

GSA SUMMARY REPORT OF EQUALITY CONSIDERATION AND ASSESSMENT OF EQUALITY IMPACT

Date of Assessment:	April 2021	
School or Executive Group Area:	Registrar	
Department:	Academic Quality Office	
Lead member of staff: e-mail:	Fergus Mason f.mason@gsa.c.uk	
Area of decision making/title of policy, procedure, programme or relevant practice:	Complaints Handling Procedure	
Please indicate if this is:	New:	<input checked="" type="checkbox"/>
	Existing/Reviewed:	<input type="checkbox"/>

1. Summary of how equality, diversity and participation have been considered and due regard given to the Public Sector Equality Duty (PSED):

Since August 2013, Glasgow School of Art (GSA) has been required to follow the Scottish Public Services Ombudsman’s (SPSO) Model Complaints Handling Procedure (MCHP). In 2019 the SPSO published a revised MCHP which GSA is required to adopt by April 2021. The new procedure establishes the definition of a complaint and sets out the process for making and investigating complaints. Equality impact has been considered as an intrinsic part of the revision of the procedure with the intention of:

- Setting out a clear route by which students and members of the public can challenge incidents of discrimination, harassment and victimisation (where applicable);
- Setting out and promoting support available to meet the needs of people with protected characteristics and to minimise disadvantages;
- Encouraging participation with the revised procedure to ensure equal access;
- Setting out a range of expected behaviours to ensure complaints can be raised in an environment of mutual respect to foster good relations between people from different groups, and;
- Giving due regard to equality implications and taking a pro-active approach in addressing institutional discrimination by undertaking an Equality Impact Assessment in tandem with Procedure revision.

Consideration and due regard have been given to the protected characteristics set out in the Equality Act 2010 as follows:

- **Disability** – It is recognised that some students and members of the public may find it difficult to raise complaints relating to this protected characteristic due to the sensitive information involved. To address this, the MCHP allows complainants to raise issues

confidentially and anonymously, and, where possible, for these issues to be resolved quickly. The MCHP has clear statements regarding confidentiality, as well as giving complainants the opportunity to identify specific requirements. The MCHP is set out in written form on the GSA website, and it is recognised that students and members of the public may face physical, sensory and communication barriers to making complaints (due, for example, to visual impairment or learning difficulties). Students and members of the public with disabilities may also find it difficult to attend face-to-face meetings with staff, and as a result may find it difficult or daunting to make a complaint. Further reasonable adjustments relating to these are set out in Section 4 (Actions) below.

- **Gender Reassignment** - National data (see Section 2 below) suggests that young people in education in Scotland can still face harassment, bullying and discrimination on the grounds of gender identity. It is recognised that some students and members of the public may find it difficult to raise complaints relating to this protected characteristic due to the sensitive information involved. To address this, the MCHP allows complainants to raise issues confidentially and anonymously, and, where possible, for these issues to be resolved quickly. The MCHP has clear statements regarding confidentiality, as well as giving complainants the opportunity to identify specific requirements.
- **Pregnancy & Maternity** – If a complainant, member of staff or other involved party are on medical or parental leave while an investigation takes place, there may be some difficulty in adhering to the timescales set out in the MCHP – however there is a degree of flexibility regarding timescales, and these can be adjusted accordingly where necessary.
- **Race** – Sector-wide evidence relating to race equality (see Section 2 below) identifies that on a UK-wide basis, Black and Minority Ethnic (BAME) students may be more likely to be subject to bullying/harassment or discrimination. Some students and members of the public may be reticent in raising formal complaints due to reasons relating to cultural background. To address these issues, the MCHP allows complainants to raise issues confidentially and anonymously, and, where possible, for these issues to be resolved quickly. The MCHP has clear statements regarding confidentiality, as well as giving complainants the opportunity to identify specific requirements.
- **Religion or Belief** – During religious festivals there may be some difficulty for staff in adhering to the timescales set out in the MCHP – however there is a degree of flexibility regarding timescales, and these can be adjusted accordingly where necessary.
- **Sex/Gender** – No specific impact was identified – however it is noted that specific requirements relating to complaints of sexual harassment or Gender Based Violence can be raised under the Formal Stage of the Procedure of the GSA Student Conduct Policy and Misconduct Procedure.
- **Sexual Orientation** – National data (see Section 2 below) suggests that young people in education in Scotland can still face harassment, bullying and discrimination on the grounds of sexual orientation. It is recognised that some students and members of the

public may find it difficult to raise complaints relating to this protected characteristic due to the sensitive information involved. To address this, the MCHP allows complainants to raise issues confidentially and anonymously, and, where possible, for these issues to be resolved quickly. The MCHP has clear statements regarding confidentiality, as well as giving complainants the opportunity to identify specific requirements.

- **Age; and Marriage & Civil Partnership** – No specific impacts identified.

2. Evidence used to make your assessment:

- [The UK Equality Act 2010](#)
- GSA Equality Impact Assessment [Summary Reports](#)
- GSA Quarterly and Annual Complaints Reports (from sessions 2018/19 and 2019/20).
- LGBT Youth Scotland Report [Life in Scotland for LGBT Young People](#) (2017)
- Equality and Human Rights Commission Report [Tackling Racial Harassment: Universities Challenged](#) (2019)
- The SPSO Model Complaints Handling Procedure, and a range of SPSO implementation guidance, especially the [Complainants with Vulnerabilities](#) resource

3. Outline any positive or negative impacts you have identified:

3.1 Positive Impacts

The new Complaints Handling Procedure, like the old CHP it replaces, provides a clear, transparent and impartial route for students and members of the public to challenge discrimination and barriers.

The new procedure (written in large part by the SPSO) has been written in clear and accessible language.

The SPSO has designed the revised procedure to be in very close alignment with complaints handling procedures across the public sector in Scotland, and this consistency should help build familiarity with and confidence in the process among our stakeholders.

3.2 Negative Impacts

In order to consider negative impacts, the following potential vulnerabilities as identified by the SPSO (see Section 2 above) have been considered:

- **Mental health problems** – Complaints can be highly emotive issues. This can be difficult for any complainant, however this may create a particular barrier for people suffering from mental ill health, and complainants may struggle with anxiety and emotional distress as a result. It is also recognised that stigma around mental illness persists, and some students and members of the public may find it difficult to raise complaints relating to this issue. To address this, the MCHP allows complainants to raise issues confidentially and anonymously, and, where possible, for these issues to be resolved quickly. Where

complainants are unable to raise complaints themselves, they may be represented by a third-party. Further reasonable adjustments for these issues are set out in Section 4 (Actions) below.

- **Poor literacy or numeracy skills** - The MCHP is set out in written form on the GSA website, and a majority of our complaints are submitted via a web-based form or by email. It is recognised that students and members of the public with poor literacy may find it difficult or be reluctant to complain because of this. Reasonable adjustments for this issue are set out in Section 4 (Actions) below.
- **Digital exclusion** (lack of technology know-how to access online services) – The MCHP is set out in written form on the GSA website, and a majority of our complaints are submitted via a web-based form or by email. It may be difficult for people with little or no access to online services and/or poor digital literacy to learn about the MCHP and make a complaint. The GSA Digital Inclusion Scheme aims to mitigate lack of access to online services by offering students long-term loans of laptops. Further reasonable adjustments for this issue are set out in Section 4 (Actions) below.
- **Chronic or terminal illnesses** – It is recognised that complainants suffering from chronic or terminal illness may suffer from physical and/or emotional distress. Where complainants are unable or unwilling to raise complaints themselves, they may be represented by a third-party. It is recognised that illness may impact on complainants' ability to work within the timescales set out in the MCHP and/or necessitate an expedited response – however there is a degree of flexibility regarding timescales within the MCHP, and these can be adjusted accordingly where necessary. It is further recognised that complainants in this situation may also find it difficult to attend face-to-face meetings with staff. Further reasonable adjustments for these issues are set out in Section 4 (Actions) below.
- **People fleeing domestic abuse; people suffering from homelessness or the threat of homelessness; and people with an unsettled way of life** - It is recognised that complainants in these situations may find it difficult to access to online services to learn about the MCHP and make a complaint, and/or find it difficult to attend face-to-face meetings with staff. Reasonable adjustments for these issues are set out in Section 4 (Actions) below.
- **Physical disabilities and learning difficulties** – See Section 1 (Disability) (above).
- **Addiction issues; being a person with a conviction; being a young person leaving local authority care; being a kinship carer; being a lone parent; experiencing separation, relationship or family breakdown; having a responsibility as a main care giver; and leaving the armed forces** – No specific impacts identified.

3.3 Further Negative Impacts

The following additional negative impacts were also identified:

- **ESOL** (English as a second or foreign language) - While the new procedure is written in clear, concise language, many of our students do not speak English as a first language and may feel daunted by the process as a result.
- **Lack of familiarity with changes** – Although the core framework of the procedure remains unchanged through the current revision, neither students nor staff will be familiar with what changes have been made. Lack of experience and familiarity among staff with the revised procedure may result in poor complaint investigation, and lead to a lack of

confidence among students and other stakeholders.

- **Poor data** - At present we don't record any data relating to equalities, and there is no way to do this with our complaints retrospectively (not least as complaints data is confidential and highly sensitive). We do not currently report on this in our Quarterly and Annual Reports. This EIA has been to an extent hampered by a lack of data to inform decision-making, and the revised procedure in itself will not improve this. The lack of data makes it difficult to track which stakeholders (and groups) we are not reaching.

4. Actions you have taken or planned as a result of your findings:

This Equality Impact Assessment (EIA) does not identify any fundamental adverse impact as a result of the implementation of this procedure.

It is recognised, however, that individuals/groups with the following protected characteristics (as defined by the Equality Act 2010 – see Section 2 above) and vulnerabilities (identified by the SPSO – see Section 2 above) may be more likely to experience discrimination or harassment:

- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Sexual orientation
- Mental health problems
- Poor literacy or numeracy skills
- Digital exclusion
- Chronic or terminal illnesses
- People fleeing domestic abuse
- Homelessness or threat of homelessness
- Having an unsettled way of life

It is further recognised that some individuals/groups (and in particular those who share the protected characteristics and vulnerabilities above) may be more likely to use the CHP to raise issued relating to these characteristics and vulnerabilities.

In revising the CHP, the specific requirements of these groups have been considered to make the procedure accessible for use. The procedure states explicitly that all complaints will be managed confidentially – information gathered as part of the complaint process will be shared with other parties on a need to know basis only. The procedure also states explicitly that complainants may be represented by a third-party (if they are unable or unwilling to represent themselves).

The following further actions have been identified as a result of this EIA:

Action	Equality Impact	Person Responsible	Time Frame
Set out GSA legal responsibilities in CHP (Section 2.2.5) regarding alternative formats, interpretation, and additional support (e.g. support in finding independent advocacy).	To meet the needs of people with protected characteristics and remove or minimise disadvantages suffered by people due to their protected characteristics.	Academic Quality Office	Complete

<p>Add a note a note to CHP (Section 2.2.5) noting that EIA has been undertaken and a link to the GSA EIA Summary Reports page.</p>	<p>To foster good relations and promote understanding by being transparent about the steps taken to advance equality.</p>	<p>Academic Quality Office</p>	<p>Complete</p>
<p>Add a note to CHP (Section 2.2.5) to the effect that should complainants require any further disability-related reasonable adjustments, these may be raised with the complaint investigator or the Academic Quality Office.</p>	<p>To meet the needs of people with protected characteristics and remove or minimise disadvantages suffered by people due to their protected characteristics.</p>	<p>Academic Quality Office</p>	<p>Complete</p>
<p>Add a note to the CHP (Section 3.5.8.6) to the effect that complainants may not wish to or be able to attend face-to-face meetings, and that adjustments should be made accordingly (e.g. telephone/zoom meetings).</p>	<p>To meet the needs of people with protected characteristics (especially disability – Section 1 above) and vulnerabilities (especially people with chronic or terminal illness, people fleeing domestic abuse, people suffering from homelessness or the threat of homelessness and people with an unsettled way of life – see Section 3 above) - and to remove or minimise disadvantages suffered by people due to their protected characteristics or vulnerabilities.</p>	<p>Academic Quality Office</p>	<p>Complete</p>
<p>Create a Student Complaints Guide summarising the CHP in easy-to-read language.</p>	<p>To meet the needs of people with protected characteristics (especially disability – see Section 1 above), and vulnerabilities (especially people with poor literacy – see Section 3 above), and people subject to additional impacts (especially ESOL – see Section 3 above) – and to advance equality of opportunity and encourage participation for these individuals and groups.</p>	<p>Academic Quality Office</p>	<p>Complete</p>
<p>Amend letter templates for complainants to ensure GSA pro-actively ask whether complainants require additional support and to highlight availability of support (e.g. advocacy, interpretation).</p>	<p>To advance equality of opportunity for and encourage participation by people with protected characteristics (especially disability – see Section 1 above) and people with vulnerabilities (especially people with mental health problems or chronic or terminal illness – see Section 3 above).</p>	<p>Academic Quality Office</p>	<p>Complete</p>
<p>Explore sources of alternative formats, BSL interpretation and independent advocacy to ensure smooth service if requested.</p>	<p>To meet the needs of people with protected characteristics (especially disability – see Section 1 above) and people with vulnerabilities (especially people with mental health problems or chronic or terminal illness – see Section 3 above) – and to advance equality of opportunity and encourage participation.</p>	<p>Academic Quality Office</p>	<p>Complete</p>

Ensure Stage One eLearning training module is mandatory for all staff to ensure widespread familiarity with process and encourage reporting of complaints.	To improve poor data (see Section 3, above) – ensuring complaints data is full and accurate, and can be properly analysed via Quarterly and Annual Reports.	Academic Quality Office and HR	Complete
Issue all-staff/student communication to highlight new procedure.	To combat lack of familiarity with changes with revised procedure among staff (see Section 3 above) and to foster good relations by ensuring smooth adoption of new procedure.	Academic Quality Office and Marketing & Communications	August 2021
Rewrite complaints page on GSA website to highlight confidentiality and impartiality of process; highlight our support in finding independent advocacy; highlight availability of alternative formats of procedure, reports etc.; highlight availability of BSL interpretation; make explicit note that complaints can be made verbally, and include contact phone number (when applicable – i.e. when staff are back on campus).	To meet the needs of people with protected characteristics (especially disability, gender reassignment, race and sexual orientation – see Section 1 above), people with vulnerabilities (especially people with mental health problems, poor literacy, people suffering digital exclusion, people with chronic or terminal illnesses, people fleeing domestic abuse, people living with homelessness or the threat of homelessness and people with an unsettled way of life – see Section 3 above), and people subject to further impacts (especially ESOL – see Section 3 above) – and to advance equality of opportunity and encourage participation for these individuals and groups.	Academic Quality Office	Complete
Develop and launch Stage Two complaints training sessions; create an online Stage Two training module for the intranet to provide staff with refresher option; offer Stage Two training to GSASA staff as they provide advocacy for students.	To combat lack of familiarity with changes with revised procedure among staff (see Section 3 above) and to foster good relations by ensuring smooth adoption of new procedure.	Academic Quality Office	Complete
Explore ways of promoting the Complaints Handling Process and quarterly/annual reports to students highlighting the value of complaints.	To bring complaints process to students' attention, highlight the value of complaints and thereby encourage participation.	Academic Quality Office	Complete
Explore how to use existing data to better monitor process (especially concerning barriers) by routinely logging and recording the programme of all complainants to better track where complaints are and aren't concentrated.	To advance equality of opportunity and remove or minimise disadvantages suffered by people by ensuring that better data exists in future to evidence action (see poor data – Section 3 above).	Academic Quality Office	Complete
Explore how to gather data to better monitor process (especially concerning barriers):	To advance equality of opportunity and remove or minimise disadvantages suffered by people by ensuring that better data exists	Academic Quality Office	Sept 21

<ul style="list-style-type: none"> • consider voluntary, anonymous equality monitoring forms issued at the end of the complaints handling process; • consider voluntary anonymous feedback questionnaires at the end of the complaints handling process; • consider recording and reporting on equality-related complaints themes (e.g. by incorporating a Discrimination theme); • consider engaging with GSASA for feedback, and; • consider gathering feedback from staff during Stage Two training sessions. 	<p>in future to evidence action (see poor data – Section 3 above).</p>		
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5. Where/when will progress and the outcomes of your actions be reported and reviewed:

Complaints data and updates to policy and procedure are reported in Quarterly reports to the Senior Leadership Group and Annual Reports to the Board in November.

6. How will your actions and intended outcomes contribute to the delivery of GSA’s equality outcomes:

The consistent application of a framework for students’ complaints is listed as a key action under Equality Outcome 1. In addition, pending the implementation of the actions outlined above, the launch of the revised procedure aims to:

- Promote an organisational culture of respect by giving students and members of the public a clear, impartial route to challenge prejudice.
- Allow for quick access to support, where necessary, to improve accessibility and inclusivity.
- Improve our data collection to better anticipate the needs of students/other stakeholders in future.
- Encourage participation with the procedure – thereby increasing the number of students engaging positively with the institution (as complaints can lead to positive changes) and achieving successful outcomes.

The outcome of your assessment:

No action (no potential for negative or positive impact)

Action to remove barriers/mitigate negative impact

Action to promote positive impact

Sign-off, authorisation and publishing

Review Lead

Name	Fergus Mason
Position	Policy Officer
Signature	Fergus Mason
Date	15 April 2021

Executive Lead

Name	Janet Allison
Position	Academic Registrar
Signature	Janet Allison
Date	22 April 2021

Equality Lead (Head of Student Support and Development)

Signature	Julie Grant
Date	27 April 2021