

CASE SUMMARY

Complaint against the Student Financial Assistance Agency (SFAA) for delay in handling an application under the Local Student Finance Scheme (LSFS) and poor attitude of the processing officer concerned.

The Complaint

The complainant was a student applying for financial assistance under the LSFS. He submitted his application in May 1997. On 16 June 1997, he received a letter from the SFAA requesting him to supply additional information which he did so on 29 July 1997. But on 10 September 1997, he received another letter requesting him to supply some of the documents already requested. He called the processing officer (PO) on 11 September 1997 to clarify on the matter. During the telephone conversation, the complainant felt that PO was very impatient and spoke in a very unpleasant tone.

OBSERVATIONS AND FINDINGS

2. Regarding the complaint point that the SFAA had delayed in handling the complainant's application, this Office notes that the SFAA, upon verification of the documents provided, found that the complainant might be in possession of a current account which had not been reported. On 23 July 1997 the SFAA sent him a letter, requesting him to confirm his possession of the said account and to provide copies of transaction records covering the period from 1 April 1996 to 31 March 1997. The complainant faxed the SFAA a reply on 29 July 1997. In the covering sheet of his reply, he clearly indicated that he had faxed a copy each of the cover of his cheque book, his credit card and his bank statements. But according to the SFAA, the bank statements were not found in the faxed reply.

3. This Office notes from the PO's statement that she was aware that the bank statements were missing, but did not take any immediate action to trace their whereabouts. She claimed that she had tried to contact the complainant by phone a week later but was unable to get in touch with

him. She held the case in abeyance until 8 September 1997 when she issued the complainant with another letter in pursuit of the missing bank statements. By then the case had been shelved for over five weeks. The processing of the application was eventually completed on 22 October 1997.

4. This Office considers that had the SFAA adopted a more proactive approach and taken timely action to request the complainant for the missing bank statements in early August 1997, processing of the application could have been completed at a much earlier time. The Ombudsman therefore concludes that this complaint point is substantiated.

5. Regarding the complaint point on the poor attitude of the PO, the SFAA admitted that there might be some misunderstanding between the applicant and the staff during the telephone conversation. When the Investigation Officer spoke to the complainant, the latter confirmed that it was only the way the PO spoke that made him feel that the PO was impolite and impatient. Given the information available, it appears that there is no circumstantial evidence in support of the allegation and that the PO's expression in pressing for the information required might have displeased the complainant. Having considered all the relevant factors, The Ombudsman is of the view that this complaint point is unsubstantiated.

6. Overall, The Ombudsman concludes that this complaint is partially substantiated.

OTHER OBSERVATIONS

7. This Office notes that the SFAA had a performance pledge of notifying the result to the applicants within three months from the date of receipt of application. At the same time, it is found in the Guidance Notes for Applicants that such period of notification would only apply to applications with complete information. This Office considers that this discrepancy in information provided would possibly lead to misunderstanding among the applicants.

RECOMMENDATIONS

8. In concluding this investigation, The Ombudsman recommends the Controller, SFAA to -

- (a) issue the complainant with a letter of apology; and
- (b) avoid possible misunderstanding by reviewing the SFAA' s performance pledge and/or the Guidance Notes, so that they could correlate with each other.

FINAL REMARKS

9. The Controller, SFAA had suggested some amendments to the draft investigation report but without any justifications. Having carefully considered the matter, The Ombudsman does not accept his request. The Ombudsman also notes with regret that the SFAA has not been co-operative in the course of our investigation by delaying in responding to our queries on two occasions without reasons, hence unduly prolonging the investigation process.

Office of The Ombudsman

Ref: OMB1997/1847

August 1998