

SPSO decision report

Case: 201602506, Heriot-Watt University
Sector: further and higher education
Subject: complaints handling
Decision: upheld, recommendations

Summary

Ms C complained to us that the university had not followed their harassment and bullying policy and procedures for students after she made a complaint that she had been harassed and bullied by her PhD supervisor. Ms C sent the university a recording of a meeting with her supervisor with her complaint. She said that the supervisor had made her feel threatened at the meeting. The university decided that they could investigate Ms C's complaint without listening to the recording and destroyed it before they met the supervisor to discuss the matter.

We found that the university had not carried out an adequate investigation into the matter. The allegations Ms C made were serious and we considered that the university should have recorded more clearly the reasons why they felt they could investigate the complaint without listening to the recording before they destroyed it. We also found that the university had not issued an adequate response to the issues Ms C had raised. The response said that they would implement the three requests she had made but did not advise her of the outcome of their investigation into her allegations. In addition, the response did not advise her of how to escalate the matter if she considered that the outcome was not satisfactory. In view of these failings, we upheld this aspect of her complaint.

Ms C also complained that the university had not followed their complaints policy. The university's complaints policy states that it is important to be clear from the start of the investigation exactly what is being investigated and to ensure that both the person making the complaint and the complaints officer understand the scope of the investigation. However, there was no evidence that the university had contacted Ms C to discuss the scope of the investigation before issuing their response to her. We did not consider that the university's email to her was an adequate response to the issues she had raised. In addition, the university did not advise her in the initial response that she could contact our office. In view of these failings, we also upheld this aspect of her complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to Ms C for failing to follow their harassment and bullying policy and procedures for students. Further apologise for failing to follow their complaints policy. These apologies should comply with SPSO guidelines on making an apology, available at www.spsos.org.uk/leaflets-and-guidance.

What we said should change to put things right in future:

- Supervisors should be competent, and adequately trained, to conduct difficult conversations. In particular, it should be ensured that Ms C's previous supervisor has the required competence and skill.

In relation to complaints handling, we recommended:

- Complaints handling staff should be made aware of the findings of our investigation with regards to their failure to follow the harassment and bullying policy and procedure for students, and failure to follow the

university's complaints policy.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.