

Complaints Handling: A Guide for Staff June 2018

This guide has been developed to assist GSA staff dealing with complaints and should be read in conjunction with the [Complaints Handling Procedure](#).

What is a complaint?

A complaint is 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 GSA.

A complaint may relate to:

- the quality and standard of service.
- failure to provide a service.
- the quality of facilities or learning resources.
- treatment by or attitude of a staff member, student or contractor.
- inappropriate behaviour by a staff member, student or contractor.
- the failure of GSA to follow an appropriate administrative process.
- dissatisfaction with the GSA's policies, although it is recognised that policy is set at the discretion of GSA.

What is not a complaint?

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

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

Matters that are not considered complaints will be dealt with under the alternative appropriate processes rather than under the Complaints Handling Procedure. 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.

Please note that a complaint can be made in person, over the phone, by letter or email, or by voicemail. If in doubt, assume it is a complaint.

How does GSA manage complaints?

Line managers will ensure that staff are aware of:

- the Complaints Handling Procedure (CHP).
- how to handle and record complaints at the frontline resolution stage.
- who they can refer a complaint to if they are unable to handle the matter personally.
- the need to try and resolve complaints early and as locally (within their department) as soon as possible.
- their degree of authority to attempt to resolve any complaints they may be called upon to deal with.
- any centrally provided training

GSA will ensure that:

- senior officers maintain overall responsibility and accountability for the management and governance of complaints handling within the institution.
- senior officers have an active role in, and understanding of, the Complaint Handling Process (although they may not necessarily be involved in the decision-making process of complaints handling)
- the institution'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 institution and that the complainant's concerns have been taken seriously.
- 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 Institution.
- complaints information is used to improve services, and this is evident from regular communication.

What is my role?

Stage 1: Frontline Resolution

Any member of staff receiving a complaint at 'frontline' is expected to try to resolve the issue quickly and effectively, within a maximum of five working days. Complaints are often an opportunity to improve our processes, and handling them well is important. A complaint can be made in person, over the phone, by letter or email, or by voicemail. If in doubt, assume this is a complaint. Can you resolve the matter quickly – perhaps by giving an apology or by putting things right? If so, do so. If you can't, but know who can help, tell the complainant who you are passing the issue on to, and tell the recipient that you are passing this complaint on to them to deal with. Once resolved, all complaints, however minor, require to be logged [here](#).

Stage 2: Complaint Investigation

For issues which can't be resolved at frontline, or where the complainant is unhappy with the frontline resolution, refer the complainant to the [Complaints Handling Procedure](#) and request them to complete the complaints form.

Maintaining confidentiality?

Staff should handle all complaints confidentially and ensure that information about individual investigations will only be shared with those who have a legitimate access requirement. In determining access requirements GSA will have regard to legislative requirements; for example, data protection legislation and freedom of information legislation and also internal policies on confidentiality and the use of complainant information.

Where a complaint has been raised against a student or member of staff and has been upheld or partially 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.

Outcome Report

Once the investigation is completed, the Investigators Report will be sent to the complainant. Any recommendations or actions arising from the report would then be shared with the relevant Head of School(s) or Department to allow these to be taken forward as appropriate. The complainant will be informed, should this be applicable.

Special Category Data

Staff should advise complainants that if they wish to share personal data which relates to a special category of data, for example; race; ethnic origin; politics; religion; genetics; biometrics (where used for ID purposes); health; disability or sexual orientation, GSA will require consent from the complainant before processing the complaint. In such circumstances staff handling complaints should ask the complainant to complete a consent form which can be found [here](#).

Complaints against members of staff

Staff will be informed at the earliest opportunity if a complaint has been made against them. GSA Human Resources will be informed if it is judged that the allegation is of a serious nature. Where a complaint is raised against a senior member of staff, it is particularly important that the investigation is conducted by an individual who is independent of the situation.

Where do I go if I have a query?

The Academic Quality Office acts as the central department for the coordination of complaints, for providing responses to complainants once an investigation is completed; explaining the process and providing guidance on timescales, best practice, interaction with data protection and requirements of Scottish Public Services Ombudsman (SPSO) ; obtaining legal advice, when this is necessary; providing or sourcing general training and acting as liaison for engagement with the Scottish Public Services Ombudsman.

For further information, please consult the [Complaints Handling Procedure](#) or contact Vee Toyi, the SPSO Liaison Officer at: complaints@gsa.ac.uk

The Complaints Handling Procedure

