

## **Royal Conservatoire of Scotland: Annual Complaints Report 2019-20**

### **Background**

The Higher Education Model Complaints Handling Procedure (MCHP) was developed in consultation with key stakeholders, including Universities Scotland and complaints experts from the sector and was published on 19 December 2012, with full implementation required by 30 August 2013. In addition to the requirement to adopt the MCHP under the SPSO Act 2002 (as amended), adoption of the MCHP was a requirement of the SFC's Financial Memorandum.

The Conservatoire's Complaints Handling Procedure (CHP) is available at <https://www.rcs.ac.uk/complaints/> and is operated in line with the statutory requirements of the Scottish Public Services Ombudsman (SPSO). The procedure provides a simple and streamlined two-stage process with a strong focus on early resolution by empowered and trained staff:

**Stage 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.

**Stage 2 Investigation** is appropriate where a complainant is dissatisfied with the outcome of a frontline resolution, or where this is not an appropriate route due to the complexity or seriousness of the individual case.

### **Recording and Reporting**

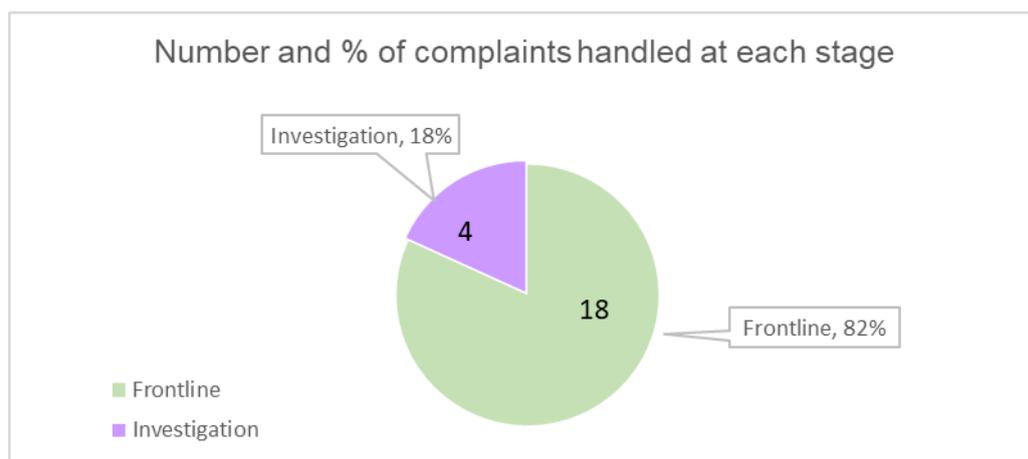
The Conservatoire records all complaints and reports quarterly to senior management and annually to the Board of Governors Academic Board (and from this year additional to Academic Board) on key performance information, in accordance with SPSO requirements.

### **Analysis**

A total of 22 complaints were recorded across all departments in RCS during the period 1 September 2019 to 31 August 2020. Of this number, 6 were upheld, 2 partially upheld and 14 were not upheld.

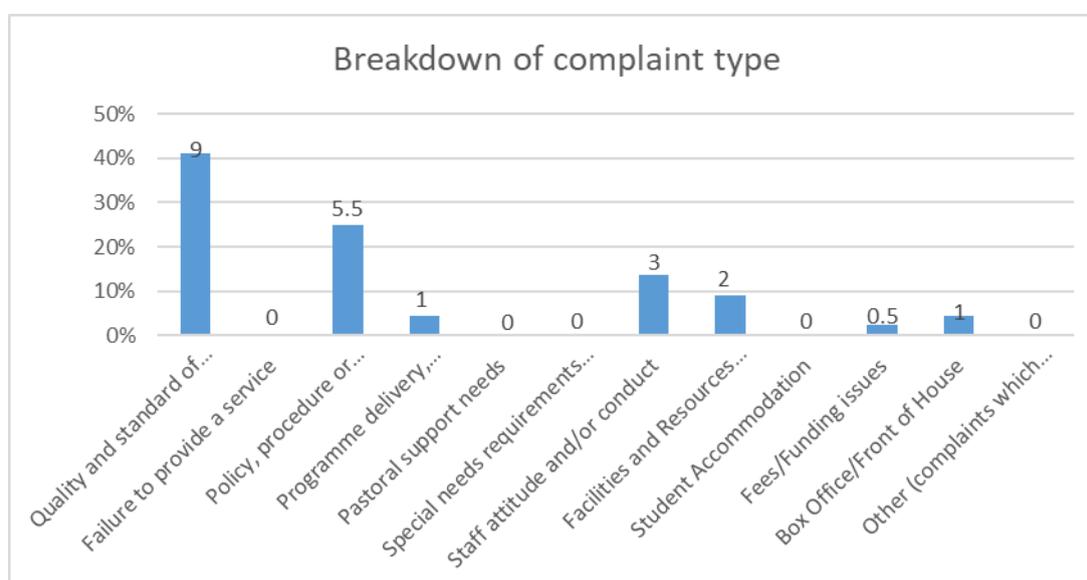
<b>Total number of complaints received</b>	<b>22</b>
<b>Stage 1: Frontline</b>	<b>18</b>
Number of complaints resolved at Stage 1	17
Number of complaints resolved within the 5 working days timeline	12
Number of complaints where an extension to the timeline has been authorised	6
Number of complaints escalated to Stage 2 Investigation	1
Number of complaints upheld	6
Number of complaints not upheld	11
Number of complaints partially upheld	1
Number of complaints withdrawn	0
<b>Stage 2: Investigation</b>	<b>4</b>
Number of complaints resolved at Stage 2	4
Number of complaints resolved within the 20 working days timeline	3
Number of complaints where an extension to the timeline has been authorised	1
Number of complaints upheld	0
Number of complaints not upheld	3
Number of complaints partially upheld	1
Number of complaints withdrawn	0

## Number of complaints considered at Stage 1 and Stage 2:



Session 2019-20 saw a slight increase in the total number of complaints received in comparison to the previous year: up from 19 in AY2018-19 to 22 last year. Frontline complaints increased from 12 last year to 18 though the majority of these (11) were not upheld. Stage 2 investigations reduced from 7 to 4 over the course of this year. This total included one complaint that had been escalated from the Frontline at the request of a complainant who was dissatisfied with the not upheld outcome. Three of the four complaints at Stage 2 (including the escalated one) were not upheld following investigation.

The following bar chart provides a summary of complaints for the reporting period by category type:

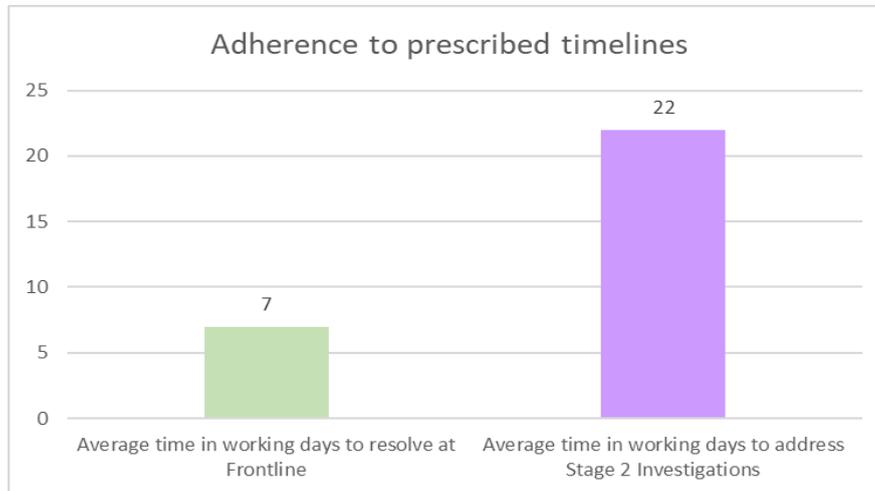


## Complaint Response Times:

<b>Stage 1: Frontline</b>		as %age
Number of complaints resolved within the 5 working days timeline	12	67%
Number of complaints where an extension to the timeline has been authorised	6	33%
<b>Stage 2: Investigation</b>		
Number of complaints resolved within the 20 working days timeline	3	75%
Number of complaints where an extension to the timeline has been authorised	1	25%

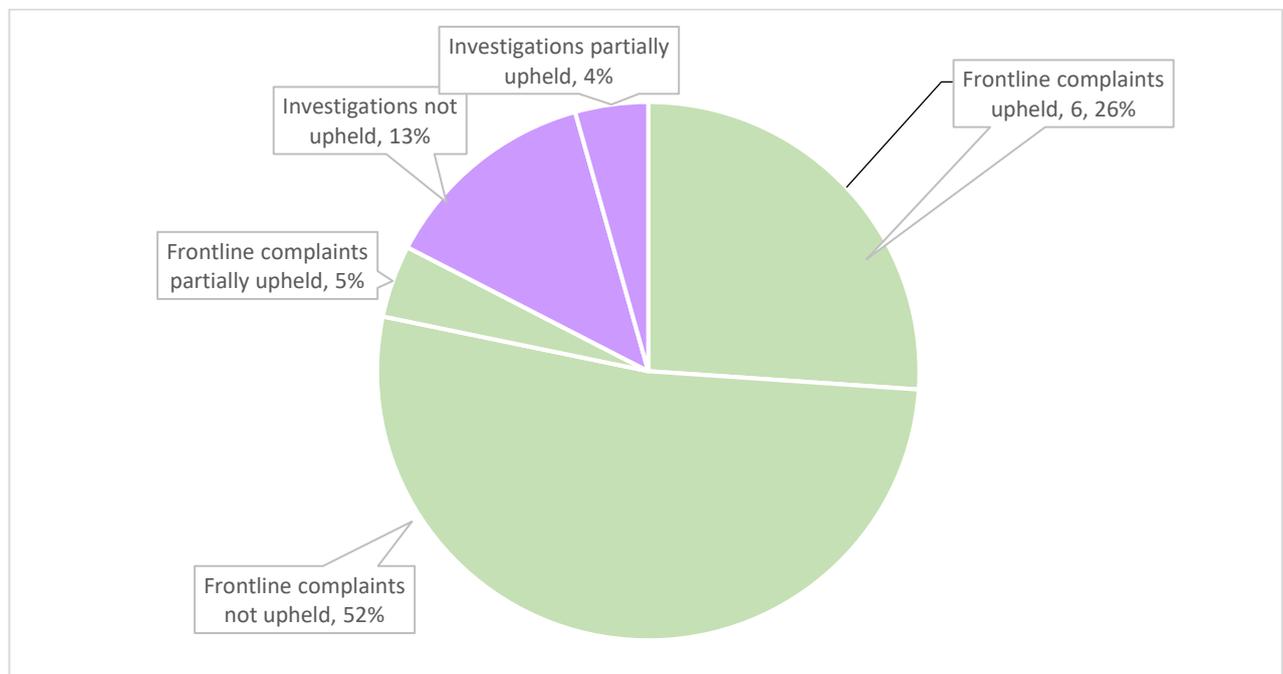
### Adherence to timelines:

The majority of complaints received across both stages of the process were completed within the prescribed timelines. Where required, extensions were applied with the complainants consent to ensure that issues raised were given sufficient attention and in the interests of reaching a satisfactory resolution for both parties.



The CHP allows for an additional five working days extension where this is necessary to increase the possibility of resolving the matter at the Frontline stage. Extensions were applied to six of the Stage 1 complaints and one Stage 2 investigation addressed in 2019-20. As in previous sessions, response times were most often extended to accommodate staff availability and indeed annual leave entitlement in instances when complaints were received during the summer vacation period.

### Summary of complaint outcomes:

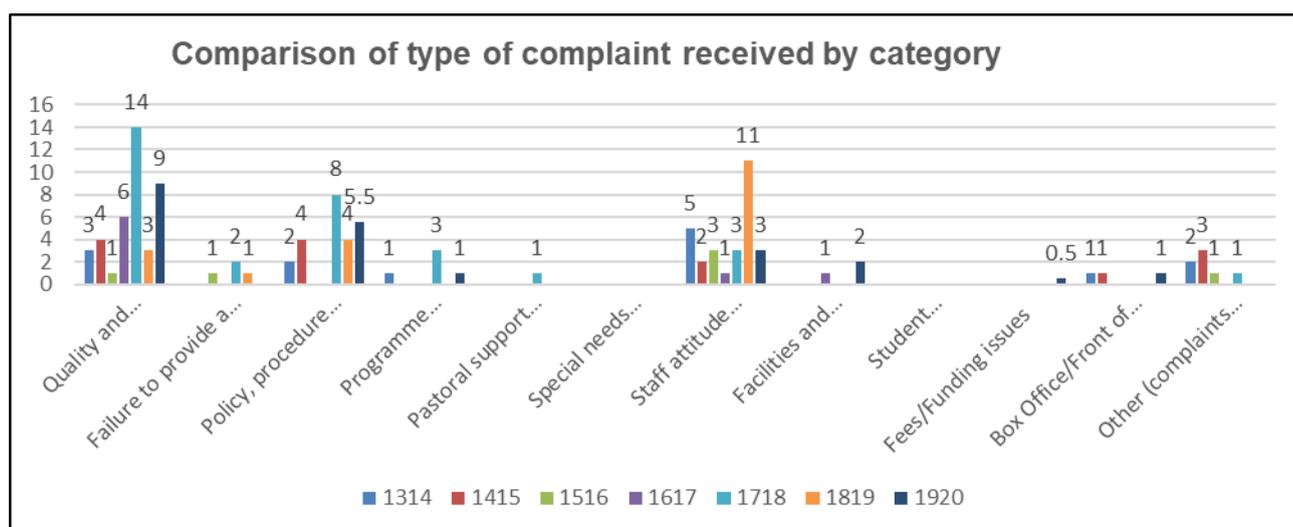
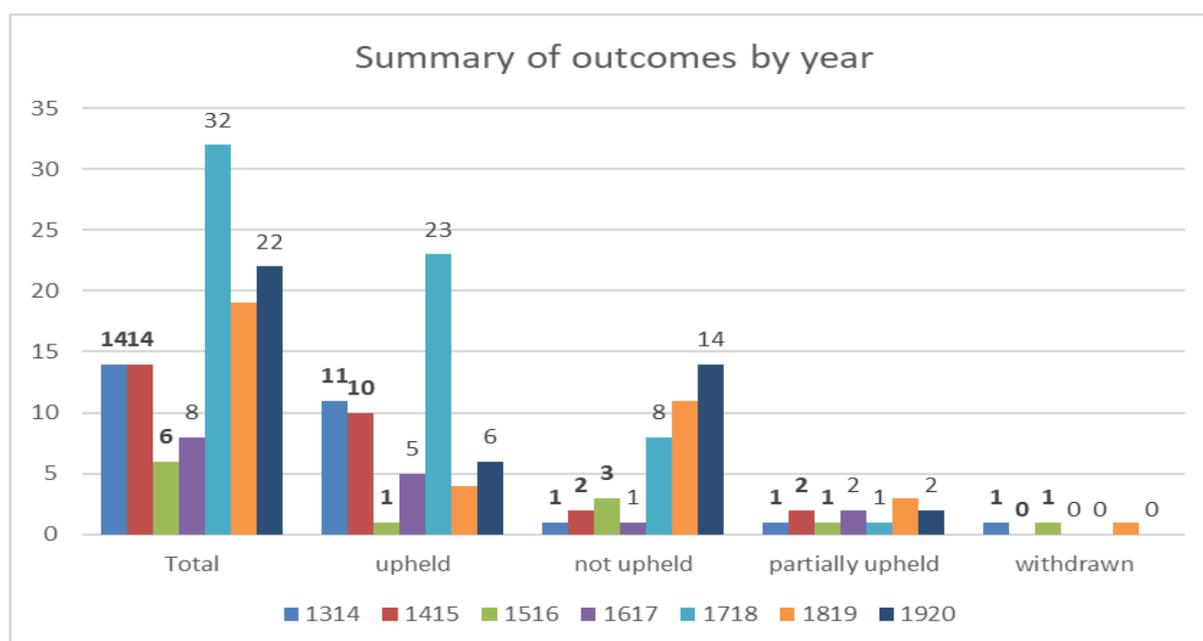


### Trends

The majority of complaints received during the year were resolved by Frontline staff. This has been the case since the introduction of the CHP and it remains our aim to help staff 'get it right

first time' with a focus on resolving complaints at the frontline wherever possible and stress the importance on valuing and learning from complaints. Complaint investigation resulting in not upheld or partially upheld outcomes can still provide an opportunity for valuable reflection and learning and this has been the case this year. Actions taken, lessons learned and recommendations for improvement made this year are listed below.

2013-14:	2014-15:	2015-16:	2016-17:	2017-18:	2018-19	2019-20
Total 14	Total 14	Total 6	Total 8	Total 32	Total 19	Total 22
Frontline 10	Frontline 12	Frontline 4	Frontline 7	Frontline 31	Frontline 12	Frontline 18
Investigation 4	Investigation 2	Investigation 2	Investigation 1	Investigation 1	Investigation 7	Investigation 4



The majority of complaints received during AY2019-20 concerned the quality and standard of service provision and 5 of the 9 complaints received in this category were not upheld. Complaints related to staff attitude and/or conduct reduced from 11 last session to 3 which is 14% of the total.

Three of the complaints received during the third quarter and two of those received in the fourth quarter of the reporting period related directly or indirectly to the Conservatoire's response to the coronavirus pandemic in terms of the impact of the building closure and how this affected access to resources and facilities. This led one complainant to challenge the payment of outstanding fees and accounts for one complaint being attributed to both the Quality and standard of service provision and Fees and Funding issues categories.

### **Actions taken/Lessons learned**

Service improvements made and action taken as a result of dealing with issues raised through the complaints process during AY2019-20 included:

- a review and updating of application systems to identify qualification deficiencies below undergraduate level
- a commitment to consider how parents could be better accommodated at Wallace Studios
- a commitment to review the latecomer and re-admittance policy for performances and explore how to communicate this more effectively to our audiences
- One tutor was reminded to reflect on their manner, how their teaching comments might be perceived by the students and to refrain from making any judgmental criticisms or cultural references that do not relate to the class or the music being studied.
- Brass department has agreed to investigate how the department email account is currently monitored and will rectify, as appropriate.
- Junior Conservatoire (Music) were asked to review and improve telephone call logging and report attendance issues as part of termly progress reports
- Advice on the difficulties surrounding Junior students signing up for a course of lessons without having access to an instrument at home has been clarified and our Terms and Conditions have been updated accordingly.
- School of Music was asked to reflect on and consider all possible steps to ensure an appropriate, positive, and mutually respectful learning environment for all students.
- Transitions Department resolved to spend more time investigating the feasibilities of student/parent requests and take advice from Music colleagues prior to offering bursary help in order to better manage expectation

### **SPSO Model Complaints Handling Procedure (MCHP) update**

In 2018-19, SPSO conducted a review of the MCHPs to establish effectiveness and usability. Following consultation across all sectors, the MCHPs were revised to standardise the core text across all of Scotland's public services (to remove minor inconsistencies in how the MCHP operates within different sectors), while retaining individualised sector-specific content and examples in each version. Updated MCHPs were published under section 16B(5) of the Scottish Public Services Ombudsman Act 2002 on 31 January 2020 to give public sector organisations time to implement changes by April 2021.

Appendix 1 provides a summary of the main changes, which are being incorporated into the Higher Education CHP, as presented to the Academic Board in August 2020:

## **MCHP 2020-21**

### **Background and compliance**

All universities are required to comply with the MCHP under the SPSO Act 2002 (as amended). Public bodies are required to implement the revised version of the CHP by 1 April 2021.

The MCHP is intended to be adopted as an internal procedural document of the university.

A student guide to the CHP is included as a separate but integral section of the CHP. This provides standardised information on the complaints procedure to complainants, ensuring that they receive the same information on complaints regardless of where they live or the organisation they deal with.

To be compliant with the MCHP, universities must adopt both the CHP and the complainant-facing CHP.

### **Main changes**

- more detailed than the previous version reflecting the move to greater standardisation across all sectors
- subdivided sections to more clearly distinguish between the process itself and guidance on specific situations – should make it easier for staff to access and locate information they need (e.g. frontline staff will primarily use part three, which outlines the process).
  - Overview and structure (Part 1)
  - 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
  - The guide for students (Part 5) – information for students and members of the public on how we handle complaints
- where the complaint and outcome sought are clear this should be confirmed in the acknowledgement. If not clear, the points of complaint and outcome sought must be agreed with the complainant
- all staff induction and regular fresher training requirement
- ‘resolved’ outcome is new - where both the Conservatoire and the complainant agree what action (if any) will be taken to provide full and final

resolution for the complainant, without making a decision about whether the complaint is upheld or not upheld

- recognition that complaints may be received via social media - minimum requirement to respond to any complaint on an official channel (managed/controlled by the Conservatoire) by signposting to the CHP. May include optional text to go beyond this such as for complaints raised on official channels – giving staff discretion to provide simple responses to very simple straightforward complaints (e.g. tweeting an apology in response to a complaint about the late cancellation of a class) and/or for complaints on unofficial channel brought to the Conservatoire's attention to give staff discretion to respond by signposting to the CHP
- new section on 'expected behaviours' which would also be applicable when dealing with complaints from members of the public – essentially for situations where complainants are uncooperative, institutions should consider and explore whether the complainant requires support to properly frame their complaint and/or whether repeated refusal to present the complaint in a manageable form is placing an unreasonable demand on the institution's resources. In some cases both will be true, and the institution should be careful to follow its procedures and offer appropriate support while being clear with the customer about what is required (and give appropriate warnings if behaviour or actions are considered unacceptable)
- expanded section on supporting the complainant setting out legal duties to make our complaints service accessible under equalities and mental health legislation and providing examples of how these will be met
- option to include a section on Contact from MPs, MSPs or Councillors which institutions can complete in line with local procedures. Institutions may provide guidance on distinguishing between elected member enquiries and complaints brought by elected members (on behalf of constituents). However, where a matter is being dealt with as a complaint, it must be handled in line with this CHP. Institutions should be careful not to operate a 'two-tier' complaint system with preferential treatment for some complainants
- new section on Complaints and legal action - Where a complainant says that legal action is being actively pursued, this is not a complaint. Where a complainant indicates that they are thinking about legal action, but have not yet commenced this, they should be informed that if they take such action, they should notify the complaints handler and that the complaints process, in relation to the matters that will be considered through the legal process, will be closed. Any outstanding complaints must still be addressed through the CHP. As in the current CHP, if an issue has been, or is being, considered by a court, we must not consider the same issue under the CHP.
- new section on what to do if the procedure does not apply where the institution would be expected to explain why and signpost to a more appropriate procedure if applicable or to SPSO

- Human Resources included within the roles and responsibilities for the governance and management of the CHP to reflect the staff awareness and training requirement
- Learning from complaints section has been expanded to set out the minimum requirements for ensuring action will be taken where the need for service improvements has been identified in response to a complaint:
  - have the action needed to improve services authorised by an appropriate manager
  - designate an officer (or team) as the 'owner' of the issue, with responsibility for ensuring the action is taken
  - set a target date for the action to be taken
  - ensure that the designated individual follows up to confirm that action is taken within the agreed timescale
  - where appropriate, monitor performance in the service area to ensure that the issue has been resolved; and
  - share any learning points with relevant staff.