University of Stirling Complaints Handling Procedure

Foreword

This Complaints Handling Procedure (CHP) reflects the University of Stirling’s commitment to dealing effectively with complaints. 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 evidence-based decisions on the facts of each individual case.

“The Complaints Policy should be read in conjunction with the University’s statements and policies in relation to Equality & Diversity and Bullying and Harassment. These policies can be found at: http://www.stir.ac.uk/equalityanddiversity/ and http://www.stir.ac.uk/media/services/registry/planning/StudentAntibullyingandHarassmentPolicy.pdf

The University does not tolerate harassment, victimisation or discrimination on the grounds of age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, race, religion or belief, sex, sexual orientation, and is committed to working with our diverse University community in a wholly positive way to embed respect, equity, and inclusion. The University will continue to comply with its statutory duties as outlined in the Equality Duty 2010 which requires the University to:

- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Foster good relations between people who share a protected characteristic and those who do not.

The University of Stirling is fully committed to respect and fair treatment for everyone and actively promotes equality of opportunity and fairness to all. Any act of discrimination or harassment by a member of staff or a student will be taken very seriously and may result in disciplinary action being taken.

Resolving complaints early saves time and resource and contributes to the overall efficiency of the University. 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, staff and members of the public.

This procedure has been drawn up in compliance with The Scottish Higher Education Model Complaints Handling Procedure published by the Scottish Public Services Ombudsman (SPSO) in December 2012.
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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 University'.

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 the University to follow an appropriate administrative process
- dissatisfaction with the University’s policy, although it is recognised that policy is set at the discretion of the University.

The definition of a complaint is very broad and the list above is not exhaustive. However, not every concern raised with the University 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 request for compensation only
- 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
- an attempt to have a complaint reconsidered where the University’s procedure has been completed and a decision has been issued
- a grievance by a member of staff which is eligible for handling through the grievance procedure**
- an appeal about an academic decision on assessment or admission***.

Issues marked with an asterisk will be dealt with under alternative appropriate processes (see web links below) rather than under the CHP. However, 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.

* [http://www.stir.ac.uk/policyandplanning/legalcompliance/accessinginformation/](http://www.stir.ac.uk/policyandplanning/legalcompliance/accessinginformation/)
** [http://www.hr-services.stir.ac.uk/forms/Ordinance68.php](http://www.hr-services.stir.ac.uk/forms/Ordinance68.php)
*** link to be inserted
Who can make a complaint?
Our procedures cover 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 Stirling (all referred to as ‘students’ through the remainder of this document);
- staff receiving services not covered by other internal processes and policies;
- members of the public, where they have a complaint about matters which are (or which were at the time the issue arose) the responsibility of the University; and
- members of the public who are applying for admission to the University and whose complaint does not relate to academic judgement.

The basic processes for investigating complaints are the same for students, staff, members of the public and applicants to the University.

Sometimes individuals may be unable or reluctant to make a complaint on their own. We 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.

Anonymous Complaints
We will consider complaints submitted anonymously if there is enough information in the complaint to enable the University to make further enquiries. If, there is insufficient information to enable us to take further action, we may decide not to pursue it further. However, we may give consideration to the issues raised, and may 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 University Secretary. If an anonymous complaint contains serious allegations, it should be referred to the University Secretary immediately.

Complaints involving more than one department
If a complaint relates to the actions of two or more Schools or Service Areas, we will identify a lead area responsible for dealing with the complaint. The complainant will be told to whom the complaint is being passed and given their contact details. The nature of the complaint may also require parallel procedures to be initiated (such as academic appeal or student disciplinary procedures).

Complaints involving other organisations or contractors who provide a service on behalf of the University
If an individual complains about the service of another organisation, but the University has no involvement in the issue, we will advise the individual to contact the appropriate organisation directly.
Where a complaint relates to a University service and the service of another organisation the complaint must be handled through the CHP. In particular, the same timescales will apply. This relates to complaints that involve services provided on our 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, such as catering services
- a complaint made to us 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.

**Time limit for making complaints**

Complaints should be raised as soon as problems arise to enable prompt investigation and swift resolution. Our procedure sets a time limit of six months to raise a complaint, 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, we will exercise discretion in the way that the time limit is applied. This will take account of the time limit within which a complainant 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.
The Complaints Handling Process
Our procedures are 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.

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**The Complaints Handling Procedure**

**FRONTLINE RESOLUTION**

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

- ‘On-the-spot’ apology, explanation, or other action to resolve the complaint quickly, 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 resolution.
- Complaint details, outcome and action taken recorded and used for service improvement.

**INVESTIGATION**

For issues that have not been resolved at the frontline or that are complex, serious or ‘high risk’.

- A definitive response provided within 20 working days following a thorough investigation of the points raised.
- Responses signed off by senior management.
- Senior management have an active interest in complaints and use information gathered to improve services.
- Complainants who remain dissatisfied after an investigation has been completed by the Institution have the right to ask the SPSO to review their case (see right).

**INDEPENDENT EXTERNAL REVIEW (SPSO or other)**

For issues that have not been resolved by the service provider.

- Complaints progressing to the SPSO will have been thoroughly investigated by the service provider.
- The SPSO will assess whether there is evidence of service failure or maladministration not identified by the service provider.

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Note: For clarity, the term ‘frontline resolution’ refers to the first stage of the complaints process. It is not intended to reflect any job description within the Institution; rather it refers to the process which seeks to resolve complaints as soon as possible.
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 as possible and to raise it with the School or Service Area in 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 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 University 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?
- if I cannot help, 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.

Extension to the five day timeline
We expect that 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 University is responsible for the issue(s) being complained about). Where an extension is required this must be signed off by an appropriate senior manager. 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**

We will communicate the outcome to the complainant by face-to-face communication, or by phone, or in writing or by email. Our response to the complainant will address all the topics for which we are responsible, and explain the reasons for the decision. Once a decision has been issued, the record of the complaint will be updated on the recording system, including details of the decision reached. The complaint will then be closed.

**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 the University 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 University
- present issues of a highly sensitive nature.

A complaint can be made 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 will be encouraged to complete the appropriate complaint form (www.stir.ac.uk/complaints) 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 University’s definitive position.

**What we will do when we receive a complaint for Stage 2 Investigation**

We will allocate the complaint to an Investigator. We will be clear from the start of the investigation stage exactly what is being investigated, and ensure that both the complainant and the complaint...
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 hope 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 University can reasonably provide or are not within the University'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 CHP:

- We will acknowledge complaints in writing within three working days
- We 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 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, senior management 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 senior management 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 University 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 University 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, 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, if the complainant remains dissatisfied, he/she is entitled to ask the Scottish Public Services Ombudsman (SPSO) to look at their complaint. The SPSO considers complaints from people who remain dissatisfied at the conclusion of the University’s CHP. The SPSO looks at issues such as service failure and maladministration (administrative fault) as well as the way the University has handled the complaint.

The SPSO requires the University 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 universities. If you remain dissatisfied with the 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 University'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
4 Melville Street
Edinburgh
EH3 7NS

SPSO
Freepost EH641
Edinburgh
EH3 0BR

Freephone 0800 377 7330
Online contact www.spso.org.uk/contact-us
Website www.spso.org.uk
Mobile site: http://m.spso.org.uk
Governance of the Complaints Handling Procedure

Roles and Responsibilities

All staff will be aware of:

- the 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 possible and
- their clear authority to attempt to resolve any complaints they may be called upon to deal with.

Senior management will ensure that:

- the University’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 University 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 University
- it has an active role in, and understanding of, the CHP (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 University, and
- complaints information is used to improve services, and this is evident from regular publications.

Principal: The Principal provides leadership and direction to the University. This includes ensuring that there is an effective complaints handling procedure with a robust investigation process which demonstrates that organisational learning is in place. The Principal delegates responsibility for the procedure to the University Secretary, and receives assurance of complaints performance by way of regular reporting. The University Secretary ensures that complaints are used to identify service improvements, and that these improvements are implemented, and learning fed back to the wider organisation as appropriate.

Investigations Co-ordinator: The Investigations Co-ordinator is responsible for receiving complaints at the Complaint Investigation stage. He/she checks complaints initially to ensure that they are within time and within jurisdiction, and refers them for frontline resolution if this has not been attempted and seems appropriate. On advice from the University Secretary, the Investigations Co-ordinator is responsible for the allocation of complaint investigations to appropriate School Managers/Service Directors and trained Complaint Investigators, bearing in mind the need to avoid any possible conflict of interest. The Investigation Co-ordinator is responsible for ensuring that a) individuals affected by the report are notified of the outcome as appropriate and b) case-specific remedial action and/or process improvement for the future are
drawn to the attention of the relevant area(s). The Investigations Co-ordinator is also the University’s nominated SPSO Liaison Officer. In conjunction with the University Secretary, the Investigations Co-ordinator is responsible for providing complaints information in an orderly, structured way within requested timescales, providing comments on factual accuracy on behalf of the University in response to SPSO reports, confirming recommendations have been implemented, and providing evidence to verify this.

**School Managers/Service Directors:** School Managers/Service Directors are responsible for ensuring that complaint investigations are conducted fairly and effectively. As senior officers they 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. School Managers/Service Directors are also responsible for signing off the Investigation Report.

**Complaint Investigators:** Complaints Investigators are suitably trained staff members responsible for the conduct of the complaint investigation and are involved in the investigation and the coordination of all aspects of the response to the complainant. This may include acknowledging receipt of the complaint, preparing a comprehensive written report, including details of any recommended procedural changes to service delivery. Working with the nominated School Manager/Service Director, Complaint Investigators have a clear remit to investigate effectively and reach robust recommendations 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. All staff must, therefore, be aware of the CHP and how to handle and record complaints at the frontline resolution stage. They should also be aware of whom to refer a complaint to, if they are not able handle the matter personally. 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.

**Complaints about senior staff**
If we receive a complaint against senior staff we will ensure it is investigated and signed off by individuals who are independent of the situation.
Recording, reporting, publicising and learning

In order to use the valuable feedback obtained through complaints to improve provision of services across the University we need to record all complaints so that we can use the complaints data for analysis and management reporting. By recording and using complaints information in this way, the causes of complaints can be identified, addressed and, where appropriate, training opportunities can be identified and improvements introduced.

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 complainant and student matriculation number (if applicable)
- date of receipt of the complaint
- how the complaint was received
- category of complaint
- staff member responsible for handling the complaint
- department to which the complaint relates
- action taken and outcome at frontline resolution stage
- date the complaint was closed at the frontline resolution stage
- date the investigation stage was initiated (if applicable)
- action taken and outcome at investigation stage (if applicable)
- 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 University has structured systems for recording complaints, their outcomes and any resulting action so that the complaint data can be used for internal reporting as indicated below.

Reporting of complaints
The University has a system for the internal reporting of complaints information. Regularly reporting the analysis of complaints information helps to inform management of 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 quarterly to senior management and annually to the University Court.

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

This demonstrates our approach to improving services on the basis of complaints and shows that complaints 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.

We 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.

**Learning from complaints**

Complaint Investigators will always satisfy themselves that all parties involved understand the findings of the investigation and any decisions made. Senior management will ensure that the University has procedures 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 we identify the need for service improvement:

- a member of staff (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 relevant area will be monitored to ensure that the issue has been resolved.

**Maintaining confidentiality and data protection**

Confidentiality is an important factor in conducting complaints investigations. We 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. However, complainants should be aware that where a complaint has been raised against a particular individual or individuals it may be necessary to provide those concerned with details about the nature of the complaint to allow them the opportunity to respond to the allegations. In some cases the identity of the complainant may be apparent even though the name of the complainant is not revealed. 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.

**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 unacceptable behaviour may still have a legitimate grievance, and the University will 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 our staff. We have put into place policies and procedures to protect staff from such unacceptable behaviour. This will include the requirement to inform the complainant of any decision to restrict their access, their right of appeal, and any procedures for reviewing such a decision to restrict contact.

**Basic principles and expectations**

Complainants are subject to the same expectations regarding their behaviour as all others who interact with the University, its staff and students. Complainants should feel free to raise matters of concern without risk of disadvantage, but where a complainant’s behaviour over the complaint is deemed to be unacceptable, we reserve the right to invoke other procedures as necessary. In the case of applicants for admission to the University, unacceptable behaviour may result in consideration of an application being terminated, or an offer of admission being withdrawn. In the case of students, unacceptable behaviour may result in referral under the Code of Discipline. If such action is deemed necessary, the complainant will be advised of this and attempts will nevertheless be made to complete the investigation of the complaint, though contact with the complainant may be restricted.

**Protection of staff, time and resources**

Where complainants are angry, unreasonably demanding or persistent, this can result in unacceptable behaviour towards our staff and place unreasonable demands on time and resources. The University has a duty to protect staff from such behaviour, whilst allowing investigation of the complaint to proceed wherever possible. Should action to protect staff be necessary, there is a requirement to inform the complainant of any decision to restrict their access, their right of appeal, and any procedures for reviewing such a decision to restrict contact. Any decision to restrict access will be made by a senior member of staff, and the complainant will be advised in writing of the decision and the reasons for it. Our decision on this will normally be final, and the complainant will be advised of their right to ask the SPSO to review our handling of the complaint.

**Aggressive or abusive behaviour**

Aggressive or abusive behaviour towards staff will not be tolerated. In addition to any physical threats, the definition of unacceptable behaviour includes threats, personal verbal abuse, derogatory remarks or rudeness and any written or verbal content which may cause staff to feel afraid, threatened or abused. Inflammatory remarks and unsubstantiated allegations are also
considered unacceptable. If physical violence is threatened or used, we will always report this to the police. In cases where other behaviour is considered abusive to staff or contains unsubstantiated allegations, the complainant will be advised that their language is considered unacceptable, they will be asked to moderate their behaviour, and they will be warned that if the unacceptable action or behaviour continues, the University will cease to respond to them.

Unreasonable demands
Whilst staff will make every attempt to resolve complaints fully and within the published timescales, and to respond to reasonable requests from complainants, staff should not be subjected to unreasonable demands. A demand becomes unreasonable when complying with it would have such an impact on the work of staff that it would disadvantage others with a legitimate call on that staff member’s time. Examples of unacceptable behaviour under this heading include:

- repeatedly demanding responses within an unreasonable timescale
- insisting on speaking to a particular staff member when that is not possible
- repeatedly changing the substance of a complaint or raising unrelated concerns.

Unreasonable levels of contact
Sometimes the volume and/or duration of contact made to University staff by a complainant causes problems. This can occur over a short period – for example, a number of telephone calls in a day – or over the life-span of a complaint when a complainant repeatedly calls (in person or by telephone), emails, or submits unreasonable volumes of information which has already been sent or which is not relevant to the complaint. The level of contact will be regarded as unacceptable when the amount of time spent dealing with the complainant impacts on the ability of staff to investigate the complaint, impacts adversely on ability to attend to other business, or is considered disproportionate to the issue(s) being complained about.

Unreasonable use of the complaint procedure
Individuals have the right to complain to the University more than once, if subsequent issues arise. However, this becomes unreasonable when the effect of the repeated or additional complaint(s) is to harass staff or prevent the University from pursuing its legitimate business or implementing a legitimate decision. Access to the Complaint Handling Procedure is important and we will only consider its repeated use unreasonable in exceptional circumstances, but we reserve the right to refuse to consider repeated complaint(s) in those exceptional cases.

Unreasonable persistence and/or refusal to accept a decision
Persistent refusal to accept a decision made in relation to a complaint, persistent refusal to accept explanations relating to what can or cannot be done about the complaint, and/or continuing to pursue or attempting to re-open a complaint without presenting any new evidence will be considered unreasonable. We will advise the complainant when consideration of the complaint has been completed, and of the complainant’s right of review by the SPSO, but further communication thereafter is likely to result in contact being restricted and/or further communications being ignored.
**Progressing cases where behaviour is unreasonable**

When unreasonable behaviour limits our ability to communicate with the complainant, attempts will nevertheless be made to investigate and report on the complaint, on the basis of written evidence produced up to the point at which contact has been restricted.

**Supporting the complainant**

Anyone who receives, requests or is directly affected by the services the University provides has the right to access the University’s CHP. Other complainants may have specific needs which the University will seek to address to ensure easy access to the CHP by making reasonable adjustments to help the complainant.

Information on how to make a complaint, together with details of support services which can provide helpful support to those who wish to pursue a complaint with the University are provided in the following documents:

- *The University of Stirling Complaints Procedure - a guide for students*
- *The University of Stirling Complaints Procedure - a guide for members of the public and applicants*
The complaints handling procedure

**Stage 1 – frontline resolution**
Always try to resolve the complaint quickly and to the customer’s satisfaction wherever possible.

- Provide a decision on the complaint **within five working days unless** there are exceptional circumstances.

**Stage 2 – investigation**

1. Investigate where the customer is still dissatisfied after communication of decision at stage 1.
2. Investigate where it is clear that the complaint is particularly complex or will require detailed investigation.

- Send acknowledgement **within three working days** and provide the decision as soon as possible but within **20 working days, unless** there is a clear reason for extending this timescale.

- Communicate the decision in writing. Advise the customer about the SPSO and time limits.

**Monthly or quarterly**
- ensure ALL complaints are recorded
- report performance and analysis of outcomes to senior management
- make changes to service delivery where appropriate
- publicise complaints information externally
- publicise service improvements.

**Complaint closed and outcome recorded.**