

Complaints Handling Procedures (CHP)

Introduction and Overview

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Foreword

Our Complaints Handling Procedure reflects Heriot-Watt University's commitment to valuing complaints, in line with our Strategy 2025, Heriot-Watt Values and Respect Agenda. 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 we have 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.

The Heriot-Watt University Complaints Handling Procedure applies equally to our campuses in Scotland, Dubai and Malaysia. Complaints that are received from local complaints handling authorities/agencies (SPSO, Scotland; Knowledge and Human Development Authority (KHDA), Dubai; and, the Ministry of Higher Education (MoHE), Malaysia) will be handled in the same manner regardless of location.

When a complaint is made to KHDA or MoHE, where requested by the agency, and where appropriate, the University will share the outcome of the complaint if it has already been considered under the University's Complaints Handling Procedure, taking account of any privacy and confidentiality restrictions that may apply. Following consideration of a complaint by an overseas agency, and where the complaint has also been considered by the SPSO, in the event that outcomes and/or recommendations differ from those of the SPSO the University will deal with each complaint on a case-by-case basis.

All students of the Heriot-Watt University, regardless of mode or location of study, have the right to make a complaint under the University's Complaints Handling Procedure.

All staff across all campuses of Heriot-Watt University must familiarise themselves with 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).

Complaints give us valuable information we can use to make improvements. Our 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 complainants' views and experience, and can highlight problems we may otherwise overlook. Handled well, complaints can give our students and other members of the public a form of redress when things go wrong, and can also help us continuously improve our services.

Handling complaints early enhances relationships between the University and our students, and 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. Complaints that we do not handle swiftly can greatly add to our workload, grow in complexity, and are more costly to administer.



The Complaints Handling Procedure will help us do our job better, improve relationships, and enhance public perception of Heriot-Watt University. Our [values](#) describe the university community we want to be and underpins our Strategy 2025, in particular in valuing and respecting everyone. It will help us keep the user 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

1. 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 process (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; and,
 - The guide for students (part 5) – information for students and members of the public on how we handle complaints
2. 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

Overview of the CHP

3. Anyone can make a complaint, either verbally or in writing, including face-to-face, by phone, letter or email.
4. 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).
5. 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	Stage 2: Investigation	Independent external review (SPSO or other)
<p>For issues that are straightforward and simple, requiring little or no investigation</p> <p>'On-the-spot' apology, explanation, or other action to put the matter right</p> <p>Complaint resolved or a response provided in five working days or less (unless there are exceptional circumstances)</p> <p>Complaints addressed by any member of staff, or alternatively referred to the appropriate point for frontline response</p> <p>Response normally face-to-face or by telephone (though sometimes we will need to put the decision in writing)</p> <p>We will tell the complainant how to escalate their complaint to stage 2</p> 	<p>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'</p> <p>Complaint acknowledged within three working days</p> <p>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)</p> <p>Complaint resolved or a definitive response provided within 20 working days following a thorough investigation of the points raised</p> 	<p>Where the complainant is not satisfied with the stage 2 response from the service provider</p> <p>The SPSO will assess whether there is evidence of service failure or maladministration not identified by the service provider</p>

6. For detailed guidance on the process, see **Part 3: The complaints handling process**.

Expected behaviours

7. We expect all staff to behave in a professional manner and treat complainants with courtesy, respect and dignity. We ask those bringing a complaint to treat our staff with respect. We also 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.
8. Heriot-Watt University is values-led. Our values are seen in our behaviours as well as our actions such as decision making. Every member of the University is expected to bring their best selves to the University every day, contributing to our flourishing global community. We are committed to providing a safe and healthy environment for staff, students and visitors to work, study and visit. The University underpins its commitment through our four values (Inspire, Collaborate, Belong and Celebrate), with [Respect](#) the thread running through them all.
9. We recognise that people may act out of character in times of trouble or distress. Sometimes a health condition or a disability can affect how a person expresses themselves. The circumstances leading to a complaint may also result in the complainant acting in an unacceptable way.
10. People who have a history of challenging or inappropriate actions, or have difficulty expressing themselves, may still have a legitimate grievance, and we will treat all complaints seriously. However, we also recognise that the actions of some complainants may result in unreasonable demands on time and resources or unacceptable behaviour towards our staff. We will, therefore, apply our policies and procedures to protect staff from unacceptable actions such as unreasonable persistence, threats or offensive behaviour from complainants. Where we decide to restrict access to a complainant under the terms of our policy, we have a procedure in place to communicate that decision, notify the complainant of their right of appeal, and review any decision to restrict contact with us. We have a procedure in place for dealing with such matters, which is our **Complaints' Unacceptable Actions Procedures**.
11. If we decide to restrict a complainant's contact, we will be careful to follow the process set out in our procedure and to minimise any restrictions on the complainant's access to the complaints process. We will normally continue investigating a complaint even where contact restrictions are in place (for example, limiting communication to letter or to a named staff member). In some cases, it may be possible to continue investigating the complaint without contact from the complainant. Our procedure allows us in limited circumstances to restrict access to the complaint process entirely. This would be as a last resort, should be as limited as possible (for a limited time, or about a limited set of subjects) and requires manager approval. Where access to the complaint process is restricted, we must signpost the complainant to the SPSO (see **Part 3: Signposting to the SPSO**).
12. The SPSO has [guidance on promoting positive behaviour and managing unacceptable actions](#).

Maintaining confidentiality and data protection

13. 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.
14. 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.
15. 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. As members of a global interconnected university, we need to ensure that everyone enjoys the same high standards of privacy in their interactions with us wherever in the world they may be. We take a practical approach to managing information about people which reflects our values. As we work in a global, interconnected environment we comply with the highest legal standard applicable unless the law in a particular country requires us to make an exception, which we then document and explain to the individuals concerned.

For Students: Heriot-Watt University could not exercise our responsibilities and fulfil our education, training and support obligations to you without collecting, holding and using your personal data. Our [Student Privacy and Data Rights guide](#) explains what we do with your personal information and why.

For Staff: As members of a global interconnected university, we need to ensure that everyone enjoys the same high standards of privacy in their interactions with us wherever in the world they may be. This means following a simple golden rule: When handling someone else's personal information we apply the same high standards of care and security that we would wish others to apply when using our data. Further information can be obtained via [our global privacy programme](#).

For members of the public: Please refer to our [Data Protection Policy](#).

16. There may, however, be situations where a response to a complaint may be limited by confidentiality, such as:
 - where a complaint has been raised against a member of staff 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;
 - where, as a result of a complaint being made against a student, an investigation for potential misconduct was undertaken, we will not share specific details of the actions or decisions made; and,
 - where someone has raised a concern about a child or an adult's safety and is unhappy about how that has been dealt with – we would look into this to check whether the safety concern had been properly dealt with, but we would not share any details of our findings in relation to the safety concern.