



Complaints Procedure

1. Purpose and preamble

- 1.1 The aim of this document is to clarify and ratify Complaints Procedures of the Union and shall deal with any incident in which a member of the Union is involved with on Union property or activity, or any complaint regarding the Union, its representatives or staff.
- 1.2 From time to time there will be a requirement to update these procedures, this will be done at least every two years.
- 1.3 The Complaints Procedures form an appendix to the constitution and in the event of any conflict the constitution is the overriding document of authority.
- 1.4 The Complaints Procedure includes the provision for the involvement of an 'independent person'. This will be available to all students who are dissatisfied in their dealings with the Union, or claim to have been unfairly disadvantaged for having opted out of membership, they shall have the right to complain and to have that complaint dealt with promptly and fairly.
- 1.5 The Complaints Procedure shall include the capacity for effective remedy if a complaint is upheld.
- 1.6 A copy of the Complaints Procedure shall be kept and made available to anyone, in the Union Offices and on the Union website.

2. Complaints

- 2.1 Complainants may be any students of Bath Spa University, members of the public, applicants, or any other individual or group. Complaints may be made on behalf of students of the College. In such cases the student concerned must support them in writing.
- 2.2 The Students' Union wants to deal with complaints quickly. To this end complainants are encouraged to refer problems directly to the relevant individuals. It is hoped that this will usually produce a satisfactory resolution to the issue. Where satisfaction cannot be achieved in this way, the following procedures apply:
 1. Complaints must be made in writing within three months.
 2. In the case of complaint, the complainant must provide evidence to support their claim.
 3. Unless in exceptional circumstances, complaints may only be upheld if:
 - i. A student feels that she/he has missed out on something by virtue of not being a Union member.
 - ii. A student feels that she/he has not been represented properly by the Union.

- iii. An executive member has missed an appointment with a student, without giving a satisfactory excuse for doing so.
- iv. The allocation to a club or society is considered unfair.
- v. A club or society has not been recognised and the reason for this is unsatisfactory.

v. A union officer is not carrying out their duties satisfactorily.

3. The Procedure

Stage One

1. Complaints should be referred, in the first instance, to the President of the Union, who will keep a log of complaints and their outcomes.
2. The President of the Union shall convene a meeting of the Union Complaints Panel, within ten working days of receipt of the written complaint.
3. The members of the Complaints Panel shall be nominated by the President of the Union in accordance with the guidelines for membership laid down in the Union Constitution. Panel members will be remote from the matter to be investigated.
4. The Union Complaints Panel will discuss the matter with the complainant. It shall then decide one of the following:
 - a. the complaint has not been substantiated and no further action is necessary.
 - b. the complaint has been substantiated but appropriate steps have already been taken to deal with it and no further action is necessary.
 - c. the complaint has been substantiated and an appropriate form of action, also to be determined by the Complaints Panel, shall be taken.
 - d. the matter should be referred to an existing Union procedure
 - e. further investigation is necessary.
 - f. The matter should be referred to the next stage of the complaints procedure.
5. The President of the Union shall inform the complainant of the outcome of this stage within ten working days of the panel's decision.

Stage Two

6. If the complainant is still unsatisfied then she/he and the President of the Union shall jointly approach the Clerk to the Board Of Governors for his/her advice on the matter.

Stage Three

7. If the Clerk to the Board Of Governors Director is unable to advise the Union and the complainant on a suitable and satisfactory course of action, then either shall have the right to ask for an independent arbiter.
8. The Clerk to the Board Of Governors, the Union and the complainant shall jointly approach the Board of Governors, which shall at this request appoint an independent arbiter whose decision shall be final. There shall be a Union Complaints Procedure, including provision for the involvement of an 'independent person.' This should be available to students who are dissatisfied in their dealings with the Union, or claim to have been unfairly disadvantaged for having opted out of membership. The Complaints Procedure shall include the capacity for effective remedy if a complaint is upheld.

4. The Panel

- 4.1 There shall be a Union Complaints Panel elected by Student Council.
- 4.2 The membership of this panel shall be drawn from the following groups:
 - Two members nominated from the Executive Committee
 - One members nominated from the Senior Management Team
 - Two members from the student body.
- 4.3 The Complaints Panel shall carry out the duties described in the Complaints Procedure.
- 4.4 As far as is reasonably practicable, panel members shall be remote fdrom the matter to be investigated.
- 4.5 The Complaints Panel shall meet and will discuss the matter with the complainant, investigate the matter and then reach a decision as outlined in section 1 above.
- 4.6 Should the complainant be unsatisfied with the decision of the Complaints Panel, they are entitled to proceed with section 2 of the procedure.

Approved by:

on:

Implementation Date: 1st July 2005

Review date: by 1st February 2007

Person responsible for review: President

Committee responsible for implementation: Executive Committee

Person responsible for interpretation: President