

BGSU Complaints Policy

1. Introduction

- 1.1. This Complaints Procedure is the formal procedure for dealing with disputes with the Students' Union, in particular complaints arising from disputes between a Full/Associate Member or Opted Out Student, and elected officers, staff and/or the Students' Union itself.
- 1.2. The procedure allows any student, group of students or other member of Bishop Grosseteste University ('the University') to make a formal complaint(s) against Bishop Grosseteste Students' Union ('The Union') relating to their treatment by the Union, or anyone acting on the Union's behalf. The procedure shall also cover complaints made by individuals that feel they have been unfairly disadvantaged by reason of having exercised their right to opt out of membership of the Students' Union.
- 1.3. This Complaints Procedure shall be interpreted to comply with the terms of the Education Act (1994).
- 1.4. Where time limits for action are defined, they are to be considered as maximum limits; all complaints and appeals will be dealt with in confidence and as promptly as possible. Where there is good reason why a time limit cannot be met, the complainant(s) will be informed immediately if such a situation becomes apparent (this is more likely to occur during University non-teaching periods).
- 1.5. Efforts should be made in every case to resolve the complaint(s) informally with the individual(s) at the source of the grievance before this procedure is invoked.

2. Making a Complaint

- 2.1. Complaints should be submitted by filling out a complaint form which can be found on the Students' Union Website. Complaints should be addressed to the **President** unless the complaint concerns the President, in which case they should be addressed to the **Vice President: Education**. The complaint should be handed in to the Students' Union Reception, or sent to:
Bishop Grosseteste Students' Union
Longdales Road
Lincoln
LN1 3DY
- 2.2. Complaints may be made about:
 - 2.2.1. The services and facilities provided by the Students' Union, or
 - 2.2.2. Behaviour of an individual or group within the Students' Union, in so far as their behaviour or actions are related to poor or inadequate service.
- 2.3. Complaints shall be considered valid if the complainant, using the complaint form:
 - 2.3.1. Provides details of their name, address and contact telephone number (if any).

- 2.3.2. Provides details of the event or occurrence, which gave rise to the complaint.
- 2.3.3. Raises the complaint within 28 days of the event or occurrence giving grounds for complaint.
- 2.3.4. Indication is given of the outcomes expected as a result of the complaint.
- 2.4. All valid complaints shall be investigated

3. Investigation of Complaints

- 3.1. At the beginning of the investigation, a named investigator will be chosen:
 - 3.1.1. The **President** will normally investigate complaints about the Students' Union Manager, elected representatives and Executive Team members
 - 3.1.2. The **Students' Union Manager** will normally investigate complaints about Sabbatical Officers, staff (including student staff), commercial and non-commercial services.
 - 3.1.3. The named investigator may delegate responsibility for the investigation into the complaint to the following where appropriate;
 - 3.1.3.1. The **Vice President: Education** can be delegated to investigate complaints about the Students' Union Manager, elected representatives and Executive Team members.
 - 3.1.3.2. The **Students' Union Manager** can be delegated to investigate complaints about elected representatives and Executive Team members.
 - 3.1.3.3. Appropriate Students' Union Staff members can be delegated to investigate complaints about elected representatives and Executive Team members. This must be authorised by the Students' Union Manager or the President.
- 3.2. The complaint will be given a reference number to be used in all correspondence of the case, and for the Union's recording the investigation. This will be the month and year short numeric form, followed by a three-digit number representative of the number of complaints received that month. The seventh complaint submitted in March 2015 will have the reference number 03.15.007.
- 3.3. The investigator will acknowledge receipt of the complaint in writing within 5 working days. The acknowledgement will include an explanation of the investigation process, a statement addressing that the complainant's identity cannot be anonymous and, if necessary, an appeal for more information concerning the investigation. A copy of the Complaints procedure and scanned copy of the complaint form should be attached.
- 3.4. The investigator will notify the Complainee (the recipient of the Complaint, and providing the Complainee is not a service or facility) of the complaint within 5 working days. The notification will include an explanation of the investigation process, a copy of the complaint details (from the complaint form), and an appeal for statements from

the complainant on the complaint details. A copy of the Complaints procedure should be attached.

3.5. Guidelines for Investigations of Complaints:

- 3.5.1. Investigations shall be conducted by the named investigator (see above).
- 3.5.2. No person involved in the investigation of any complaint shall have a direct or vested interest in the outcome of the same.
- 3.5.3. All parties to the complaint shall be given an opportunity to submit written and oral statements and present appropriate evidence, including evidence of mitigating circumstances.
- 3.5.4. All parties to the complaint may be assisted by a representative or friend, without charge or cost to the Students' Union.
- 3.5.5. An employee (including student staff) may be suspended from work on full pay, normally for no more than 20 working days, if the Students' Union considers that the individual's continued presence at work will jeopardise the proceedings.

4. Outcomes

- 4.1. The outcome of an investigation shall be determined immediately after all parties to the complaint have presented their case and any supporting evidence. The person(s) conducting the investigation shall determine:
 - 4.1.1. All findings of fact, and
 - 4.1.2. Any mitigating circumstances, and
 - 4.1.3. Any appropriate further action
- 4.2. The results of the investigation communicated to the complainant within 10 working days of receipt of the Complaint Form by the named investigator.

4.3. Justified Complaints against a Service or Facility

In the event of a complaint which is upheld against a service or facility, the following procedure shall apply:

- 4.3.1. The named investigator shall consider how to prevent any future instances of the event or occurrence, which gave rise to the complaint, and propose remedial action to the President.
- 4.3.2. The named investigator will confirm in writing the outcome of the investigation to all parties to the complaint within 10 working days of receipt of the original complaint form.

4.4. Justified Complaints against a Person or Group

In the event of a complaint which is upheld against a person or group, the following procedure shall apply:

- 4.4.1. If the person(s) conducting the investigation considers that there has been a breach of the Constitution, Staff/Student Protocol, Equal Opportunities Policy or the relevant Code of Conduct then the Disciplinary Procedure will be invoked.

4.4.2. The complainant shall not have a right to demand that the Disciplinary Procedure is invoked, or that sanctions should be imposed.

4.4.3. The person investigating the complaint (if not the President) will inform the President (or the Vice President: Education in the case of a complaint against the President) immediately of the outcome of the investigation. The President (or the Vice President: Education in the case of a complaint against the President) will confirm in writing the outcome of the investigation to all parties to the complaint within 10 working days of the receipt of the original complaint form.

4.5. Complaints which are not upheld

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

4.5.1. The named investigator will confirm in writing the outcome of the investigation to all parties to the complaint within 10 working days of the receipt of the original complaint form.

4.5.2. The complainant will be informed by the named investigator of their right to appeal through the University procedures.

5. Vexatious Complaints

5.1. Anyone found to be making a complaint which could be considered vexatious or malicious may be subject to the Disciplinary Procedures of the Students' Union.