

STRATEGY AND GUIDANCE COMPLAINTS PROCEDURE	
INTRODUCTION	<ol style="list-style-type: none"> 1. The Union is committed to providing high quality services and facilities for the Member and all users of its facilities. It is recognised that from time to time problems may occur and that it is important for provisions to be made for complaints and an attempt is made to address any problems to the Member's satisfaction. 2. The Union undertakes to take seriously any complaint that is made and to deal with all complaints speedily and sympathetically. No Student shall be disadvantaged by having made a complaint. The Union also expects that frivolous or erroneous complaints will not be made. 3. This Guidance and Strategy document is intended to provide a framework on how such complaints shall be dealt with by the Union. The Complaints Procedure set out in this Guidance and Strategy document is available to any Student who:- <ol style="list-style-type: none"> 3.1. is dissatisfied in his or her dealings with the Union; or 3.2. claims to be unfairly disadvantaged by reason of having exercised their right to opt out of Union membership. 4. Each area of the Union is responsible for operating an informal mechanism for resolving complaints on a day to day basis.
PREAMBLE	<ol style="list-style-type: none"> 5. Where the complaint cannot be resolved by the Customer Care Policy, or the nature of the complaint is serious, this formal procedure may be invoked. 6. A Student shall have the right to seek such advice as may be necessary to assist in making a complaint and shall be entitled to be accompanied at any meetings that may be called in accordance with this procedure but this person cannot be a professional legal representative who has been employed to act on the student's behalf.
FORMAL COMPLAINTS PROCEDURE	<ol style="list-style-type: none"> 7. Making a Complaint <ol style="list-style-type: none"> 7.1. Complaints shall be in writing by way of:- <ol style="list-style-type: none"> 7.1.1. a standard form which shall be provided for this purpose; or 7.1.2. personal letter

7.2. Complaints may be made about:-

7.2.1. the services and facilities of the Union; or

7.2.2. an individual or group within the Union. In the event of a complaint regarding the conduct or behaviour of a Union club or society, the President (or equivalent) of that club or society will be called to answer.

7.3. It may be appropriate for the CEO to decide that the complaint is dealt with under Strategy and Guidance document: Student Disciplinary Procedures or the Staff Disciplinary procedure. Complaints shall be addressed to:-

7.3.1. the CEO, who may delegate responsibility for dealing with the matter to any person whom the CEO considers to be appropriate; or

7.3.2. the President, but only when the complaint is about the CEO.

7.4. Complaints will not be considered unless the complainant:-

7.4.1. provides details of name, address and contact telephone number (if any);

7.4.2. provides details of the event or occurrence which gave rise to the complaint;

7.4.3. raises the complaint within 10 days of the event or occurrence giving grounds for complaint.

8. Investigation of Complaints

8.1. All valid complaints shall normally be investigated within 10 days of receipt, according to the following procedures:-

8.1.1. investigations shall be conducted by at least 1 (one) and not more than 3 (three) people designated by the CEO or relevant Committee this individual or group of individuals shall be known as the Complaints Panel;

8.1.2. no person involved in the investigation of any complaint shall have a direct or vested interest in the outcome of the same;

8.1.3. all parties to the complaint shall be given an opportunity to state their case and/or present evidence of mitigating circumstances;

8.1.4. all parties to the complaint may be assisted by a representative or friend, without charge or cost to the Union but this person cannot be a professional legal representative who has been employed to act on the student's behalf.

9. Outcome of an investigation

The outcome of an investigation shall be determined immediately after all parties to the complaint have presented their case and any supporting evidence.

The Complaints Panel shall determine:-

- 9.1. all findings of fact; and
- 9.2. any mitigating circumstances; and
- 9.3. appropriate further action, if any.

10. Complaints which are not Upheld

Where complaints are not upheld by the Complaints Panel, they shall be deemed unsubstantiated complaints, and the following procedure shall apply:-

- 10.1. all parties to the complaint shall be advised in writing within 5 (five) Working Days after the date upon which the Complaints Panel came to its determination;
- 10.2. all parties to the complaint shall be informed of their rights of appeal.

11. Complaints which are Upheld

Where complaints are upheld, they shall be deemed justified complaints, and the Complaints Panel shall proceed to consider whether the complaint is principally directed at:

- 11.1. a service or facility; or
- 11.2. a person or group

12. Justified Complaints against a Service or Facility

In the event of a justified complaint against a service or facility, the Complaints Panel shall:-

- 12.1. consider how to prevent any future instances of the event or occurrence which gave rise to the complaint;

	<p>12.2. recommend an appropriate course of remedial action;</p> <p>12.3. advise all parties to the complaint of both the outcome of the complaint and the proposed remedial action within 5 (five) Working Days after the date of determination of the complaint by the Complaints Panel but excluding the day of the determination.</p> <p>13. Justified Complaints Against a Person or Group</p> <p>In the event of a justified complaint against a person or group, the Complaints Panel shall:-</p> <p>13.1. consider whether a breach of the Union's policies or procedures may have occurred;</p> <p>13.2. impose an appropriate sanction, in accordance with the agreed policies and procedures of the Union. That sanction shall be decided by the Complaints Panel who shall take no account of any demands by the complainant for a specific penalty to be imposed;</p> <p>13.3. advise the complainant in writing within 5 (five) Working Days that the complaint has been upheld;</p> <p>13.4. (if it is in its discretion decides to do so) advise the complainant that the Union is to consider further action, but shall not advise the complaint of the specific nature of that action;</p> <p>13.5. advise the person or group against whom the complaint was made of the outcome of the investigation, and of any sanction to be applied, within 5 (five) Working Days;</p> <p>13.6. (if a sanction is to be applied) notify the person or group against whom the complaint was made of any rights of appeal.</p> <p>14. Discipline</p> <p>Appropriate disciplinary remedies shall be determined by the operational policies and procedures of the Union or the Board of Governors / Trustees</p>
APPEALS	<p>15. Rights of Appeal</p> <p>In the event of either party to a complaint being dissatisfied with the decision of the Complaints Panel, the following procedure shall apply:-</p> <p>15.1. the right of appeal shall be exercised within 28 (twenty eight) Working Days of the outcome of the investigation;</p>

	<p>15.2. notification of an intention to appeal shall be made in writing to the Complaints Panel;</p> <p>15.3. the grounds of appeal shall be stated within the written notification;</p> <p>15.4. the appeals shall be conducted by the University Secretary who has been appointed for this purpose by the Board of Governors, or his/her nominee.</p> <p>16. Conduct of Appeal</p> <p>16.1. Appeals shall normally be conducted within twenty eight (28) Working Days of receipt of the notice of appeal.</p> <p>16.2. The University Secretary, or nominee, shall inform the aggrieved party in writing of the outcome of the appeal and of his/her right of further appeal to an independent person within twenty eight (28) Working Days of the University Secretary's decision.</p> <p>17. Independent Person</p> <p>The Board of Governors shall appoint an independent person (or make ad hoc appointments as necessary) to investigate and report on the complaint in question if a party to the complaint is not satisfied with the outcome given under paragraph 16.2. The independent person shall not be a member of the University (staff, student or Governor) but shall be a person of good standing. The Independent Person shall inform both the Complainant, the University Secretary and the Union of his/her findings and recommendations (including any redress).</p>
REPRESENTATION	<p>18. Representation Rights</p> <p>A Complainant shall be entitled to representation at each stage of this procedure provided that this is at no cost or charge to the Union.</p> <p>A Complainant, except for Opted-Out students, may seek advice from the Union's education or welfare advice services provided that there shall be no conflict of interest.</p>