alternatively referred to the appropriate point for frontline response.

Response normally face-to-face or by telephone (though sometimes we will need to put the decision in writing).

We will tell the complainant how to escalate their complaint to stage 2 >>>

## Stage 2: Investigation

Where the complainant is not satisfied with the frontline response, or refuses to engage at the frontline, or where the complaint is complex, serious or 'high-risk'.

Complaint acknowledged within three working days.

We will contact the complainant to clarify the points of complaint and outcome sought (where these are already clear, we will confirm them in the acknowledgement).

Complaint resolved or a definitive response provided within 20 working days following a thorough investigation of the points raised.

## Independent external review (SPSO or other)

Where the complainant is not satisfied with the stage 2 response from the service provider. The SPSO will assess whether there is evidence of service failure or maladministration not identified by the service provider.

For detailed guidance on the process, see [PART 3: The Complaints Handling Process](#)

# Expected behaviours

We expect all staff to behave in a professional manner and treat complainants with courtesy, respect and dignity. We also ask those bringing a complaint to treat our staff with respect. We ask complainants to engage actively with the complaint handling process by:

- telling us their key issues of concern and organising any supporting information they want to give us (we understand that some people will require support to do this)
- working with us to agree the key points of complaint when an investigation is required; and responding to reasonable requests for information.

We recognise that people may act out of character in times of trouble or distress. We will ensure that students are aware of relevant support mechanisms that are available. For example, if a student is reporting an incident in relation to harassment, support can be offered from our Counselling Service.

The circumstances leading to a complaint may also result in the complainant acting in an unacceptable way. [Please refer to PART 6: Acceptable Behaviour Guidance](#). This guidance explains how the University will deal with unacceptable behaviour.

# Maintaining confidentiality and data protection

Confidentiality is important in complaints handling. This includes maintaining the complainant's confidentiality and confidentiality in relation to information about staff members, contractors or any third parties involved in the complaint.

This should not prevent us from being open and transparent, as far as possible, in how we handle complaints. This includes sharing as much information with the complainant (and, where appropriate, any affected staff members) as we can. When sharing information, we should be clear about why the information is being shared and our expectations on how the recipient will use the information.

We must always bear in mind legal requirements, for example data protection legislation, as well as internal policies on confidentiality and the use of individuals' information.

The University's has a Data Protection Code of Practice which sets out how we handle any personal data that we process. You can find this on our [website](#).

There are times when we are unable to share all information with a complainant. This is usually where we are limited by confidentiality, such as:

- where a complaint has been raised against a staff member and has been upheld – we will advise the complainant that their complaint is upheld, but would not share specific details affecting staff members, particularly where disciplinary action is taken.

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