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Edinburgh College Complaints Handling Procedure

Part 5: A Guide For Complainants

Version Control

Version	Author	Date	Changes
3	Complaints Handling Co-ordinator	21/06/2024	Narrative updated.

Edinburgh College is committed to providing an excellent education and high-quality services to our students from enrolment to graduation.

We value complaints and use information from them to help us improve our services.

1. If something goes wrong or you are dissatisfied with our services, please tell us. This leaflet describes our complaints procedure and how to make a complaint. It also tells you about how we will handle your complaint and what you can expect from us.

What is a complaint?

2. We regard a complaint as any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.

What can I complain about?

3. You can complain about things like:
 - the admissions process
 - the disciplinary process
 - a request for a service or for information which has not been actioned or answered
 - wrong information about academic programmes or college services
 - the quality and availability of facilities and learning resources
 - accessibility of our buildings or services
 - failure or refusal to provide a service
 - inadequate quality or standard of service, or an unreasonable delay in providing a service
 - dissatisfaction with one of our policies or its impact on the individual
 - failure to properly apply law, procedure or guidance when delivering services

- failure to follow the appropriate administrative process
- conduct, treatment by or attitude of a member of staff or contractor (except where there are arrangements in place for the contractor to handle the complaint themselves); or
- disagreement with a decision, (except where there is a statutory procedure for challenging that decision, or an established appeals process followed throughout the sector).

4. Your complaint may involve more than one college service or be about someone working on our behalf.

What can't I complain about?

5. There are some things we can't deal with through our complaints handling procedure. These include:

- a request for information or an explanation of policy or practice
- a disagreement with academic judgment
- a concern about student conduct
- a routine first-time request for a service
- a request for compensation only
- issues that are in court or have already been heard by a court or a tribunal (if you decide to take legal action, you should let us know as the complaint cannot then be considered under this process)
- disagreement with a decision where there is a statutory procedure for challenging that decision (such as for freedom of information and subject access requests), or an established appeals process followed throughout the sector
- a request for information under the Data Protection or Freedom of Information (Scotland) Acts
- a grievance by a staff member or a grievance relating to employment or staff recruitment
- a concern raised internally by a member of staff (which was not about a service they received, such as a whistleblowing concern)
- a concern about a child or an adult's safety
- an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision
- abuse or unsubstantiated allegations about our college or staff where such actions would be covered by our Unacceptable Actions Procedure and/ or Positive Behaviour and Anti-Bullying & Harassment Guidance for Students.
- a concern about the actions or service of a different organisation, where we have no involvement in the issue (except where the other organisation is delivering services on our behalf).

6. If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help you.

Who can complain?

7. Anyone who receives, requests or is directly affected by our services can make a complaint to us. This includes the representative of someone who is dissatisfied with our service (for example, a relative, friend, advocate or adviser). If you are making a complaint on someone else's behalf, you will normally need their written consent by asking them to complete a Complaint Authorisation Form. Please also read the section on **Getting help to make your complaint**.

How do I complain?

8. Complaints may be made verbally, in writing, face-to-face, by phone, letter or email (See our contact details).
9. Complaints can be made directly to the Complaints Handling Team, or directly to the service involved. If you complain directly to the service, you can expect to be contacted by the Complaints Handling Team shortly after your complaint has been closed to ensure that you are satisfied with the outcome and how your complaint was handled.
10. When complaining, please tell us:
- your full name and contact details
 - as much as you can about the complaint
 - what has gone wrong; and
 - what outcome you are seeking.

Our contact details

Edinburgh College
24 Milton Road East
Room 2-18
Edinburgh
EH15 2PP

E-mail: complaints@edinburghcollege.ac.uk
Telephone: 0131 297 8662

How long do I have to make a complaint?

11. Normally, you must make your complaint within six months of:
- the event you want to complain about; or
 - finding out that you have a reason to complain.

Where you have received a stage 1 response and wish to escalate to stage 2 you must request this either:

- within six months of when you first knew of the problem; or
- within two months of receiving your stage 1 response (if this is later).

12. In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

What happens when I have complained?

13. If your complaint relates to the actions of a staff member, a summary of the complaint will be shared with them and their line manager. Exceptionally, it may be appropriate to respond quickly to you, for example where it is clear that an apology is warranted.

Stage 1: Frontline response

14. We aim to respond to complaints quickly (where possible, when you first tell us about the issue). This could mean an on-the-spot apology and explanation if something has clearly gone wrong, or immediate action to resolve the problem.

15. We will give you our decision at Stage 1 in five working days or less, unless there are exceptional circumstances.

16. If you are not satisfied with the response we give at this stage, we will tell you what you can do next. If you choose to, you can take your complaint to Stage 2. You must normally ask us to consider your complaint at Stage 2 either:

- within six months of the event you want to complain about or finding out that you have a reason to complain; or
- within two months of receiving your stage 1 response (if this is later).

17. In exceptional circumstances, we may be able to accept a Stage 2 complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why.

Stage 2: Investigation

18. Stage 2 deals with two types of complaint: where the customer remains dissatisfied after Stage 1 and those that clearly require investigation, and so are handled directly at this stage. If you do not wish your complaint to be handled at stage 1, you can ask us to handle it at Stage 2 instead.

19. When using Stage 2:

- we will acknowledge receipt of your complaint within three working days
- we will confirm our understanding of the complaint we will investigate and what outcome you are looking for
- we will try to resolve your complaint where we can (in some cases we may suggest using an alternative complaint resolution approach, such as mediation); and

- where we cannot resolve your complaint, we will give you a full response as soon as possible, normally within twenty working days.

20. If our investigation will take longer than twenty working days, we will tell you. We will tell you our revised time limits and keep you updated on progress.

What if I'm still dissatisfied?

21. After we have given you our final decision, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) or the Scottish Qualifications Agency (SQA) (or other awarding body) to look at it. For qualifications that are regulated, if you remain dissatisfied with the way the awarding body has handled your complaint then you may complain to the qualification's regulator, SQA Accreditation. The SPSO are not able to look at academic judgement and do not have the power to revise course awards. This can only be achieved through an academic appeals process. The SPSO consider complaints about the quality of service and maladministration, which may include issues surrounding course delivery.

22. In all cases, the complaint must first have been considered by Edinburgh College.

The SPSO are an independent organisation that investigates complaints. They are not an advocacy or support service (but there are other organisations who can help you with advocacy or support).

You can ask the SPSO to look at your complaint if:

- you have gone all the way through Edinburgh College's complaints handling procedure
- it is less than 12 months after you became aware of the matter you want to complain about; and
- the matter has not been (and is not being) considered in court.

The SPSO will ask you to complete a complaint form and provide a copy of our final response to your complaint. You can do this online at www.spso.org.uk/complain/form or call them on Freephone 0800 377 7330.

You may wish to get independent support or advocacy to help you progress your complaint. See the section on **Getting help to make your complaint** below.

The SPSO's contact details are:

SPSO
Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS
(if you would like to visit in person, you must make an appointment first)

Freephone: 0800 377 7330

Online contact	www.spsso.org.uk/contact-us
Website:	www.spsso.org.uk

Getting help to make your complaint

23. We understand that you may be unable or reluctant to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate, if you have given them your consent by completing a Complaint Authorisation Form and sending this to: complaints@edinburghcollege.ac.uk

We are committed to making our service easy to use for all members of the community. In line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help you access and use our services. If you have trouble putting your complaint in writing, or want this information in another language or format, such as large font, or Braille, please tell us in person, by e-mail: complaints@edinburghcollege.ac.uk or call 0131 297 8662.

You may wish to get independent support or advocacy to help you progress your complaint, organisations who may be able to assist you are:

- The Citizens Advice Bureau www.citizensadvice.org.uk/scotland or
- The Scottish Independent Advocacy Alliance www.siaa.org.uk/

Quick guide to our complaints procedure

Complaints procedure

You can make your complaint in person, by phone, by email or in writing.

We have a **two-stage complaints procedure**. We will always try to deal with your complaint quickly. But if it is clear that the matter will need investigation, we will tell you and keep you updated on our progress.



Stage 1: Frontline response

We will always try to respond to your complaint quickly, within **five working days** if we can.

If you are dissatisfied with our response, you can ask us to consider your complaint at Stage 2.



Stage 2: Investigation

We will look at your complaint at this stage if you are dissatisfied with our response at stage 1. We also look at some complaints immediately at this stage, if it is clear that they need investigation.

We will acknowledge your complaint within **three working days**.

We will confirm the points of complaint to be investigated and what you want to achieve.

We will investigate the complaint and give you our decision as soon as possible. This will be after no more than **twenty working days** *unless* there is clearly a good reason for needing more time.



Scottish Public Services Ombudsman

If, after receiving our final decision on your complaint, you remain dissatisfied with our decision or the way we have handled your complaint, you can ask the SPSO to consider it.

There are some complaints that have an alternative route for independent review. We will tell you how to seek independent review when we give you our final response on your complaint.

Unacceptable actions by a complainant

24. People may act out of character in times of trouble or distress. There may have been upsetting circumstances leading up to a complaint. Edinburgh College does not view behaviour as unacceptable just because a complainant is forceful or determined. In fact, we accept that being persistent may sometimes be a positive advantage when pursuing a complaint.

However, we do consider actions that result in unreasonable demands or unreasonable behaviour towards staff to be unacceptable. It is these actions that we aim to manage through our Unacceptable Actions Procedure.