Agència
per a la Qualitat
del Sistema Universitari
de **Catalunya**

General Framework for the Handling of Students' Suggestions, Complaints and Claims

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Foreword

As the European Ministers of Education have gone about profiling the path of European convergence, the development of systems for quality assurance at institutional level have acquired greater priority. Recently, in the Berlin Communiqué of 2003, they stated that the quality of higher education is the central idea around which revolves the creation of the European Space for Higher Education and this issue has come to hold first place among the medium-term priorities.

The quality systems that are propounded by the European convergence involve the availability, at the universities, of regular systematic assessment procedures of the institutions or of their components, and the existence of elements that simplify the detection and analysis of weak points in order to take flexible diligent action to correct them. Within this framework, the attitudes and procedures that are adopted by an institution in response to the suggestions, complaints or claims of its students will be fundamental in advancing towards a new quality-centred culture.

In recent years, **Agència per a la Qualitat del Sistema Universitari de Catalunya** (**AQU Catalunya**) has developed a set of documents that aim to gather and systematise the best practices in strategic areas. Once these best practices have been implemented, they are to form part of the quality system of each institution. These documents or General Frameworks also aim to serve as a reference in the internal and external assessment processes. To date, AQU Catalunya has published six General Frameworks. Owing to the acceptance of the General Frameworks by the university community, some of them have been republished while others are now in the process of revision, especially in the cases in which the first edition appeared before the enactment of the new legal framework.

In the development of a General Framework, **AQU Catalunya** seeks the complicity and participation of the persons who are real experts in the field concerned. The process begins with the creation of a working group formed by the persons acquainted with the subject, who draft a basic document which is later enriched with contributions from a second broader group of persons involved in and committed to university quality. Lastly, the Drafting Committee adapts the contributions to the document.

The General Framework that we present here contributes a positive view addressed to improving university quality in a field of such capital importance as is the attention to students' suggestions, complaints and claims. As mentioned above, it approaches conflict as an opportunity for institutional progress and improvement, which makes it extremely useful and interesting.

On behalf of **AQU Catalunya** I wish to express our thanks, first of all, for the magnificent job carried out by the Drafting Committee, which has succeeding in lending a positive dynamic tone to the document, and quite especially for the job of the committee's co-ordinator, who has been the driving force behind it. Secondly, **AQU Catalunya**

thanks all the persons who have answered our request and made proposals on the initial document. Their contributions have helped to improve it.

We hope that this General Framework will find an acceptance as warm as that shown to the previous ones and that it will help to increase our students' participation in the improvement of the institutions' quality, and likewise that it may help to establish the spirit of co-operation which is so necessary to make institutions advance towards change.

Gemma Rauret i Dalmau

(Chief executive of **AQU Catalunya**)

AQU Catalunya:
quality, improving guarantee

AQU Catalunya - Agència per a la Qualitat del Sistema Universitari de Catalunya – or Agency for the Quality of the University System of Catalonia – arose from the transformation brought about by the Act on Universities of Catalonia (LUC) in the former Consortium-Agency devoted to its task (1996).

Consequently, **AQU Catalunya** continues along the more than notable path of its predecessor, with broader competences and attributions.

As from the enactment of the LUC, **AQU Catalunya** has become the foremost instrument for the quality of the university system in Catalonia.

AQU Catalunya is a benchmark agency that leads innovative projects generating the maximum value added for the quality of the Catalan university system. It is an organisation that strives constantly for excellence. AQU Catalunya:

■ Considers quality to be a way of doing things and working better. It is the first European agency certified (since the year 2000) in accordance with the standard ISO 9000.

■ Has broad experience in institutional assessment and in development and innovation of university quality systems. Since 1996, the year in which the former Consortium **AQU Catalunya** was created, it has been working actively in all these fields.

■ Works for the good integration of the Catalan university system in the European space of higher education and promotes co-operation on the assessment and assurance of quality.

■ Endeavours to assure the transparency, objectivity, impartiality and equanimity of the services that it provides. **AQU Catalunya** works in accordance with a code of ethics.

In short, **AQU Catalunya** advances with the universities of Catalonia and considers quality to be a method for improvement rather than a mere formality. University quality in Catalonia is spelled **AQU Catalunya**.

Structure of the document

The content of the GENERAL FRAMEWORK FOR HANDLING STUDENTS' SUGGESTIONS, COMPLAINTS AND CLAIMS is articulated in a series of sections that seek to cover the aspects necessary to assure good attention to suggestions, complaints and claims. The following are the seven points in which this General Framework is articulated:

- Introduction
- Definition of terms
- Normative framework
- Organisation framework
- Student information mechanisms
- Best practices
- University ombudsman's offices

1. Introduction

1.1. Conflict as an opportunity for institutional improvement and progress

The terms *complaint*, *conflict*, and *claim* form part of the set of words that we often use with a significantly negative connotation. Each of these words suggests a situation which, in the judgement of the interested person, should or could be fairer, more harmonious and more satisfactory.

First of all, within the framework of an organisation, these terms centre our attention on a possible dysfunction of the system, on something that is not working well enough. After that, they give us clues and question us about their possible correction. These are terms that have nothing to do with the verb to lament. We lament finalistic situations without possibility of change. *To lament* has a markedly static connotation: "there is nothing left for us but to lament!". On the other hand, the verbs *to complain* or *to claim* have a pronounced dynamic character: the state of imperfection is correctable and surmountable. These are terms that invite one to survey and analyse in depth the object that they question. They demand that the respective assessment be made and, in accordance with such assessment, they may entail the change and improvement of the organisation.

It is precisely from this positive dynamic sense of the foregoing terms, as generators of opportunities for qualitative progress, change and improvement, that we undertake the drafting of this GENERAL FRAMEWORK FOR HANDLING STUDENTS' SUGGESTIONS, COMPLAINTS AND CLAIMS.

Far from situating complaints and claims on sterile ground or considering that their handling should be overlooked or minimised for the sake of a false efficiency, we think that conflicts exist to be faced, managed and elaborated to the benefit of the qualitative progress of the institution and to the benefit of the welfare of the persons who make use of them or form part of them. Far from considering complaints and claims as "hindrances" or "nuisances" in the everyday life of universities, we start out from the idea that an attitude of interest and openness is necessary in order correctly to identify and handle these appraisals of students.

The present complexity of the university institutions demands that we lend the pertinent attention to these inputs, which may contain direct information on the functioning of important aspects. We should not disdain the complaints, claims or suggestions contributed by students. Quite to the contrary, we need to consolidate a positive culture that will allow us to elaborate all the significant information that they often contain.

Consequently, our starting point is that the universities must favour the passage from lamentation to proposal. The institutional focus must banish finalistic, negative and sterile commentary and develop further the democratic process of formulating, to the pertinent bodies, the suggestions, complaints or claims that the institutional life entails. If we really wish to improve our level of excellence, we universities must opt for

a positive "culture" that will interpret conflict as an opportunity for institutional improvement and progress, something that demands the commitment of all the university collectivities, especially including the teaching staff, the academic managers and the administration and services staff.

Conflicts form part of the context. One may choose to ignore them or to deal with them. As a result of this positioning, the words *suggestion*, *complaint* and *claim* will occupy either a marginal hidden space or they will be endowed with the mechanisms and resources necessary to be taken into consideration.

1.2. The student as an active agent of claim processes

The culture of participation in a democratic society

As agents of claim processes, students must maintain an active role derived from these processes in relation to the university. The selfsame act of formulating suggestions, complaints and claims forms part of a participative culture that, as mentioned in the previous paragraph, must be valued as an opportunity for improvement of the university institution. It should not be forgotten that the various points of attention to students that are available at the universities form, in practice, for many students, the first public office with which they establish a relationship as interested persons. Consequently, the universities should see that the treatment that they give to students is exemplary, and this is all the more true if we consider the

formative relationship held by the university. This means, of course, that it is necessary to assure a quality attention and to avoid paternalism.

The content and form of the exercise of rights to claim

The universities have the obligation to form citizens aware of their rights and duties, with the capacity to exercise them in the context of a democratic society, but this exercise of rights can only be a responsible exercise. For this reason, with respect to their material content, the responsible exercise of rights entails the acknowledgement, as an essential premise, of the fact that there are no rights without duties and that neither the rights themselves nor their exercise may be absolute. With respect to its form, this exercise of these rights is not free of some minimum rules, the same as in the case of any other citizen.

This minimum that must be demanded of a suggestion, complaint or claim, is that it must include a motivation, that is to say, a reasoned line of argument of its grounds, something that is fully linked to the character of the universities as spaces of intellectual reflection. The fact that a motivation is required in claims is, we insist, a formal requirement, something that should not be confused with the firmness or severity of that which is claimed: a materially rigorous claim or complaint is perfectly licit as long as it presents a sufficient rational foundation.

The absence of motivation may condition the type of response that the universities may make. Accordingly, a well motivated claim must be

handled scrupulously by the university, which must give it a detailed point-by-point answer. On the other hand, a poorly or barely reasoned claim makes this process more difficult and it may receive a more general and probably less committed response from the institution.

Another formal aspect that it would be hardly necessary to mention is the polish of the language used by the author of the suggestion, complaint or claim. Quite simply, it is taken for granted that a minimum correctness of tone and language shall be used to express the suggestion, complaint or claim.

2. Definition of terms

Before actually beginning to develop this General Framework, it is necessary to specify the meaning that we give to the words that are the object of study: *suggestion*, *complaint* and *claim*.

■ **Suggestion**

This is a proposal for improvement that is addressed to the consideration of some person or instance so that it may be taken into account or be incorporated into the ordinary functioning.

The motivation of a suggestion is not based on a harm of rights but on an improvement of the system. In this respect, it should be pointed out that the fact that an institution receives a significant number of suggestions is a positive signal: it indicates that its members feel that they are participants in the institution and that the institution has succeeded in establishing a certain participative and improvement-focused culture.

Suggestions may arise within a very broad range of situations and activities. Within the university framework, suggestions may refer to aspects of positive coexistence, teaching, research, expansion, infrastructures, services, relationship with the surroundings, etc.

The interested party or submitter of the suggestion may be an individual person or a collectivity.

The attention that an institution lends to suggestions and the treatment that it gives them are not regulated by general rules, and they always depend on free choice and on the care that the selfsame institution may wish to grant them.

■ **Complaint**

This is an expression of discontent that is usually not conveyed in a formal way.

In the strict sense, when the interested party expresses a complaint, he or she does not always expect redress.

The motivation of a complaint is not based rigorously on a harm of rights, but rather on a certain negative perception of a situation, of treatment received or of someone's conduct.

The same as in the case of suggestions, complaints may arise within a very broad range of situations and activities (teaching, research, administrative aspects, treatment received, infrastructures, positive coexistence, services, relationship with the surroundings, etc.).

A complaint that is disregarded or poorly handled, in addition to generating dissatisfaction, may become a claim. Consequently, it is important for there to be mechanisms of detection and handling of complaints in order to be able to manage them, the better to serve the users of the institution and to avoid, in the long run, the transformation of complaints into claims.

The interested party or submitter may be an individual person or a collectivity. The procedures for attending to complaints must be flexible and open. The resolution of a complaint does not usually generate jurisprudence.

■ **Claim**

This is a complaint that is conveyed formally to the pertinent instance to request the redress of a situation that the interested party considers unfair or harmful to his or her interests. Within the framework of an institution, a claim entails that the administered person appeals against a decision made by the Administration. Consequently, the person who submits a claim is making a request for review.

The motivation of a claim is based on the disagreement of the interested party with a prior resolution or decision. Therefore, the petitioner is aware of a harm of rights.

Claims are formulated in an individual capacity. Their processing is subject to formal procedures framed in official regulatory schemes, codes, guiding documents, etc. The resolution of a claim may generate jurisprudence.

Lastly, we wish to point out that, within the sphere of universities, we consider that suggestions, complaints and claims form a set of inputs, the qualitative and quantitative analysis of which may be of interest for the satisfactory development of the institutions: user satisfaction studies, detection of weak points or improvable aspects, etc.

In accordance with these considerations, throughout this document we will speak of students' suggestions, complaints and claims relating to the full range of matters existing within the university framework: academic sphere, administrative sphere, positive-coexistence sphere, and the sphere of infrastructures and services.

3. Normative framework for the handling of students' suggestions, complaints and claims

The attention to and respective management of suggestions, complaints and claims require a normative framework as a base or platform from which to assess the content or foresee the possible actions that will be derived from it: how is a claim on assessment to be resolved if no specific rules are available?, how is a complaint on a request for change of enrolment to be resolved without rules that determine the required conditions?

Under no circumstances, however, do we wish to reduce this attention to a mere mechanical normative analysis. The management of these aspects will often evidence legislative gaps, dysfunctions between the will of the legislators and the real effects caused by a rule, new situations that do not allow recourse to be taken to the preceding ones, etc. In short, it elicit conflicts for which the approach and solution go beyond a mere regulatory consultation.

Despite this, in order to avoid management difficulties and a positioning on a high level of arbitrariness and disconcert, it is indispensable for there to be a minimum normative framework.

In general, the universities are subject to a twofold normative framework:

a) **Regulation of generalist character** through Community directives, and laws or decrees that regulate the activity of the Public Administration in general or of the university in particular: European directives, the Act on Administrative Procedure, the Organic Law on Universities, the Catalan Act on Universities, common general guidelines for the establishment of curricula, common general guidelines for each degree, the Decree on the Issuance of Degrees, the Decree on the Third Cycle, the European Space for Higher Education, etc.

This is a type of rules that regulate the general actions of the institution and affect the university system as a whole, but remain distant from the university's day-to-day activity and, above all, from the relations between the university and its main users, the students.

b) A **set of rules that emanate from the selfsame university** in the form of own rules created by the governing bodies, the function of which is to regulate the internal relations within the institution and the relations of the institution with users, whilst establishing clear transparent criteria and objective rules of action: bylaws, permanence system rules, and rules of validation, recognition of free-choice credits, enrolment, assessment criteria, etc.

It is from this perspective that we consider it necessary for the university institutions to have their own rules or adaptations of more general rules to their daily reality.

Accordingly, in this section we wish to present a list of minimum rules that the universities must possess, under one name or another, in order to undertake the management of suggestions, complaints and claims.

Below, what we call the normative framework is structured in **ten blocks**, which range from the most general aspects, such as the regulation of rights and duties, to more specific aspects, such as the content to be presented by own programmes of grants and aids. That is to say, they cover the three major areas of university activity: university services and benefits, administrative actions, and teaching. We have divided each of the blocks into two sections: one on **specific contents**, in which we have enumerated the minimum aspects which we consider that all universities should have under regulation, and another section on **characteristics or remarks**, in which some recommendations are made on the development of the specific contents.

Rights and duties of students [1]   Section 1

Specific contents that should be included

- Basic rights
- Basic duties

Characteristics / Remarks

- Select and include the rights and duties that are considered basic and are already explicitly provided in the rules with which each university has endowed itself (bylaws, regulations, etc.).
- Balance rights and duties.
- Do not seek exhaustiveness: the attempt to concretise all the rights and all the duties could become an endless endeavour.
- Prioritise the rights and duties that, beyond their philosophical aspects, have a clear projection in the life of the institution.

[1] Sections 36, 37 and 38 of the LUC.

Admission and access   Section 2

Specific contents/cases that should be included

- Admission of official, own and university extension educations
- Transfer of academic record
- Students from mobility programmes
- Visiting students

Characteristics / Remarks

With respect to content:

Explain the criteria of admission and selection, which shall have the following attributes:

- They shall be clear, transparent and explicit (not tacit). Admission cannot be denied for reasons not initially stated.
- They must be objective. It is not necessary for them to be quantitative; there may be qualitative criteria, although it is recommendable that they should not be exclusively qualitative (for example, interviews).
- They should be specific and concrete. Instead of using general and ambiguous expressions such as "he or she does not meet the requirements" or "he or she does not fulfil the rules", concrete precise expressions should be used, such as "he or she does not have the required access degree (licenciature)" or "he or she has not accredited completion of the 1st cycle".

With respect to form

- Systems used to notify admission or non-admission: publication or personal communication.
- Basic procedure (terms, etc.)
- Existence of the possibility of claim and statement of how, when and where to exercise it.

Enrolment   Section 3

Enrolment application and modifications

Specific contents that it should include

- Enrolment procedure
- Financial system [2]: regulation of prices, surcharges, method of payment, rebates, fractioned payments, conditionality of grants, etc.
- Academic system: enrolment obligations (enrolable minimum and maximum - if any -, incompatibilities, etc.)

Characteristics / Remarks

The procedure shall specify the terms, resources, etc.

On the financial system:

- State explicitly the consequences of non-payment.
- State explicitly the obligatory or voluntary character of other services or items (student's guide, sports, agenda, school insurance, etc.).

On the academic system:

- State the enrolment obligations (enrolable minimum and maximum - if any -, incompatibilities, etc.).
- Establish an objective system of award of subjects (optional and free-choice) and of groups that will allow changes. It is recommendable that the award criteria should be based on academic aspects (academic record, course in which the student is found, number of credits held, etc.).
- State the rights derived directly from enrolment (see Section 1).

[2] The aspects which the university is not responsible for regulating (decree on prices, announcement of grants of the Ministry of Education, Culture and Sport, etc.) entail the obligation on the part of the university to provide the pertinent information.

Enrolment	Section 3 (continuation)

Cancellation of enrolment

Specific contents that should be included

- Enrolment cancellation procedure
- Financial system
- Academic system

Characteristics / Remarks

- The procedure shall specify the terms, resources, etc.
- Financial system: it should be stated whether it entails the refund of the enrolment payment or not. In the case in which such refund is entailed, the refund hypotheses and the part to be refunded should be stated
- Academic system: state the academic consequences, especially with respect to permanence (normal, as if enrolment had not been carried out, etc.)

Permanence	Section 4

Specific contents that should be included

- Scope of application (when does it apply)
- Minimum and maximum limits of enrolment
- Performance criteria
- Progression criteria
- Mechanism for consideration of exceptions

Characteristics / Remarks

It should be taken into consideration that the rules on permanence were characterised at first by a great rigidity, since the universities had the problem of massification, but today there are clear signs of less stringency in this area and of a notable flexibilisation of criteria. Accordingly, it is necessary to provide a clarification of exceptionality in order to avoid arbitrariness

Teaching — Section 5

Specific contents that should be included

- Programmes
- Academic calendar
- Tutoring timetable
- Non-presencial teaching
- Teaching of practical activities
- Field activities
- External training placements
- Assessment of teaching staff

Characteristics / Remarks

Within the sphere of teaching, the most specific aspects that must be considered revolve around the activities that the students carry out. Consequently, the concrete rules must be set at the highest level of institutional commitment in order to assure the importance of these aspects. It is therefore necessary to establish references for this section in:

- The university bylaws.
- The specific programmes for improvement of teaching.
- The rules that assure rights and set the duties of the students with respect to the teaching that they are to receive.

Assessment — Section 6

Specific contents that should be included

- General criteria of the university. Rights and obligations in this process
- Calendar
- System and algorithm for grading of the subject
- Teacher review dates
- Rules for review by the department or teaching centre
- Criteria to follow in the event of fraudulent actions
- Custody of the documents that are the object of assessments
- Weighting of the academic records and calculation of the graduation grade

Characteristics / Remarks

The university's assessment model must be explained and known.

Throughout the process, it should be recalled that the responsibility for assessment is divided between the departments and the teaching centres. This division of responsibilities should not entail an inadequate definition of attributions or lead to the inhibition of any of the parties involved.

Transfer of credits — Section 7

Specific contents that should be included

- Validations
- Adaptations
- Recognition of free-choice credits and credits for activities of academic interest or non-regulated activities within the sphere of the university
- Recognition of credits linked to mobility programmes

Characteristics / Remarks

In any of the modalities of transfer of credits, it is important to establish agile resolution processes

- In order to avoid arbitrary actions and comparative grievances in the recognition of free-choice credits, it is advisable to define in a closed sure way the set of training activities that will receive this recognition.
- Mobility programmes require a very careful treatment, with a prior commitment between the centre and the student.

Grants and aids — Section 8

Own grant programmes of the university

Specific contents that should be included

- Public announcement of the grant programme
- Application and award times
- Object of the grant, aid
- What is demanded in exchange from the student
- Requirements for the award
  - · Profile of the grant
  - · Financial requirements
  - · Academic requirements
    - Scaling formula for records
  - · Other aspects (distance of trips, etc.)
- Method of receiving the aid
- Causes of incompatibility
- Renewal criteria, if applicable
- Competent body to award the grant, aid
- Publication of the decision

Characteristics / Remarks

In all cases, the aspects relating to the following items should be clearly defined:

- Holiday periods: some services are open, but these are non-academic periods.
- The right to be absent in order to attend training placements or examinations, for illness, for institutional representation, during strike periods, etc.: must these absences be made up?

Grants and aids   Section 8 (continuation)

- What is the dependence with respect to the person in charge of the destination service?
- Follow-up of the degree of fulfilment: is it necessary for there to be a final report from the person in charge?
- If what is demanded in exchange ceases to be provided, what are the effects on future grant programmes, etc.?

External grant programmes managed through the university (general-system grants, mobility grants, etc.)

Specific contents that should be included

- Publicity of the grant programme
- Publicity of the deadlines and method of application
- Time for submission of pertinent documents
- Permanent information on submitted applications
- Notification of rejections
- Information on the possibility of appeal
- Effects of rejection on the conditional enrolment of the grant applicant
- Time for claim of the enrolment fee

Characteristics / Remarks

In these external grant programmes, the role that the university may play in counselling and guiding the students is very important.

Rules and regulations for the use of services and facilities   Section 9

Specific contents that should be included

- IT media
- Library
- Sports facilities
- Reprography service
- Use of student premises
- Restaurant and café services
- Safety and conditions of the facilities for teaching activities
- Use of material
- Information and attention services
- Secretariats of centres
- Administrative services
- Use of common facilities of the university community (classrooms, assembly rooms, etc.)

Characteristics / Remarks

All these options are matters that are connected with the everyday aspects of the students' activity. For this reason, they basically involve a set of elements that should be regulated in the sense of establishing the mechanisms of access to each one, and of defining the consequences that may be derived from the inadequate use of any of the options that are mentioned here.

Participation of students   Section 10

Specific contents that should be included

- Fulfilment of the normative framework
- Rules and regulations of student associations
- Electoral rules for students and their representatives
- Rules for budgetary distribution
- Specific rules of the centres

Characteristics / Remarks

The aim is to establish, on the basis of the general rules, the development of provisions that will regulate the mechanisms of representation of the students and their action in the governance of the university, and that will foster the participation of the students in the life of the university. The regulation of the representation of the students should provide for the following, as a minimum:

1. University teachers' council
2. Governing Council
3. Faculty or school boards
4. Department councils
5. Student collegiate bodies (Student Council, student plenary assemblies, etc.)

4. Organisational framework to handle students' suggestions, complaints and claims

4.1. Organisational elements to considerate

It is important to point out that it is very difficult to establish a single management mechanism in view of the diversity and complexity of the universities of the system. It should be understood that this is a minimum proposal so it does not pretend to deal exhaustively with the various realities that may exist.

Consequently, in this section the aim is not to describe the organisation with which a university is to be endowed, but to point out the elements that, independently of the adopted organisational formula, shall indispensably be considered for the three typologies that we have distinguished: suggestion, complaint or claim. Coherent with the spirit of this document, we adopt the standpoint of the students. As a result of the students' active role in the claim processes, their needs are what determine the organisation that a university is to have, and not the opposite. For example, a university that has centres dispersed in relatively distant areas would do well to assure the existence of several attention and reception points, even if they maintain an institutional unity.

One aspect on which we do not wish to state an opinion is the circumstance of whether the attention points should be specialised or, on the other hand, whether they should coincide with the student attention points for other aspects or formalities (secretariats, academic management, etc.). We consider that all positions are equally justifiable (or criticisable) and may prove to be equally efficient; the important thing is to assess the results obtained with them.

As may be seen, there are common elements that correspond to the three methods of exercising rights that we have discussed. Firstly, among these common elements, all the universities must have one or more reception points for suggestions, complaints and claims. This is not as obvious as it could at first seem. Neither is the mere circumstance of the existence of a reception point sufficient; in addition, it is necessary to promote its acquaintance among students, which also admits different approaches at each university. Consequently, it will be necessary to assess the dissemination, information or publicity that a university provides on this entry point of suggestions, complaints or claims (see Section 5 on information channels).

A second element, which is obligatory for suggestions and optional (but highly recommendable) for complaints and claims, is the voucher of reception. If the university appreciates and, just as has been set out in previous sections,

even has the duty to promote the actions of suggestion, complaint or claim, it must take the opportunity, with respect to the person who has effectively exercised one of these actions, to lend it full attention. Moreover, the students who suggest, complain or claim in a suitable way should receive the gratitude of the institution for the mere circumstance of addressing it to exercise their rights in a responsible way. It is also appropriate to offer ideas on the paths that may be followed by the action that the students have initiated (possibilities of reply, conveyance of the matter involved to the persons in charge, etc.).

Suggestions   Section 11

Considerations

This type of expression of ideas should be understood as an option which does not require a specific reply although as a minimum the voucher of reception should be considered a standard reply formula

Basic organisational schema

1. Reception point of the suggestion
2. Voucher of reception
3. Internal mechanism of its conveyance to the unit or service that is to take charge of its content
4. Conveyance, if applicable, to other internal instances in case that the suggestion may lead to other processes

Complaints   Section 12

Considerations

This expression of discontent does not imply the existence of a prior decision

Basic organisational schema

1. Reception point of the complaint
2. Possibility of voucher of reception
3. Internal mechanism of its conveyance to the unit or service that is to take charge of its content and reply
4. Analysis of the complaint and notification of the assessment of the complaint to the interested person, stating, if applicable, the subsequent procedures of appeal

Claims   Section 13

Considerations

This expression of discontent implies the review of a prior decision, in accordance with the defined legal procedures

Basic organisational schema

1. Reception point of the claim and/or appeal
2. Possibility of voucher of reception
3. Internal mechanism of its conveyance to the unit or service that is to take charge of its content and resolution
4. Administrative and legal analysis of the content, motivated notification of the decision made, and conveyance of this decision to the interested person, stating, if applicable, the subsequent legal procedures of appeal

4.2. Assessment elements of the organisational framework

As is usual in these cases, the following paragraphs do not seek to be exhaustive with respect to all the possible indicators for assessing the functioning of the sphere with which we are dealing. Quite simply, the following comments should be considered an initial or minimum approximation that shall be completed with the specific reality that is to be analysed and the delimited assessment level. Of course, in accordance with this criterion, it is not the same to analyse these processes in a faculty or school as in a series of faculties or schools; or in any case, the assessment unit delimited to an education is not exactly the same for an undergraduate education as for a post-graduate education. Consequently, it should be reiterated that the following are minimum proposals.

Moreover, the matter connected with assessment spheres and topics is not irrelevant here, since it will define the points of attention that should be considered in order to carry out a sufficiently complete assessment. A suggestion, complaint or claim process carried out by a student entails, as a minimum, the existence of four reference points that should be considered. Quite briefly, they may be defined in the following way:

1. Firstly, it is indispensable to identify the point or points where a suggestion, complaint or claim may be lodged.
2. An analysis must be made of the time required to send the voucher of reception.
3. The internal procedures of the circuits for conveyance of the suggestions, complaints or claims to the respective instance must be defined clearly.
4. Lastly, it is necessary to analyse the resolution of the whole process, with special attention to the time elapsed and to the effects that this resolution may entail for the university.

Bearing in mind this simple little management model, consideration must be given to the various possibilities that may arise in each of these spheres; consequently, one must be ready to define distinct specific topics in each case that will allow evidence to be obtained on each of the four initial points. We thus find that one minimum possibility to be considered is the one entailing the lowest possible organisational cost and the maximum yield of critical information. The following chart shows an initial proposal of the topics to be considered.

Assessment elements of the organisational framework   Section 14

Reception point

1. Acquaintance with the personal attention points
2. Existence of computerised points
3. Action and access to the ombudsman
4. Role of the student associations and delegations
5. Existence of special instances

Time to send the possible voucher of reception

1. Written reply
2. Telematic reply
3. Number of suggestions, complaints or appeals received
4. Analysis of their typology (examinations, teaching, services, etc.)

Internal processing and management circuits

1. Existence of previously defined internal circuits
2. Functioning of the distribution of files in the event that there is a single reception point

Generation of the reply and internal impact

1. Existence of legal support for the preparation of the reply, if appropriate
2. Internal mechanisms for assessment of the situation considered
3. Time elapsed between the reception of the complaint or appeal and its reply (in making this calculation, one should discount the time devoted to administrative and/or legal procedures foreign to the university itself)

Lastly, it is necessary to identify a series of specific indicators which, while not within the scope of the general purpose of this document, may possibly be useful for an initial approach to the generation of a veritable assessment tool that is duly formalised and adapted to the reality of each university and/or academic entity. This does not mean a listing of data that are to be obtained to assess the process, but rather a set of formal recommendations to generate quantitative and/or qualitative approximations derived from the general framework that has been sketched out. Consequently, one may consider the following aspects for each of the four minimum spheres that are to be assessed:

1. It is necessary to define whether the diverse instances are known, whether the dissemination of these options among the students is sufficient, and whether there is easy accessibility in all cases.

2. It is feasible to select, in the various instances, a random sample of sufficient size in order to assess the distribution of this aspect, the typologies of suggestions, complaints and/or appeals received, the type of mechanism involved in their reception, etc.

3. It is necessary to assess the existence of internal management manuals for these procedures and whether these manuals are sufficiently complete and well-known; moreover, the degree of fulfilment should be estimated.

4. In this point it is necessary to recall that a best practice consists of quickness in the effective and efficient response to the complaints and/or appeals received, and in the follow-up of the institutional impact that they may have.

5. Information channels

If one wishes conflict to be an opportunity for institutional improvement and progress, this must be so stated to the students. In this respect, for as long as this culture is not achieved in a natural way, there must be numerous channels supplying this information.

In the first place, the primordial role to be played by the teaching staff in this respect should be emphasized. It is evident that interlocution with the students, either individually or as a group, is an essential aspect of the learning process. The quality of this inter-relationship and the institutional spaces that are devoted to it, determine to a large extent the boundaries or levels of commitment of each university with respect to attention to suggestions, complaints and claims. The teacher of each subject, the co-ordinator of studies and the selfsame deanery team, as professionals close at hand and in direct contact with students, shall become the first and foremost catalysts of this culture.

Together with this indispensable contribution of the teaching staff, three fundamental spaces for providing the respective information channels should be noted.

The information channels may be distributed into three main groups:

1. Students who accede for the first time to the university shall have access to the informative documents that will allow them to acquaint themselves with the various rules of order that may affect them. These documents may be delivered to them in the enrolment process or in a welcome event for new students. Since the set of documents is usually voluminous and to avoid a situation in which the forest cannot be seen for the trees, the documents should be divided into two blocks:

   - A short well-selected extract of the aspects that students should not overlook, clearly and explicitly mentioning the good culture of suggestions and complaints.
   - The rest of the material that they may need some day, but which does need to be read indispensably from the beginning.

   The students who are continuing their studies shall be provided a clear listing of the changes that have arisen in the rules from the previous course.

2. Web sites, which shall provide information and the possibility of lodging complaints and suggestions, maintained by:

- the selfsame university
- the respective teaching centre
- the ombudsman's office, as an institution that acts to improve university quality in all its aspects

3. Student information and attention offices, which are essential for the image and the good information that they are to provide.

6. Best practices

In the previous sections we have described a set of institutional requirements that we consider basic in order to correctly attend to and manage the suggestions, complaints and claims that students submit us:

- We have spoken of the need to install ourselves in a "culture" that will interpret conflict as an opportunity for improvement.
- We have presented some minimum basic normative and organisational frameworks to undertake with efficacy the management of suggestions, complaints and claims.
- We have analysed the information channels that shall be placed at the disposal of students to achieve the objective that has been set

Despite it all, the case may arise in which a university has each of these points very well defined while presenting, on the other hand, a low level of efficacy in the management of the aspects studied. In order for this to occur, it is enough for the instance or interlocutor who attends to the student, whether this involves teaching staff or administration and services staff, to show a hardly adequate or hardly receptive attitude. This fact underscores the importance of having a set of "best practices", beyond the proposed requirements, that will assure the desired management.

Without pretending to be exhaustive, the following are some ideas connected with what are called "best practices":

- It is advisable to adopt a public institutional commitment that will set the times within which the university will reply to the requests of the interested parties.
- It is appropriate for the university to establish a comprehensive register of suggestions, complaints and claims, in order to be able to carry out their pertinent follow-up and the respective qualitative and quantitative analysis.
- When the university gives its reply to a request, whether it involves a positive or negative resolution, the reply should be explicitly motivated.
- The university should be aware that the image which users have of the institution depends to a large extent on the personal treatment shown by the persons responsible for direct attention.
- It is important for the collectivity of professionals who will attend to the students in the first instance for the submission of suggestions, complaints or claims, to have a specific training in attention to users (importance, procedures, communication techniques, etc.).

■ The analysis of the collectivity of professionals who attend to users at the start of the process, may be an indicator that provides significant information on the level of commitment of the university in the handling of these aspects:

· In these positions do we usually find newly-arrived persons (temporary staff, interim personnel or new public officials)?
· What is their training level?
· What experience do they have?
· What is the professional image of these positions (low, medium, high...)?

■ Direct attention is usually the main gateway of information (input) on the functioning of the system. If advantage is not taken of this information, which may be significant, we are not contributing to the necessary institutional improvement.

For indicative purposes, we present below some recommendations on a set of attitudes that should be taken into account in attending to students.

Attitudes to be strengthened for attending to students

■ Use active listening from the beginning.
■ Maintain a tone of voice that conveys assurance and respect.
■ State which actions will be taken and within what time.
■ Reason and ground the reply, whether it is positive or negative.
■ Use clear language without technicalities or implicit arguments.
■ Generally, without arbitrariness or favouritisms, the student should be treated as we ourselves would like to be treated when we carry out a formality with the Administration.

Attitudes to be avoided when attending to students

■ Placing the blame on the institution (we are the institution!).
■ Bemoaning one's own employment conditions (lack of means, etc.).
■ Putting off attention completely when the matter falls more closely within the sphere of functions of someone who is momentarily away ("come back again some other day... the person who handles these matters is not here at this time", etc.).
■ Continuing to work or to do different things while attending to users.
■ Demanding or asking users to present their matters as if they were supposed

Lastly, a good management of these aspects is based on the need for each instance and each body of the institution to assume its competences and responsibilities.

7. University ombudsman's offices

7.1. Background

This set of reflections and proposals, which is aimed to assure the good management of suggestions, complaints and claims, would be incomplete if we did not consider an instance that intervenes in a specific way in these matters: the university ombudsman's offices. Roughly and briefly, we will review the appearance and consolidation of this institution, presenting some characteristics that, in our opinion, are necessary in order for it to function well.

As from the recovery of democracy in Spain, taking advantage of the autonomy that was granted by the LRU (Organic Law 11/1983 on University Reform), the universities focused on the introduction of a figure of a special character that would watch out for the defence of the rights and freedoms of all the members of the university community. In this way, after the action of the university structure's own instances, there appeared a last instance of non-executive character for the purpose of acting, ex officio or ex parte, in relation to the complaints and remarks submitted by the members of the university community.

This new figure, the same as the citizens' ombudsmen or the autonomous regional ombudsmen, is based on the characteristics of the Scandinavian ombudsman. Consequently, this figure was not created to take away responsibilities from the executive apparatus, but rather to improve its action and the quality of service of the institutions. In the heart of the complexity characteristic of a present-day university and on the basis of attention to particular cases, the ultimate mission of the university ombudsman is to detect operating problems and to propose their correction or solution.

In 1985, the University of Barcelona became the first Catalan university to define the figure of the ombudsman (although the institution did not go into operation until 1988). The other Catalan universities did not delay in endowing themselves with this institution as well. We thus find that, in the 1990s, all the Catalan public universities possessed their own ombudsman's office.

The new university legislation, that is, the LOU (Organic Law 6/2001 on Universities) of the year 2001 and the LUC (Act 1/2003 dated 19th February on the Universities of Catalonia) of 2003, marked a turning point in the development of the university ombudsman's offices by enacting the obligation of establishing this figure.

In conclusion, in Catalonia the university ombudsman's offices are the result of the free voluntary commitment of each public university, prior to the obligation established by the LOU and the LUC, and they have an important baggage of intervention in the area of endeavour with which we are dealing.

7.2. The ombudsman's offices (3)

Below we wish to emphasize some aspects that are necessary in order to have, on the one hand, an ombudsman's office that can carry out its mission, and on the other, a coherent efficient fit between the ombudsman's office and the ordinary instances provided in the organisation charts of each university for attending to suggestions, complaints and claims.

- The university community must be acquainted with the existence of the ombudsman's office and know when one should resort to it, why one should resort to it and how to address it. The lack of acquaintance with or dissemination of knowledge about the ombudsman will be as negative as the incorrect use of this figure as a first instance. Accordingly, it is absolutely necessary for each university to define, with the style that it prefers but in any case clearly, the why and the how of its ombudsman's office.

- The ombudsman's office should not act as a first instance. When members of the university community address themselves to the ombudsman without having exhausted the ordinary instances and without the urgency of time so justifying, the ombudsman shall point out to the interested parties the body to which they should take recourse and the steps to be followed. Otherwise, instead of contributing to the qualitative improvement of the institutional organisation chart, the ombudsman's office would become a competitive instance with respect to the other bodies.

- The ombudsman's office must have quick easy access to the information that it requires. All the members of the university community shall provide, without delay in time, the data and information requested by the ombudsman's office in the exercise of its functions. Without this condition, it would be impossible for the functions of the ombudsman's office to be carried out correctly.

- The university ombudsman's office must have its own agile communication channels. When the situation so requires, any member of the university community must be able to have easy access to the ombudsman.

- The university ombudsman's office must have suitable human and material resources to carry out its functions with assurance of success.

- The ombudsman's office must be a body that is rooted and present in the life of the university. As in any other instance, the ombudsman's office should be prevented from becoming a sort of decorative figure or one situated excessively on the margin of the university's reality. In this respect, it is highly positive to arrange for its presence, as necessary, as a guest in the various bodies (Governing Council, Social Council, University teachers' council, etc.).

(3) Section 31 of the LUC.

■ The ombudsman's office should periodically inform the university community about the actions that it carries out. It is good for the ombudsman's office, with all due discretion and without breaking any confidentiality, to present or explain to the instances considered pertinent, a report on its actions and on the results obtained over the course of the year.

The path, the conditions and the personal profile are indispensable requirements when choosing the person who is to hold the office of ombudsman. Inasmuch as this institution is not of executive character, to a large extent its efficacy will be derived from the moral authority, recognition and prestige of the ombudsman. Consequently, regardless of whether this person should or should not be a member of the university community, it is of fundamental importance for the institution to lend priority to the human profile and prestige of the proposed person.

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