Caring about Complaints: *perceptions of complaints procedures considered through the lens of Ethic of Care*

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Abstract

Complaints by university students appear regularly in the general and higher education media. Most reports and much research focus on the student experience. However, there are several respects in which complaints procedures are problematic, not just for students but for institutional staff. Using semi-structured interviews, the experiences of an LLB programme leader and other institutional actors were explored. Results show that staff dealing with complaints have significant concerns. Findings are viewed through the lens of an ethic of care and it is argued that a more holistic view of complaints procedure operation may address both staff and student concerns.

Heading 1: Introduction

There is a rising number of student complaints within UK higher education (HE). Many reasons, including neoliberal agendas, marketisation and the concept of student as customer, are cited as underlying this rise (Fulford & Skea, 2019). The Covid-19 pandemic has acted as an additional driver of this phenomenon (Mitchell, 2020) and law students are well represented among complainants (Hussain, 2019; Parr, 2021).

Whatever the cause, the effects on staff dealing with these complaints is less well documented but nonetheless significant. Institutional staff perform a number of roles in the context of student complaints procedures, acting as employees, representatives of the university and as points of contact for students in relation to academic and personal matters. This creates potentially difficult terrain for staff to negotiate, resulting in role conflict, role stress and risk to wellbeing (Wray & Kinman, 2020). While previous studies have largely focused on the negative student experience of complaints procedures (Harris, 2007; Buckton, 2008; Cooper-Hind & Taylor, 2012), none have investigated and

compared the perceptions of staff at various institutional levels. It is important to acknowledge the centrality of students within the complaints framework, however this study relates largely to HE staff, their perceptions and perspectives. The purpose of this study was to investigate perceptions of the impact of an institutional complaints procedure in the context of national frameworks and at different institutional levels. Whilst specific theory regarding staff stress was not used to inform the design, the data indicated that ethic of care might assist in analysing the data. The research questions were: How do institutional actors at different levels perceive and report interaction with the complaints procedure? Can any common themes regarding the effects of interaction be identified and can these themes be linked to appropriate theory?

As noted above, one reason for increasing student complaints is generally acknowledged to relate to the fact that the UK HE environment has undergone radical marketisation since the reintroduction of student fees. Within the context of governmental policy to create a remodelled higher education system, there has been a resulting shift that sees (and treats) students as 'consumers of education' (Greartrix, 2011) rather than as participants in it (Naidoo et al., 2011). This has led to what is described by Nixon et al. (2018) as 'student satisfaction as sovereign' (p. 929). Nixon et al argue that within the marketised higher education environment, there is now a neoliberal culture aimed to create entrepreneurial and enterprising students, creating the 'consumer-student.'

It is important to note that developments in national policy can be traced back to changes prior to fee introduction. Criticism within the Dearing Report (Dearing, 1997) of the inconsistent treatment of student complaints in universities, and a Government White Paper; The Future of Higher Education led to the enactment of the Higher Education Act 2004 which requires all HE institutions in England and Wales to participate in a national scheme for complaints handling. This scheme has been provided by the Office of the Independent Adjudicator for Higher Education (OIA) since 2005. Although the scheme sets out a broad framework and guidance, individual institutional policies and procedures vary to a great extent both in quality and scope (Dickson, 2019). This has resulted in the fact that, at national level, two separate organisations provide a framework for student complaints within which

institutions must operate. These are the OIA and the Quality Assurance Agency (QAA). HE institutions are required to have complaints procedures that comply with the requirements of both the QAA and the OIA though the exact content of each procedure is unique. The QAA Quality Code chapter B9: Academic Appeals and Student Complaints sets out principles for addressing academic appeals and complaints and defines complaints as 'those which express a specific concern about matters that affect the quality of a student's learning opportunities' (QAA, 2013 p.4). Though the QAA does not consider that this includes disciplinary or harassment matters it acknowledges that these may nevertheless be included in an institution's own procedures. It sets out a broad expectation that providers will have procedures for handling complaints about the quality of learning opportunities and that these are fair, accessible, timely and enable enhancement. The OIA good practice framework complements the QAA code. It defines a complaint as 'an expression of dissatisfaction by one or more students about a provider's action or lack of action, or about the standard of service provided by or on behalf of the provider' (OIA, 2016 para 14). The framework states that it is neither prescriptive nor mandatory. It recommends a process which includes an informal, formal and review stage. If a student is not satisfied after going through these institutional procedures a complaint can be taken to the OIA.

Before the Covid-19 pandemic, evidence suggested that complaints to the OIA were increasing in number (OIA, 2018). As a result of Covid they have risen to new levels (OIA, 2020). Although OIA figures represent only those complaints that are not satisfactorily concluded within an institution, the OIA itself acknowledges that increases in references for adjudication indicate an overall increase within the sector. Media reports of high profile complaints also refer anecdotally to rising numbers of complaints (Sugden, 2011; Hall & Addams, 2021) and to poor complaints procedures (Buckton, 2008; Richards, 2021). While many focus on complaints relating to sexual misconduct (Norris, 2019; Bull et al., 2020), others focus on process more generally (McKinney, 2020). All these reports suggest that complaints procedures are viewed as problematic and this can put significant pressure on institutions and staff as well as students (Cook & Hill, 2020). Despite a large amount of media coverage there is little evidence of a commensurate level of academic research or institutional reflection (Cooper-Hind

& Taylor, 2012). The research that does exist focuses mainly on the experiences of students (see Ahmed, 2018) and shows high levels of student complaints and high levels of dissatisfaction with procedures (Jones, 2006). Results indicate that from the student perspective, procedures often lack clarity and take too long to complete (NUS, 2009). It has also been argued that increased support is needed for students making complaints (Dickson, 2019). Thus, interactions between staff and students in the complaints procedure often focus on the student perspective in a marketised higher education environment (Naidoo et al., 2011; Nixon et al., 2018). A common theme in the media and in some research is the characterisation of a dysfunctional university acting against the interests of students (see Ahmed, 2018). There has been notably less research considering the experiences of HE staff and their perspectives regarding the effects of interaction with complaints processes and procedures. While some literature exists in relation to the role of managers and administrators (Buckton, 2008) no studies were found to focus on academic staff experiences. Therefore, as noted above, in light of themes regarding time constraints, lack of expertise and consequent stress ethic of care was used as a lens through which to consider the data generated in this study. Some background to ethic of care is therefore briefly set out in the following section.

Heading 2: The Ethic of Care

The ethic of care is a theoretical framework that allows for a view of HE institutional policy and practices which sits in contrast to the neoliberal view. Ethic of care in education (Noddings, 2018) has been applied and developed as an alternative, care based view of human relations. While ethic of care has many different variations, Fisher & Tronto's (1993) definition of care has been used in other HE research (Bozalek et al., 2014) and is applied in this context due to its focus on public and political contexts which can include the university. Care is defined as: 'A species activity that includes everything that we do to maintain, continue and repair our 'world' so that we can live in it as well as possible. That world includes our bodies, ourselves, and our environment, all of which we seek to interweave in a complex, life-sustaining web' (Tronto, 1993 p. 103; 2013). Ethic of care views relationships as central and acknowledges that actors can act both for themselves and also for others.

This allows HE staff to be positioned, not in opposition to students but as co-contributors to the HE environment. The individual is viewed neither as egocentric or self-serving, nor charitable, thus caregiving is not just the act of doing things for others, but that through the creation of attentive support, a sense of self-worth is created for all actors by the co-creation of actions. This assumes that all actors are active to the processes, engaged in them and committed to them (Storbacka et al., 2016).

A number of studies of HE practice and policy implementation have used ethic of care to consider academics' professional development (Bozalek et al., 2014), student wellbeing and learning (Keeling, 2014) and blended learning policy (Huang et al., 2021). However, despite the increase in the volume of complaints and concerns regarding students, academic and professional staff wellbeing, no studies have yet applied ethic of care to the student complaints system. Bozalek et al. (p. 450) set out the five elements of Tronto's conception of care which can be used to consider institutional care within the complaints process for staff and students. Briefly these are:

Attentiveness: making effort in order to notice others' needs and thinking about how those needs might be met in each case.

Responsibility: taking some responsibility for needs and how to respond to them not only in terms of duty or obligation but in flexible negotiation regarding what action can be taken.

Competence: acknowledging that seeing and responding to a need is not enough if the response itself is not competent.

Responsiveness: including an openness to positive and negative reactions from recipients of care.

Plurality, Communication Trust and Respect: inherent in working with others and necessary for the other elements to operate but which can be complicated by power relationships. (Tronto, 2013 p. 34)

As noted above, while this theory was not used to inform data generation, it has been used as a lens through which to view results due to the commonalities that appear in the data. The research design is set out below.

Heading 1: Research Design

This study was small scale insider research undertaken within one institution. This enabled 'freer access, stronger rapport and a deeper, more readily-available frame of shared reference with which to interpret the data' though it is important to acknowledge that this can come at the cost of unchallenged researcher and participant bias or pre-conceptions (Mercer, 2007 p. 14). Application of theory can assist in testing and challenging preconceptions and as noted above, theory regarding ethic of care has been applied to the analysis of data.

Varied perspectives were sought in order to provide a wider range of data. The rationale was to include participants from different levels within the institution who would have different experiences of the complaints system. While selecting all participants at the same institutional level such as academics from the law department or associated programmes could also be argued to offer different perspectives, here a comparison of perspectives from different levels within the institutional hierarchy was utilised to provide insight into student, academic, managerial and professional staff perceptions with the aim of identifying differences in the ways the procedure was interpreted and experienced. In order to investigate the extent to which the procedure was viewed differently by those acting at different levels, the research was designed to use data from five participants (Table 1). The academic, participant 4, was an LLB programme leader and was within the department represented by participant 3, the head of department. The student, though also from this department, was not on the LLB programme. This avoided any potential problems regarding power dynamics in relation to the student, programme leader and researcher. All staff participants were experienced in dealing with student complaints from minor academic issues to significant issues such as sexual assaults. While not considered as part of the analysis, due to the relevance of ethic of care in feminist research, it is worthy of note that all participants were female.

Table 1: Participant details

Local context: Post 1992 multi-site university in the north of England	
Participant - Institutional level	**Identifier for analysis and reporting**

1. Dean	D
2. Compliance Manager	CM
3. Head of Department	HD
4. Academic LLB Programme Leader	PL
5. Student	S

It must be acknowledged that one person cannot be presented as a representative of all those acting at the same level either within an institution or nationally. Moving from top to bottom, selection of each participant was from an increasingly wider pool of individuals. Only one Dean was responsible for complaints within the institution, but some other Department Heads, many Programme Leaders and numerous students could have been selected and may have presented different perspectives. Nevertheless, using participants from the same faculty, although limited in terms of representation, can be argued to provide a coherent sample from within one environment which allows for comparison of situated experiences. Furthermore, practical constraints would, if more participants had been sampled at lower levels, have necessitated different data collection methods. There is value in the consistent approach taken, asking all participants the same questions. Arguably that approach has enabled clear comparisons to be made between responses at each level.

Semi-structured face-to-face interviews were used (an outline of interview prompts is attached in appendix A). Participants were asked about their general perceptions and specific examples. Though reference to policy and procedure documents was made, no detailed textual analysis of documents was conducted. Documents merely provided a background and reference point for interview data. A thematic analysis was conducted and as a result of the data the lens of ethic of care was applied to the analysis. Results using illustrative quotes followed by a discussion and conclusions are set out below.

Heading 1: Results

Analysis of interview transcripts resulted in the identification of a number of notable regularities in connections between practices and perceptions. These were grouped into themes, set out below. The focus of these themes is at a micro and meso-level and for the purpose of analysis and presentation they are categorised as *personal* or *procedural* in nature.

Run in Heading **Personal Issues**

Run in Heading *Care Regarding Staff and Student Time*

Time was a theme raised by all participants. Prioritisation of the need to deal with complaints in a timely way led to a general perception that the procedure was not functioning well in this regard. S's priority appeared to be that institutionally communicated time scales should be adhered to, when this did not happen without explanation or apology S was unhappy. While S's concern was shared by all the other participants, it is clear that interaction with the procedure allowed insufficient control over this element. For example:

HD 'It doesn't figure anywhere in my workload; it just gets done'; 'it can take so many hours'.

D 'The single biggest problem we've got is simply human hours.' 'We simply don't do things to time.'

CM 'You never know what's coming into the inbox and on any given day, you might suddenly get six complaints.'

The need for sufficient time to either gather and/or assess evidence was also highlighted by HD who referred to evidence gathering that had not been undertaken in an investigation. This further gathering of information was undertaken as a result of a student appeal regarding the initial complaint outcome. 'We're all under a lot of pressure to do things very quickly and sometimes when you've got the time to dig a bit you will suddenly see where the student is coming from. There have been a couple of complaints which I've reinvestigated and come up with different real outcomes which have actually benefitted the student.'

Run in Heading *Competence and Expertise*

Staff participants were specifically asked whether they had received any training in relation to their roles in the complaints process. Only one had received any training within the institution and this was over eight years previously. Participants also referred to their own perceptions of their levels of expertise and referred to the negative consequences of a lack of training or expertise.

HD 'There have been people in the past that have exacerbated the situation, right, because they've not either given the right advice or don't give it in a kind of neutral way you know, they've inflamed it.'

PL 'We're not necessarily fully trained, you mentioned training before, you know we're not trained counsellors, we're not medically qualified, where you know, there's all sorts of problems that are brought to our door that we're not experts in.'

HD 'I'm not a legal expert but you have to become aware of all the different, disability, discrimination. It's kind of learning very quickly but then not feeling really an expert but you're still making decisions.'

Within the institution in question, the first point of contact for any student wishing to make an informal complaint is often the programme leader. Once a complaint moves to the formal stage an investigating officer takes on the progression of the complaint. Investigating officers may also be drawn from academic staff. Some ambivalence was expressed regarding the advantages or otherwise of requiring programme level academic staff to take on a major role in dealing with complaints rather than potentially more expert managerial staff. It was acknowledged by academic and managerial participants that subject level expertise was on occasion of great value due to the level of familiarity with specialist subject disciplines for example in the case of complaints regarding placement activities. Additionally, a pre-existing relationship with students involved in a complaint was recognised as sometimes helpful. However, this relationship was also highlighted as cause for concern due to a lack of objectivity, and in serious complaints by one student against another as an unhelpful issue which affected other academic roles.

PL 'I'll become a sort of middle person and being the middle person can be a bit awkward because I'm also a personal tutor, that role can be a little bit uncomfortable if for example a student is complaining about another student then obviously, I have responsibilities to both students.'

Run in Heading *Care for Staff Wellbeing*

The personal impact of dealing with complaints was a concern of all participants however the significance of this concern was emphasized more strongly and frequently by those at intermediate levels. Staff commented as follows:

CM 'I think it can be very stressful for the complaints investigating officers.'

HD 'I worry about the repercussions for me as an investigating officer.' 'If you've done something wrong you feel like so awful, you've done something by accident.' 'Is a big, big responsibility, stressful, definitely.'

D 'You're constantly thinking, can you know is everyone safe?' 'There's always that question of how would I feel if I had permitted someone to be back on campus and then a similar event were to occur. That's difficult, very difficult and very challenging.'

PL 'In the context of a very busy job that you have different roles and different responsibilities then that can be a cause of stress.'

While staff felt that they could ask colleagues for advice it could be argued that this transfers rather than dissipates the stress and responsibility. Academic staff referred to using the compliance manager for advice who noted: 'One of my concerns is that, in terms of what I do to support the complaints procedure, there is the potential that I'm a single point of failure.'

Run in Heading **Procedural Issues**

Run in Heading *Care for Students or for Institutional Reputation?*

Participants identified the aims of the procedure variously as: 'to meet student expectations and assists students and the university in resolving conflict….as a way the university signals its willingness to listen, to respond.' (D) For 'Reputational protection' (HD). To put 'things right' (CM). To address 'student satisfaction, protection of reputation, administratively having a process so people know what to do.' (PL). But also, as 'just a bit of tokenism that just ticked a box' (S).

Run in Heading *Administration and Review*

For staff the main issues relating to the administration of the procedure were the need for transparent and consistent case management. Complaints appeared on occasion to bypass the usual steps when for example, a student or parent takes concerns to the Vice Chancellor. Participants were asked about their awareness and use of mechanisms for them to feedback regarding their interaction with the procedure. There is currently no mechanism for students to feedback or influence the procedure. Only D referred to an annual report and to revisions required for compliance with external regulation. Other participants were not clear regarding formal review mechanisms. Their perception was that beyond minor changes precipitated by specific cases no general review had taken place for some years.

Run in Heading *Clarity and Outcomes*

When asked if the procedure was clear most participants (including S) thought the document was clear. However, several concerns regarding lack of clarity of process emerged. From the student perspective, there was a lack of clarity regarding the responsibility to gather evidence. This lead to the expression of some disappointment because part of the S's complaint was not upheld due to lack of evidence which S felt could have been obtained: 'the lecturer's story was completely different to mine so there was nothing you could do about it, which I wasn't happy about because the room was full of

twenty students but I felt as the person making the complaint, it wasn't my responsibility to go and find the students yeah and say can you speak about that? It was the investigators.'

All participants voiced concern regarding the way in which student expectations can be matched to realisable outcomes. There was a uniform perception that on this point information could be significantly clearer. Students are asked what outcomes they would like to be considered. For S this was not seen as a helpful question: 'because imagine if you put down like 'the sack'.' 'It's not about what I want. It's about having a procedure and following the procedure and then that sits in line with your contract and your rules and regulations.'

CM 'Sometimes when you read that document that comes in you know immediately that what they're asking for is actually impossible and so you know that then they're never going to be satisfied.'

HD 'There's often a conflict between what you can legitimately action and often it's not really what the student wants.' A lot of the time students want to see people being disciplined. If it does result in disciplinary action, you wouldn't see that being played out in a public arena.'

D 'The ones that I tend to spend more time on inevitably are the ones where no satisfactory resolution has been possible. Sometimes it's because the student has an unrealistic expectation about what the complaints process could or should deliver.'

Run in Heading *Discretion and Flexibility*

Participants were asked about the amount of discretion they felt able to use. All expressed a strong desire to conform to procedural rules.

PL 'If I have a complaint and I'm not quite sure what the procedure is I would go back to it ...I'm probably not absolutely familiar with all the specifics and all the details of it.'

Some level of discretion was recognised in areas such as the final decision to uphold a complaint, the exact remedies that might be implemented and the timing of a move from informal to formal process.

PL 'I think much of the process is a fairly administrative one that is explained in the documents. I don't think there's a great deal of discretion in using it.' but also 'I suppose you would have the choice of encouraging students to make a formal complaint or taking more steps to try and resolve it yourself.'

CM 'If we are going to offer financial remedy … I suppose my discretion there is looking at what we might see as an appropriate sum.'

There was some inconsistency between different accounts of the extent and frequency with which complaints might be dealt with outside the usual process, or at least not by the usual level of institutional staff member. Although the broad framework was presented as being invariably adhered to it, was clear that some staff felt that if a student or parent made a direct approach to the Vice Chancellor or other senior member of staff, the consequent trajectory, though not necessarily the outcome of the complaint, would be somewhat different.

Heading 1: Discussion

The results show that although there has been considerable focus on the negative experiences of students in HE, staff dealing with complaints can also be adversely affected by their interaction with complaints procedures. The small data sample above demonstrates that a consistent theme in the student complaints process is time, be that workload or time constraints for resolution which hamper investigations. This is further compounded by decision making without adequate expertise, staff stress from worry about reaching a fair solution and delivering the right outcomes, lack of control over the process which is largely implemented to suit external guidelines and an inability to communicate outcomes, leaving complainants dissatisfied with the experience. In addition, despite the negative

experiences of staff and students, little institutional effort regarding review of the procedure was evidenced, with no clear mechanisms to feedback to senior management staff regarding the process itself.

The main themes identified during analysis are set out in the results section above within two broad categories, *personal* and *procedural*. Those categories are also used to structure discussion of the results. As noted above, due to the findings regarding the impact on staff, theory relating to ethic of care (Noddings, 2013; Tronto, 2013) is used as a lens through which to consider the results and their implications.

Run in Heading Personal Issues

Time stands out as an issue that is seen as both a priority and a concern by all levels. Other research has highlighted the increasing number of student complaints (NUS, 2009; OIA, 2020). The perceived complexity of complaints appears to be an exacerbating factor. At the national level the QAA requires procedures to be 'timely'. But little guidance is given as to exactly what this means. The OIA framework states that a 'good process' will be capable of dealing with some complaints 'swiftly' but will 'normally' complete the process within 90 calendar days from the start of the formal stage. This reference to timeliness can be traced back to the Dearing Report which stated that complaints should be dealt with 'fairly, transparently and in a timely way' (Dearing, 1997 para 15.57). In translating national guidance into institutional procedures prioritisation of regulatory compliance by senior staff is evident. D stated: 'my number one priority is to make sure that the university meets the expectations of our regulator.'

This focus on regulatory expectations may lead to pressure on institutional staff via both the procedural timeframes and institutional expectations. Considering ethic of care, it might be argued that attentiveness and responsibility, due to their effortful nature, require time and will thus be adversely impacted by lack of time. The findings relating to staff perceptions are supported by Cooper-Hind and Taylor who have noted that while students see timescales as too long, in contrast

academic staff perceive timescales as hard to meet necessitating work outside of normal working hours (Cooper-Hind & Taylor, 2012). The unrealistic expectations placed on staff have been referred to as quantitative overload (Wray & Kinman, 2020) and many studies are cited by Wray & Kinman in support of the fact that role overload impacts both work-life balance and mental health in academic staff. In terms of agency, perceptions generally support the conclusion that staff feel they have little individual control over the time spent dealing with complaints. Though there was a suggestion that the procedure itself can be helpful in progressing complaints it was not clear that staff felt they had any influence over this progression. This indicates a lack of responsiveness to both student and staff concerns regarding complaints procedures.

Closely associated with time is the question of staff expertise. This corresponds with the ethic of care notion of competence. Though Buckton notes that for non-academic staff 'specialist training has become increasingly important given the current increase in the complexity of complaints' (Buckton, 2008) it appears that training at least in this study, does not feature, resulting in staff feeling insufficiently competent on some occasions. While staff in specialist administrative positions may be able to develop expertise, academic staff such as programme leaders and department heads appear to find that because dealing with complaints is a relatively small and under recognised aspect of their role they do not perceive themselves as having any expertise and find it difficult to clearly define the limits of their work, time or roles.

HE institutions are noted for high levels of bureaucracy and a complaints procedure, being a quasi-legal process set within a hierarchy, is one that arguably benefits from adherence to Weber's bureaucratic ideal type. Two of the key characteristics of this are a division of labour allowing expertise to develop in one's role and the selection of personnel on the basis of technical qualification (Weber, 1921). By this analysis, the lack of specialisation in academic staff can be seen as a drawback. Tronto (1993) comments on ethic of care within bureaucracies in this regard when considering the moral aspects of competence, noting the contrast between seeing a problem as having been 'taken care of' and applying real care in terms of results (p. 134). Using the example of a teacher

in an under resourced setting teaching a subject he does not know, Tronto explains how managers can say the situation has been 'taken care of' while no real care is occurring. Similarly, it might be said that undertrained and time poor staff are taking care of complaints. But as HE staff often feel their institutions are performance driven (Wray & Kinman, 2020) it may be that a managerialist approach to taking care of complaints is not always consistent with their personal sense of responsibility.

Ethic of care also requires responsiveness. That is, taking account of the effects of action. Damage resulting from poor complaints handling can lead to 'double deviation', a consumer complaint concept that emphasises the need to exceed expectations when dealing with initial complaints in order to prevent further dissatisfaction with the complaint procedure and process itself (Millward, 2016 p. 138). This is supported by conclusions from Cooper-Hind that 'the university should provide regular training for staff, focusing on how to identify and respond to potential complaints' (Cooper-Hind & Taylor, 2012). A recent review commissioned by Warwick University (Persaud, 2019) also concluded that Investigating Officers handling complaints 'should be offered face to face training' and 'consideration should be given to making investigations part of their formal role or otherwise allowing sufficient time for investigations to be completed in a timely manner' (Persaud, 2019 rec. 3). OIA guidance on good process requires decision making staff to be 'properly trained, resourced and supported'. This raises questions about whether this role might be better fulfilled by more specialist staff. The participants in this study expressed mixed feelings regarding the question of whether it is best for staff who are well known to students to deal with complaints. Certainly, evidence suggests that academic staff stress is increased by role conflict, for example between teaching and administrative processes such as complaints (Wray & Kinman, 2020). Other research has shown that students may prefer complaints to be handled by staff outside their own department (Cooper-Hind & Taylor, 2012) and recent media reports have highlighted this as a potentially significant problem in small institutional settings (Cook & Hill, 2020). Here we also see that attentiveness, (Tronto, 2005) may be expected towards those making complaints but does not appear to factor into the needs of those involved in managing and investigating them. The recognition of the needs of staff members

whether outlined in documentation or not, does not appear to be something staff feel is present for them.

The responsiveness that is shown appears to be driven by managerialist metrics. Staff referred to student satisfaction as a primary aim. A focus on student satisfaction alone has been argued to lead to an unhelpful therapeutic ethos in universities (Ecclestone, 2009). This creates an expectation which it may be impossible for academic staff without specific expertise to fulfil. As noted by Millward 'Students complaint texts tell us that as part of their expectation of 'the Deal' offered by HE the individual student is looking for personal support and has high expectations of academic staff in this regard'(2016 p. 139). This connects to the concept of role conflict as illustrated by PL regarding the personal tutor role. This is highlighted in other studies as being a significant contributor to increasing psychosocial hazards (Wray & Kinman, 2020).

The level of stress felt by staff was explicitly noted and highlighted by perceived capability constraints relating to time, expertise and the difficulty of dealing with complex student complaints. There is a variety of research on issues related to occupational stress, wellbeing and roles within HE (see Watts & Robertson, 2011). In particular, time pressure and conflicting roles appear to predict negative impact on wellbeing (Pretorius, 1994). More recent research (HEPI, 2020) has concluded that institutions may be exploiting the loyalty of academic and professional staff, perpetuating unmanageable workloads and targets (p.11). This indicates that in terms of care for institutional staff, there may be a deliberate lack of attentiveness and responsibility on the part of senior leaders though lack of competence in responding to these pressures alone could also account for reported rises in the declining mental health of HE staff (HEPI, 2020; Wray & Kinman, 2020).

The results in relation to stress are supported by findings from many other sources Kinman (1998) that indicate a perceived inability to give enough time to student issues, and the resulting need to work evenings and weekends was a significant cause of stress for academic and related staff. Underlining the connection with expertise, Kinman finds that 'staff should not take on too many roles' and should be able to negotiate workloads that 'fit their profile of skills' (para 10). Further support comes from

Mudrak et al, using a job demands – resources model, who have shown the way in which 'growing job demands …may predominantly manifest through increased stress of academic employees' (Mudrak, 2018 p. 345). Research by Buckton has also highlighted this issue in relation to administrative and managerial HE professionals dealing with student complaints (Buckton, 2008).

In reviewing the UKHE senior management survey, Erickson et al. (2020) comment on a list of problems supported by data of which 'chronic overwork, high levels of mental health problems, general health and wellbeing problems, and catastrophically high levels of demoralisation and dissatisfaction across the UK HE sector' (p. 15) may all be contributed to by increasing numbers of complaints and poor procedural systems.

Theories of stress which focus on the transaction between the individual and their work, emphasise the effect of work demands which exceed individual resources such as time and expertise (Goh, Sawang & Oei, 2010). Other more interactional models such as Effort-Reward Imbalance theory (Siegrist et al., 2004) focus on the contract between staff and institution and the stress that can result when effort is not reciprocated with reward. Taking an ethic of care perspective, it is clear that staff ability to be attentive, responsible, competent and responsive can be compromised by lack of time and expertise which may then lead to damaged trust on the part of students. The number of references to the term *responsibility* within the data is notable. This may indicate that, though it is possible that staff in predominantly academic roles could be less motivated in this area of their work, in fact their sense of responsibility to students and to fair processes is strong. This may not be reflected in terms of institutional or wider HE recognition, however. Staff may see less professional respect and no career advantage in gaining expertise in such areas. When compared to time spent on research or teaching there seems little career incentive for academic staff to invest in this work.

Run in Heading Procedural Issues

In addition to the issues affecting personal experiences and perceptions further notable regularities emerged regarding perceptions of the procedure itself. The lack of clear, accessible information

relating to individual complaints and their progression through the process was a concern, in particular for academic staff who expressed frustration at often not having sufficient information. For example, PL noted: 'I haven't felt very well kept up to date with what's happening.'

This is part of the fifth element of ethic of care which includes communication. It is echoed in the Persaud Report, recommendation 9 which states: 'Consideration should be given to a case management system so all documentation and correspondence is readily available to appropriate users, and information can be shared, stored and retrieved securely.' (Persaud, 2019 rec. 3). The OIA also requires effective record keeping but states that information should be 'released only to those who need it for *the purposes of investigating or responding* to the complaint' (OIA, 2016 para 116, emphasis added). This wording does not appear to anticipate access for example for personal tutors or programme leaders and so may, for institutional leaders drafting policy, act a deterrent to any but the narrowest of access.

Although there were some inconsistencies in the views expressed regarding the clarity of the procedure itself, participants highlighted the mismatch between student expectations and possible outcomes which is likely to affect relationships of trust. It appears that allowing students to express their wishes in terms of outcome without any constraint or guidance, although possibly motivated by a desire to fully appreciate the complainant's views, is helpful to neither students nor staff. It is clear that this practice can lead to dissatisfaction on the part of students, who having expressed their desired outcome, are left, inevitably, disappointed. It is a practice that also sets the institution up to fail in the eyes of students and could be argued to further add to the stress experienced by staff. In terms of ethic of care, staff are able to notice and feel responsibility but are not equipped with full competency to act in accordance with student expectations. The OIA framework suggests that a question to be considered in formal complaints is 'What outcome is the student hoping for and can it be achieved? ' Related to this is the question of who is responsible for obtaining evidence. The OIA suggested question in formal complaints is 'Has the *student* provided evidence in support of the complaint?' (OIA, 2016 paras 44 and 87, emphasis added). However, in this study, S also expected some level of evidence gathering from an investigation officer, notably in terms of taking statements from witnesses

to an alleged event. Again, it appears that translation of national framework concepts into institutional policy may have had unintended consequences which impact negatively on the overall aims regarding student satisfaction. Other evidence suggests that procedure documents are perceived by students to be written with a reasonable level of clarity (Cooper-Hind & Taylor, 2012) thus it seems that lack of clarity lies in the details of the process rather than the documents.

As noted by Keeling (2014) it is important when using institutional terms for objects such as 'the university' or 'the administration' to remember that the depersonalisation and dehumanization inherent in these terms may cause a loss of awareness of the people that make them up (p. 141). Employing an ethic of care, Keeling argues that reliance on individual staff to provide empathy for students experiencing problems within an uncaring institutional context is unacceptable (p. 143). This is relevant when considering the interaction of structure and agency and the impact that lack of perceived agency may have on stress (Wray & Kinman, 2020). All participants considered the procedure to be a rigid framework with which it was important to comply. While some limited discretion was exercised in relation to final decisions, personal interactions with students in informal complaints and financial outcomes, the procedure itself appeared generally to be perceived as quasi-legal in nature. The level of detail within the procedure, combined with this perception, may well result in a complaints procedure being directly consulted by actors at every level of implementation to a far greater degree than some other policies, therefore mitigating against the possibility of contextual input and change to policy messages at each level.

In addition, there was no evidence of clear agentic mechanism in relation to review and change in the procedure. This means that, from an ethic of care perspective, the institution is not responsive to either students or staff. The QAA requires that procedures 'enable enhancement' (QAA, 2013 p. 7) and the OIA framework aims to improve the student experience by 'capturing learning.'(OIA, 2016 pp. 4-5) Participants did perceive that positive institutional changes resulted from particular complaints themselves however it is the enhancement of the procedure overall that appears to be less easily achieved. The OIA framework refers to the production of management reports which should be acted

on as well as the provision of summary information to staff and students that will 'raise awareness of the procedures and build the confidence of students and staff in their transparency and effectiveness.' (OIA, 2016 p. 27). It is possible that a lack of responsiveness regarding evaluation of the complaints procedure has contributed to its negative perception by both staff and students. This is supported by conclusions from research into academics working in a competitive enhancement context which 'suggested that if enhancement initiatives were underpinned by more sophisticated theories of change allowing for reconstruction, adaptations and agentic responses, more realistic and more useful outcomes would ensue, based on contextually relevant reflexive approaches and not on mechanistic moves to jump through quality and regulation hoops' (Fanghanel & Trowler, 2008 p. 311). In their study of psychosocial hazards of academic work, Wray & Kinman (2020) contend that attempts to deal with work related stressors at source are key to stress management. The need for responsiveness to feedback is highlighted by ethic of care but, at least in this case, formal review appeared not to be occurring. Thus, one of the reasons for continuing problems with the complaints procedure may be the lack of a sufficiently clear review mechanism.

Heading 1: Limitations

As noted above, this research relied on interviews regarding one unique complaints procedure. The university in question utilises a single procedure for all student complaints. While it might be argued that, as each institutional procedure is distinct, findings cannot be taken to apply generally, the similarities between procedures are significant, based as they are on national frameworks. Reference to sources considering other specific institutional procedures has been used for comparison and to support conclusions (see for example Persaud, 2019). Both insider research and interviews as a method carry with them various well documented limitations. Firstly, it is important to acknowledge that the particular social context cannot be ignored, and any generalisation can be dangerous (Trowler, Saunders & Bamber, 2009). Secondly although insider research benefits from increased trust, access and understanding of the context it can also negatively affect the data provided due to inherent bias. Thirdly, participants' reactions to a specific aspect of their social domain are reported but no claims as

to objective rationality can be made. Each participant's response to questions and their reported actions and experiences are subject to influences such as background, discipline, feelings about the institution or their role. At the macro-level, the wider context includes an increased focus on wellbeing and on the student experience within HE which are likely to feed into the way policy is viewed. Data relies on participant perceptions nevertheless; responses have been taken to provide a picture upon which to build analysis and conclusions.

Heading 1: Conclusions

This study has examined perceptions of and reported interactions with a student complaints procedure by actors at different levels in one university. It shows that institutional staff have a number of common concerns. In particular, a lack of care for staff is illustrated by the unacknowledged amounts of time needed to deal with student complaints, their perceived lack of expertise and the consequent stress this causes. While the aim of national policy is to address student satisfaction through timely processes it appears that the focus on timescales, when combined with a perceived lack of expertise at institutional level, may result in unintended consequences. One standardised complaint procedure for all institutions as recommended by Dalziel (Dalziel, 2011) is neither practical nor desirable. However, institutional leaders may need to consider the extent to which staff are enabled to act competently and, in this study, the level of openness to feedback from those interacting with policy and procedures. In addition, there may be a need to reconsider the balance between their priority to address student satisfaction through compliance with national guidance and to address the concerns and wellbeing of staff. This is supported by Mudrak who notes that 'above all, an implementation of policies aimed at the quality of academic leadership and work-family balance may have particularly beneficial effects' (Mudrak et al. (2018 p. 345). Although a focus on the student experience is of considerable value this should not come at the expense of a more holistic view of the way in which institutions deal with complaints at all levels. In particular the setting of students and their legitimate concerns in opposition to the institution itself as an impersonal entity does not provide a useful framework for an institutional ethic of care or constructive improvement.

The results also point to a number of problematic issues within the complaints procedure itself. These include a lack of trust due to lack of management of student expectations regarding possible outcomes and the communication and accessibility of information regarding the progress of a complaint. These issues also negatively impact on staff. It is suggested that increased institutional responsiveness, based on clearer and more inclusive evaluation and enhancement mechanisms, might serve to address these issues.

When compared with previous research and wider literature regarding student complaints it is suggested that addressing staff centred concerns and improving evaluation mechanisms are possible ways forward in addressing the aim of increasing student satisfaction. Future research could test the findings of this study by expanding the methodology to focus on academic experiences and wellbeing in the context of complaints procedures across wider populations.

Appendix A: Interview prompts:

1. Your Role
What is your academic role?
In relation to the complaints procedure- what is your role?

2. Your Experience
How familiar are you with the policy?
What is your length of experience with it?
Have you ever had any relevant training?

3. The policy
What is your understanding of where the policy 'comes from'?
What are its overall aims and philosophy?

4. Clarity
Do you think it is clear?
Have you ever felt in need of advice about its use?
Is it easy to categorise complaints?

5. Connections
What do you think about your role and the role of others in the implementation / use of the policy?
Any areas of conflict?

6. Examples / Experiences – using specific examples..

Can you tell me about any positive experiences of using the policy?
Any negative experiences?
How did these affect your feelings about the policy / your role?

7.   Control
Do you have any discretion in using the policy?
Have you ever disregarded / ignored any aspect of the policy?
Has your experience lead ever you to deal with it differently?

8.   Problems
Have you identified any problems with the policy? Can you give details?

9.   Change
Do you think the policy or the way it is implemented could be enhanced and if so how?
Are you aware of mechanisms for you to feedback or evaluate the policy?
What barriers there are for you in using these mechanisms?

10.   General feelings
What feelings do you have about the policy, your role, the role of others and outcomes from its use?

11.   Other
Any other aspect you'd like to comment on?

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