

## AUDIT & RISK ASSURANCE COMMITTEE

### AGENDA

A meeting of the Audit & Risk Assurance Committee will be held at 15:00 hours on Wednesday 13 October 2021 via Microsoft Teams.

		Lead Speaker	Paper
1	WELCOME & APOLOGIES	Chair	
2	DECLARATIONS OF INTEREST	Chair	
3	<a href="#">MINUTES OF PREVIOUS MEETING</a> <i>for approval</i>	Chair	A
4	MATTERS ARISING REPORT		
4.1	Matters Arising Update	Chair	B
4.2	Business Committees of the Board Update		
	<ul style="list-style-type: none"> <li>• Policy &amp; Resources Committee</li> <li>• Corporate Development Committee</li> <li>• Academic Council</li> </ul>	Chair L Drummond J Holmes	Verbal Verbal Verbal
5	<a href="#">TERMS OF REFERENCE</a>	Chair	C
6	INTERNAL AUDIT		
6.1	Summary of Audit Recommendations	A Williamson	D
6.2	Internal Audit Report: Follow-up 2020/21	BDO	E
6.3	Internal Audit Report: Business Continuity Management	BDO	F
6.4	Internal Audit Report: COVID-19 Financial Controls	BDO	G
6.5	Internal Audit Annual Report 2020/21	BDO	H
<i>Item 6 is presently exempt from publication under the Freedom of Information (Scotland) Act 2002, Section 30, Prejudice to the Effective Conduct of Public Affairs</i>			
7	RISK ASSURANCE		
7.1	Three Lines of Defence Annual Review	N Croft	I
7.2	Risk Management Report	N Croft	J
7.3	Annual Report on Data Breach Incidents and Cyber Attacks	N Croft	K

*Item 7 is presently exempt from publication under the Freedom of Information (Scotland) Act 2002, Section 30, Prejudice to the Effective Conduct of Public Affairs*

8	EXTERNAL AUDIT		
8.1	Compliance with the Code of Good Governance	N Croft	L
8.2	Internal Control Assurance Statements	A Cumberford	M
8.3	Draft (Unaudited) Annual Report and Financial Statements	L Towns	N

*Item 8 is presently exempt from publication under the Freedom of Information (Scotland) Act 2002, Section 27, Information Intended for Future Publication.*

9 ANY OTHER COMPETENT BUSINESS

10 FOR INFORMATION

10.1	Annual Complaints Activity Report		O <b>Attached</b>
10.2	Audit & Risk Assurance Committee Business Planner 2020/21		P <b>Attached</b>

11 DATE OF NEXT MEETING: 24 November 2021

*N.B: The minutes of the Audit & Risk Assurance Committee are reported directly to the Board of Management, with an accompany commentary from the Committee Chair.*

<b>FOR INFORMATION</b>			
Meeting	Audit & Risk Assurance Committee 13.10.21		
Presented by	Kerry Heathcote		
Author/Contact	Claire Fulton-Dick	Department / Unit	Curriculum Planning and Performance: Complaints and Compliments
Date Created	04.08.21		
Disclosable under FOISA	Yes.		

## **COMPLAINTS ACTIVITY SUMMARY**

### **1. PURPOSE**

The paper provides a summary of complaints received by Edinburgh College from 01 August 2020 to 31 July 2021.

For reference, the report also provides information about the Scottish Public Services Ombudsman (SPSO) complaint handling procedure for Further Education colleges.

This is a summary of complaints received by the college in Academic Year 2020/21 and offers comparison to the Academic Year 2019/20.

### **2. BACKGROUND**

The Scottish Public Services Ombudsman Act 2002 (as amended) provides the legislative basis for SPSO to publish the Model Complaints Handling Procedures (MCHP) for bodies under the SPSO's jurisdiction. The Further Education MCHP was first developed by SPSO in partnership with Scotland's colleges and a working group of further education complaints experts.

It was produced taking account of the Crerar and Sinclair Reports and within the framework of the SPSO's Guidance on a Model Complaints Handling Procedure, published in February 2011. It also reflects the SPSO Statement of Complaints Handling Principles approved by the Scottish Parliament and published in January 2011. These two documents took account of stakeholder views expressed through public consultation at the end of 2010.

Edinburgh College fully implemented this procedure on 1 August 2013.

SPSO revised and reissued all the MCHPs (except the NHS), following consultation with all sectors in 2020. The new version included a core text (which was consistent across all public services in Scotland) with some additional guidance and examples specific to each sector.

The purpose of the Further Education MCHP is to provide a standardised approach to dealing with customer complaints across the further education sector in Scotland. In particular, the aim is to implement a standardised and consistent process for customers to follow which makes it simpler to complain, ensures staff and customer confidence in complaints handling and encourages colleges to make best use of lessons from complaints

To comply with the new MCHP, the previous 'Cause for Concern' will no longer be used, and Edinburgh College will revert to applying Stage 1 and Stage 2 to complaints received.

All colleges were required to comply with the new MCHP and implement the revised version by 1 April 2021.

Due to factors out-with the control of the College, this timescale was not met. The revised MCHP policies and procedures will be made available on the website from 16<sup>th</sup> August 2021.

### 3. DETAIL

#### 3.1 Key Facts

COVID-19 and the associated lockdown has been a major factor this session in terms of the number of formal complaints received. Again, there were a lot of requests for help sent to the Complaints inbox, which the Complaints Handling Co-ordinator (CHC) swiftly triaged and actioned.

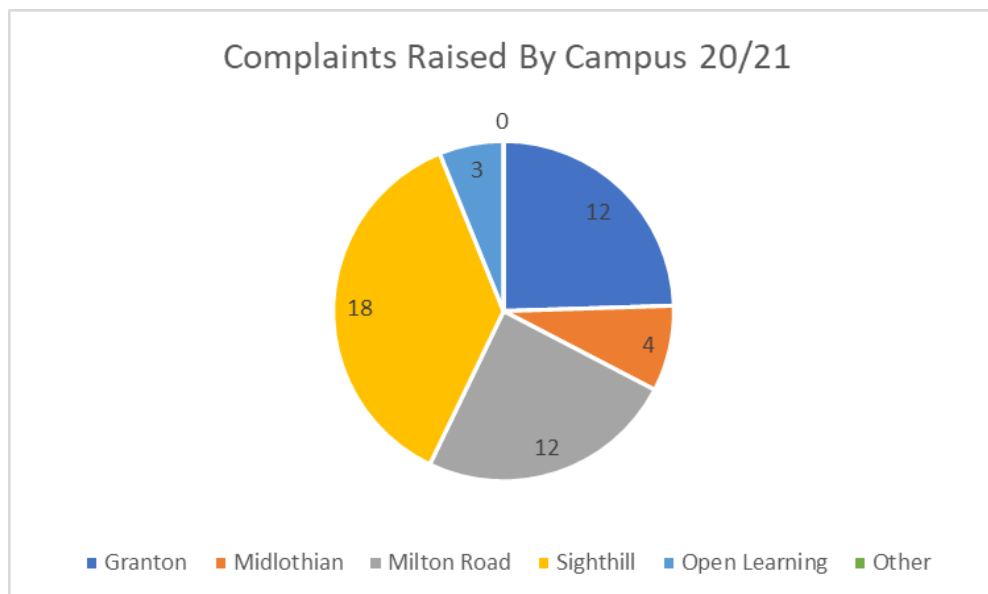
There was a **9% reduction (54 to 49)** in complaints from **2019/20 to 2020/21**. This reduction was achieved by the (CHC) encouraging staff to be more proactive in helping the student resolve their issue(s), rather than advising them to make a complaint. Also, the quick action of the CHC to respond to complainants and assist them has also helped in the continuing reduction of formally logged complaints. However, we are likely to see an increase in complaints in 2021/22, as the new MCHP states that all complaints should be formally logged, providing valuable information that we can use to improve our service provision and customer satisfaction. Even if a customer insists that they do not want to complain, and we are not required to progress this, however we should record the complaint as an anonymous complaint, to enable us to track trends and themes.

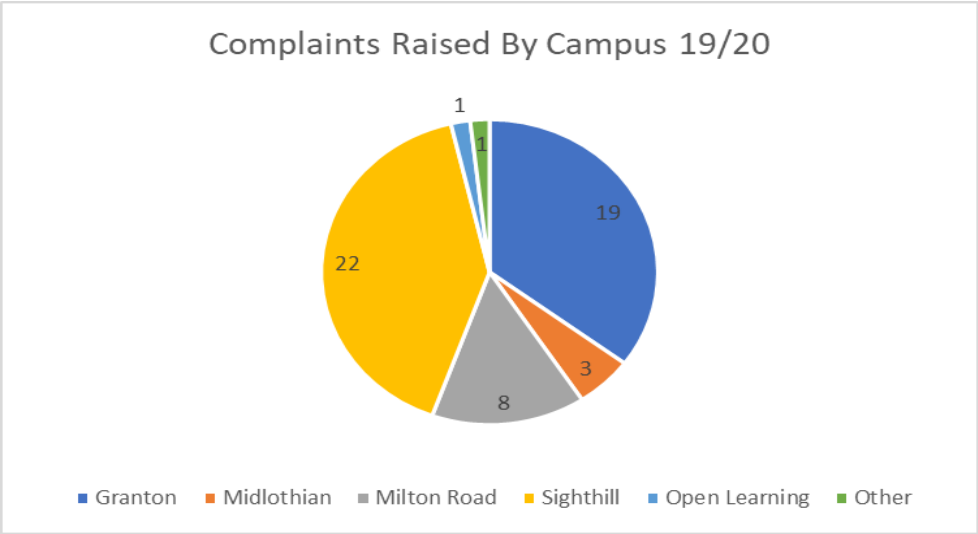
Stage 1 upheld complaints stayed the same from session 2019/20 to 2020/21  
Stage 2 upheld complaints **decreased 20%** from 5 in 2019/20 to 4 in 2020/21.

There was an **100% increase (two to four)** in complaints being escalated from Stage 1 to Stage 2 from 2019/20 to 202/21.

#### 3.2 Complaints by Campus

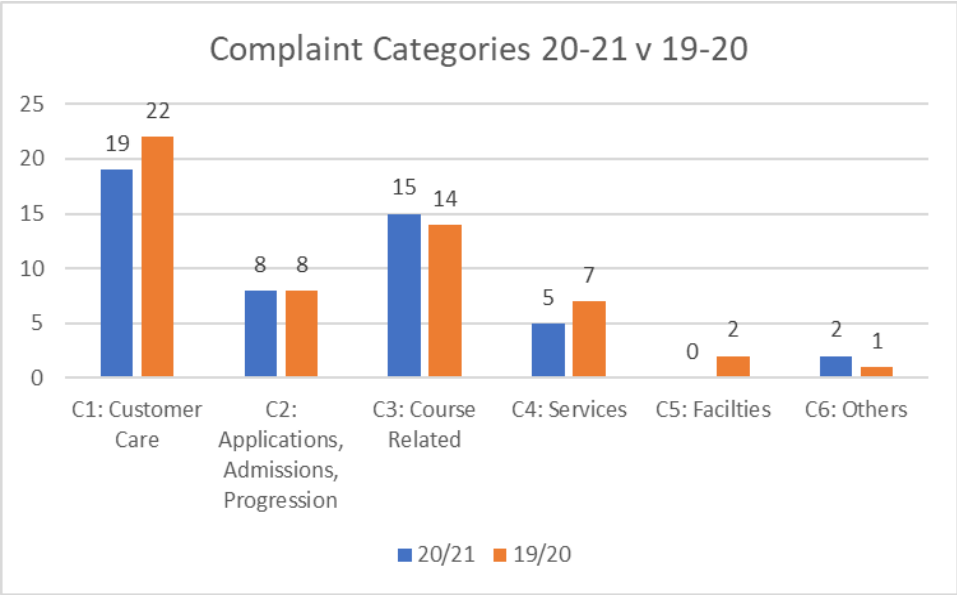
The trend continues this session that most of the complaints are from students/parents/guardians of students at the Sighthill campus, followed by Granton, Milton, Midlothian and open learning.

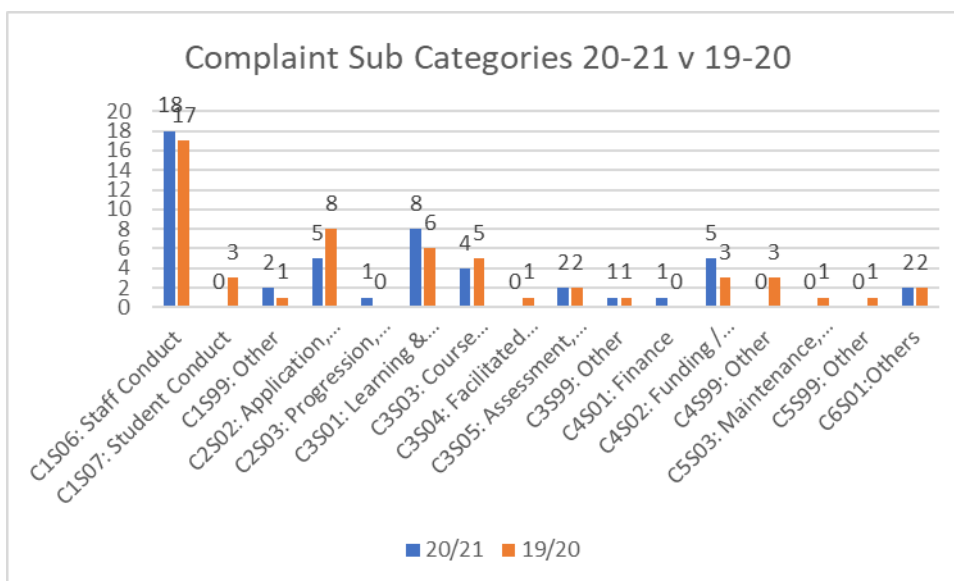




**3.3 Complaint Categories/Subcategories**

The charts below show the comparison from 2019/20 to 2020/21 for complaint categories and subcategories:





- *C1: Customer Care* - 14% decrease from 2019-20 to 2020-21. Sub-category was mainly related to Staff Conduct (C1S06), there was a 6% increase from 2019-20 to 2020-21 in staff conduct complaints.
- *C2: Applications, Admissions, Progression* – no increase or decrease 2019-20 to 2020-21. Most of the complaints in this category related to issues with applications, admissions, interviews and enrolments (C2S02).
- *C3: Course Related* – 7% increase from 2019-20 to 2020-21. Learning and Teaching (C3S01) received the most complaints, closely followed by Course Management (C3S03).
- *C4: Services* - 26% decrease from 2019-20 to 2020-21. Complaints in this category were mainly in relation to Funding/Bursary(C4S02).
- *C5: Facilities* - 100% decrease from 2019-20 to 2020-21. No complaints in this area in 20-21
- *C6: Others* – 100% increase from 2019-20 to 2020-21.

### 3.4 SPSO Investigations

- 1 investigation from Oct 2019.
  - **26 August 2020** - SPSO request to provide more evidence, submitted 24 September 2020.
  - **February 2021** - Provisional decision of upheld issued by SPSO which was disputed by the department.
  - **March 2021** - After SPSO reviewed, a final decision of Upheld was issued.
  - **June 2021** – Apology letter issued to complainant and evidence send to SPSO of implemented actions as requested by them.
- 1 request for information from a complaint submitted to SPSO in Feb 2020
  - Aug 2020 – SPSO request for further information
  - Sep 2020 – SPSO decision not to progress to a complaint.

### 3.5 Development

#### ***Model Complaints Handling Procedure (MCHP) Revision:***

SPSO requested implementation by 1 April 2021. Due to circumstances out with the colleges control the new MCHP has yet to be fully implemented.

Staff have already been made aware of the main changes to the MCHP through the launch of the Bitesize information in June 2021 – <https://360.articulate.com/review/content/d1aaa1cb-93ef-4899-9c1c-fc20ea56d7d7/review>

The new policies and procedures will be made available from 16 August 2021.

All complaint forms have been formatted to the new MCHP and will be published along with the new policies and procedures.

We have also requested a compliance check with SPSO on the new policies and procedures.

#### ***SPSO Key Performance Indicators (KPI) for the MCHP:***

College Development Network shared a draft MCHP KPI guidance in June 2021. Once approved by SPSO these KPIs are to be reported against, in accordance with the new MCHP.

There are five mandatory KPIs, it is a minimum requirement for all organisations to report against these in their annual complaint's performance report. There are also some recommended (but not currently mandatory) performance indicators which focus on access to the complaint's procedure for certain groups of service users, staff awareness of the complaints handling procedure and training in complaints handling, as well as customer satisfaction with the complaints process. These additional indicators will give the college further data that will help drive improvements in performance and therefore SPSO recommend implementing them.

One of the optional indicators is **Customer satisfaction with the complaints process (qualitative indicator)**. A statement to report customer satisfaction with the complaints service provided. In session 20/21 it is the aim to implement an on-line customer satisfaction survey and report on the outcomes in each quarter and an overall review in the annual report.

#### ***Training:***

There is still a need for external training for investigating officers to improve further on how complaint investigations should be handled. SPSO are currently working on an on-line version of the course.

The new MCHP places a strong emphasis on early management of complaints, effective recording of complaints and staff being properly trained and empowered to deal with complaints. The Complaints Handling Coordinator is currently developing a mandatory online course designed to support any member of staff if they need to deal with a Stage 1 complaint, how to formally log a complaint that they have dealt with and how/who to direct Stage 2 complaints to. All staff will undertake this course, new staff will undertake as part of their induction and all staff will be required to take a refresher course every 3 years.

#### ***Learning from Complaints (LFC):***

20-21 has been the first full academic session that the LFC has been practiced. There were 6 LFCs completed, 2 currently outstanding as these have involved HR.

All completed LFCs have provided information to clarify that the recommended actions in the investigation were implemented, however not all had seen evidence within the 6-week timescale

that these had made any improvements. Going forward for session 21/22 there will be a further follow up after another 6 weeks from receiving the LFC to ascertain if any improvements have been identified.

**4. BENEFITS AND OPPORTUNITIES**

Establishing trends in complaints is essential for Edinburgh College to learn about systems/policies that are not working well and to utilise the feedback provided in a positive way to make necessary improvements. It is important that we analyse the complaint report information, along with SPSO recommendations, to ensure real organisational learning/change and in order to prevent repeat failings.

Incorporating complaint analysis findings into our daily activities ensures that the service we provide is high quality, efficient and responsive to our student's/customer's needs.

**5. STRATEGIC IMPLICATIONS**

The Senior Management Group has responsibility to ensure it monitors the frequency and outcomes of complaints and to ensure the College has taken appropriate corrective actions as part of any complaint resolution.

**6. RISK**

Failure to deal with complaints in an appropriate and timely manner may carry reputational and legal implications.

**7. FINANCIAL IMPLICATIONS**

Not applicable.

**8. LEGAL IMPLICATIONS**

The college must adhere to Scottish Government legislation relating to how public sector bodies administer their complaints and the Public Service Reform (Scotland) Act 2010.

**9. WORKFORCE IMPLICATIONS**

Complaint resolutions can lead to HR policy invocation around performance management and/or staff CPD.

**10. REPUTATIONAL IMPLICATIONS**

See Risk above.

**11. EQUALITIES IMPLICATIONS**

Not applicable.

**CONCLUSIONS/RECOMMENDATIONS**

The Committee are asked to NOTE the information provided on complaint activity.



**AUDIT & RISK ASSURANCE COMMITTEE  
13 OCTOBER 2021  
PAPER P**



<b>FOR INFORMATION</b>			
Meeting	Audit & Risk Assurance Committee 13.10.21		
Presented by	Chair		
Author/Contact	Marcus Walker	Department / Unit	Governance
Date Created	06.10.21	Telephone	-
Appendices			
Disclosable under FOISA	Yes.		

**AUDIT & RISK ASSURANCE COMMITTEE - AGENDA PLANNER 2021/22**

**1. PURPOSE**

To provide Committee members with an opportunity to review upcoming items of business.

**2. BACKGROUND**

It is important that the Board and its committees follow an appropriate plan of work in order to ensure they effectively cover all areas of their remit throughout the year and make the most efficient use of their time.

**3. DETAIL**

Below are proposed agenda items (and lead speaker) for the next three meetings of the Audit & Risk Assurance Committee, excluding Minutes of the Previous Meeting, Matters Arising, Any Other Competent Business and For Information papers (e.g. Data Breach Report):

**3.1 24 November 2021**

- INTERNAL AUDIT
  - Summary of Audit Recommendations (A Williamson)
  - Internal Audit Report: FES Return 2020/21 (BDO)
  - Internal Audit Report: Student Support Funds (BDO)
  - Internal Audit Progress Report (BDO)
  - Evaluation of Internal Audit 2020/21 (Chair)
  
- RISK ASSURANCE
  - Risk Management Report (N Croft)
  - Deep Dive: TBC (TBC)
  
- END OF YEAR ACCOUNTS
  - A&RA Committee Annual Report to the Board (Chair)
  - External Audit report (Audit Scotland)
  - Draft Letter of Representation (Audit Scotland)
  - Final Annual Report & Financial Statements (L Towns)

### 3.2 23 February 2022

- INTERNAL AUDIT
  - Summary of Audit Recommendations (A Williamson)
  - Internal Audit Report: TBC (BDO)
  
- RISK ASSURANCE
  - Risk Management Report (N Croft)
  - Deep Dive: TBC
  
- AUDIT SCOTLAND STATUTORY FEES 2021/22 (A Williamson)

### 3.3 Wednesday 25 May 2021

- INTERNAL AUDIT
  - Summary of Audit Recommendations (A Williamson)
  - Internal Audit Report: TBC (BDO)
  
- RISK ASSURANCE
  - Risk Management Report (N Croft)
  - Deep Dive: TBC
  
- AUDIT SCOTLAND: 2020/21 ANNUAL AUDIT PLAN (Audit Scotland)
  
- REVIEW OF COMMITTEE OPERATION 2020/21 (Chair)

#### 4. BENEFITS AND OPPORTUNITIES

Effective agenda planning will allow the Committee to monitor all aspects of business within its remit in a timely manner.

#### **CONCLUSIONS/RECOMMENDATIONS**

The Audit & Risk Assurance Committee are asked to NOTE upcoming items of business and CONSIDER any additional items for discussion at upcoming meetings.

