

# Student Complaints Procedure

## January 2017

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### 1.0 Policy Summary

- 1.1 This policy was adopted by Solent Students' Union Leadership Team in January 2017. The policy will be reviewed no later than January 2019.
- 1.2 This policy and procedure applies to all students wishing to make a complaint about:
  - 1.2.1 Elected representatives – Sabbatical Officers, Student Officers, Student Trustees, Course Reps, Student Council Chair;
  - 1.2.2 Solent Students' Union Staff;
  - 1.2.3 Solent Students' Union's services (Advice Service, volunteering opportunities, societies, campaigning, Student Council, Officer Committee, elections, the AGM, the Students' Union Café Bar, the Students' Union Welcome Centre, and other commercial services)
- 1.3 This policy aims to resolve all student complaints in a fair and consistent manner.
- 1.4 This policy will ensure a fair approach to investigation and any subsequent action for all matters where it is believed that accepted standards are lacking to a level that may be detrimental to Solent Students' Union, the University or the community, or student members, or where a breach of conduct is suspected to have occurred. Standards of conduct are those defined by the Union's policies, rules and procedures, legal requirements, elected representative role descriptions, staff policies and the members' code of conduct (Bye-law 15).
- 1.5 If you would like any support in understanding this policy or with any of the processes explained within this document please contact the Students' Union President or a member of the Sabbatical Officer team; email at [su.president@solent.ac.uk](mailto:su.president@solent.ac.uk), telephone on 023 8031 3553 or visit the Sabbatical Office on the first floor of the Students' Union building.

## 2.0 Complaints

2.1 Solent Students' Union is open to student feedback and encourages students to speak to our team about any concerns you may have. We recommend that you speak to a member of the Sabbatical Officer team about your concerns in the first instance to see if we are able to support you. If you do feel like you would like to make a formal complaint, please follow the process listed below.

2.2 There are two types of complaints you can make:

A complaint directed at the democratic or governance environment of the organisation, such as:

- A decision made at Student Council;
- The actions of an elected representative.

Or any Students' Union service, such as:

- The Advice service, volunteering opportunities, running of societies, running of Student Council, Officer Committee, Elections, the AGM, the Students' Union Café Bar, the Students' Union Welcome Centre, and other commercial services;
- The action of a Solent Students' Union staff member.

2.3 If you have been unable to share your feedback, you should take a complaint informally to a Sabbatical Officer. If your complaint is about a Sabbatical Officer, then it should be taken to the President. If your complaint is about the President, it should be taken to a different Sabbatical Officer. If all Sabbatical Officers are involved in the complaint, then it should be taken to the Chief Executive. Contact details for all Sabbatical Officers and the Chief Executive can be found on our website at [www.solentsu.co.uk](http://www.solentsu.co.uk).

2.4 If your complaint is about a Sabbatical Officer, Student Officer or any other directly elected representative, and involves action within their elected remit, the complaint may be dealt with via section 4.0 of this document. If the complaint refers to the actions of an elected representative as a student outside of their elected duties, then the complaint may be dealt with under the Student Disciplinary Policy

## 3.0 Informal Process

3.1 All complaints will begin with an informal discussion between you and a member of the Union team aimed at resolving your concerns in the first instance.

3.2 If informal discussion is unable to resolve the issue, we would seek to offer arbitration or mediation as a further informal resolution:

- Mediation is a process whereby a person who is not involved in the complaint works together with the involved parties to try and achieve a resolution. This is usually through informal meetings. The Mediator may be a Sabbatical Officer or staff member.

- Arbitration is a process whereby an independent person collects information on the issue from both parties, and suggests a resolution based on this evidence. The arbiter may be a person from an external body such as the National Union of Students, or the University.

### **3.3 Mediation**

3.3.1 Solent Students' Union will aim to arrange mediation within ten working days of this being agreed as the appropriate method to resolve your complaint.

3.3.2 The Mediator can be either a Sabbatical Officer or staff member. They must be a neutral party who should not be an expert in the area of dispute, or personally involved as a named party within the dispute.

3.3.3 Both parties must agree on the Mediator.

3.3.4 The outcome must be agreed in writing by both parties, after a meeting(s) arranged by the Mediator. If no agreement is reached the dispute will be taken to the formal stages as outlined below.

### **3.4 Arbitration**

3.4.1 Solent Students' Union will aim to arrange arbitration within ten working days of this being agreed as the appropriate method to resolve your complaint.

3.4.2 The Arbiter will be an expert appointed by the Union on the basis of knowledge and experience. Both parties must agree on the Arbiter.

3.4.3 The Arbiter cannot be a Students' Union staff member or Sabbatical Officer, and must be independent from the Students' Union. This may include either a University staff member, or someone from an external party, such as the National Union of Students.

3.4.4 The outcome must be arranged by the Arbiter for the best and fairest outcome that fits within the Vision, Mission and Values of Solent Students' Union.

3.4.5 Both parties must agree to the Arbitration in writing for it to be upheld. If no agreement is reached, then the dispute is escalated to the formal stages.

3.4.6 In most cases, informal discussion should resolve any difficulties identified. If this is not the case, the formal procedure as outlined below should be commenced.

## **4.0 Democratic/Governance Complaints**

4.1 Democratic or Governance complaints are those involving the behaviour and decisions of Solent Students' Union members and political committees in their capacity as elected representatives and decision makers. These include complaints concerning the Union's Memorandum and Articles of Association and Bye Laws, rules, democratic structure, and Student Council. Political complaints include, but are not restricted to;

- Complaints regarding the behaviour of a Sabbatical Officer, Student Officer, Course Rep or other directly elected representative;
- Complaints regarding the rules set out in the Memorandum and Articles of Association and Bye Laws;
- Complaints regarding the failure of Student Council to enforce a Union policy.

4.2 If you are not sure whether your complaint is Democratic/Governance or about our operational services, you can seek advice from the Students' Union President. If your complaint involves the President you can speak with another Sabbatical Officer or the Chief Executive.

### **Formal Stages**

#### **4.3 Bye Laws**

4.3.1 If your complaint is about one of Solent Students' Union's Bye Laws and you would like to make a change, you can submit a motion to Student Council using the motions form, which can be found at <http://www.solentsu.co.uk/voice/committees/studentcouncil>.

#### **4.4 Behaviour of an Elected Representative**

##### **Stage One**

4.4.1 If your complaint is about the behaviour of an elected representative, you should put your complaint in writing to the Students' Union President. If the President is also involved in the complaint, your complaint should be taken to a different Sabbatical Officer. The Student Involvement Manager should be copied in to the correspondence. The written complaint should include as much detail as possible, for example the date and timing of any incident, names of the person(s) involved, evidence where possible, and what you see as an appropriate outcome. You should include your contact details so we are able to get back to you with a response. An acknowledgement of receipt of the complaint will aim to be dispatched within five working days. All contact details for Sabbatical Officers and Students' Union staff can be found at <http://www.solentsu.co.uk/about/contactus>. If you are unable to put a complaint into writing or have any accessibility issue with presenting your complaint, contact one of the Sabbatical Officers to discuss how best to continue.

4.4.2 You will normally have written confirmation of whether any action will be taken, with details, within ten working days of the receipt of complaint being confirmed. This is to allow the Leadership Team to sit and discuss the complaint. If this has not been possible, then you will be contacted every five working days until the Leadership Team has reached a decision.

4.4.3 If action is to be taken, the Leadership Team will delegate a Sabbatical Officer to investigate the complaint. The investigator will then have ten working days to provide a result of their investigation. If the complaint is not upheld, you will be informed as such.

4.4.5 If the result of the investigation is for action to be taken, the elected representative in question will have 28 days in which to achieve the appropriate outcome. This will be decided upon by a panel of Student Council and the original complainant, who has the right to additional independent representation on this panel.

4.4.6 In most cases informal discussion should resolve any difficulties identified. If the individual or student group fails to improve or sustain improvement, stage two of the procedure as outlined below should be commenced.

#### **4.5 Stage Two**

4.5.1 The final stage of the procedure may be for the complainant to call a vote of no confidence in the elected representative in question, as per the rules set out in Bye Law 10 of Solent Students' Union's Bye Laws, which can be found at <https://www.solentsu.co.uk/about/publications>

#### **4.6 Complaints regarding Student Council**

4.6.1 If there is a complaint regarding the operation of Student Council, then you may submit a Procedural Motion to Student Council, according to Bye Law 4.7 of Solent Students' Union's Bye Laws.

4.6.2 If your complaint is regarding the actions of Student Council, or their supposed failure to uphold policy, the complainant should put their complaint in writing to the Students' Union President, or another Sabbatical Officer if the complaint involves the President in any way. The Student Involvement Manager should be copied in to the correspondence. The letter should include as much detail as possible, for example the date and timing of any incident, names of the person(s) involved, concrete evidence if possible, and what the complainant sees as an appropriate outcome. The complainant should include their contact details for a response. An acknowledgement of receipt of the complaint will be dispatched within five working days.

4.6.7 You will have written confirmation of whether action will be taken, with details of the action, normally within ten working days of the receipt of complaint being confirmed. This is to allow Leadership Team to sit and discuss the complaint. If this has not been possible, then you will be contacted every five working days until Leadership Team has reached a decision.

4.6.7 If the Leadership Team decide action should be taken, they will delegate a Sabbatical Officer to investigate the complaint. The investigator will then have ten working days to provide a result of their investigation. If the complaint is not upheld, you will be informed as such.

### **5.0 Operational Complaints**

5.1 Operational complaints are those not relating to the Union's democratic structure, elected officers or representatives, Memorandum and Articles of Association or Bye Laws, and procedures. These complaints will involve the quality of a service provided by the Union or the behaviour of a Union member or staff. Operational complaints include, but are not limited to;

- Complaints regarding the price, quality or service within any Solent Students' Union commercial outlet;

- Complaints regarding the availability and scope of services offered at non-commercial departments of Solent Students' Union (such as the Course Reps, Student Advice Service, non-commercial events e.g. Freshers Fayre);
- Complaints regarding the provision of volunteering and societies;
- Complaints regarding any written or visual communication disseminated by Solent Students' Union;
- Complaints regarding the behaviour and conduct of staff members.

## 5.2 Formal Stages

### Stage One

5.2.1 A complaint regarding commercial or non-commercial services should be sent in writing to the Students' Union Chief Executive at [lorna.reavley@solent.ac.uk](mailto:lorna.reavley@solent.ac.uk). If the complaint is regarding the Chief Executive, then it should be sent in writing to the Students' Union President. An acknowledgement of receipt of complaint should be with the complainant within five working days. If you are unable to put a complaint into writing or have any accessibility issue with presenting your complaint, contact the Chief Executive to discuss how best to continue.

5.2.2 You will normally receive written confirmation of whether any action is due to be taken, within ten working days of the receipt of complaint being acknowledged.

## 6.0 Appeals

6.1 You can, if you wish, appeal the outcome of your formal complaint.

6.2 The appeal will be dealt with by a member of the Trustee Board. The appeal hearing will consider the original decision taken. You will have the opportunity to put forward the following:

- New evidence which was not available during the first hearing and/or
- Criticisms or challenges to the original decision making process such as a failure to follow the correct procedure or a failure to provide a fair hearing.

6.3 The Chief Executive will confirm receipt of your appeal request and the decision regarding whether there are grounds for appeal. This will be in writing, and will aim to be within ten working days.

6.4 The appeal hearing decision is final and there is no further right of appeal.

6.5 To further a complaint at this stage, the Charity Commission must be contacted. Details of which can be found at [www.charitycommission.gov.uk](http://www.charitycommission.gov.uk).

## 7.0 Misuse of the Complaints Policy

7.1 Any person found in abuse of the complaints policy, for example by deliberately making clearly false accusations, may be disciplined by Solent Students' Union through the Student Disciplinary Procedure, which can be found at [www.solentsu.co.uk](http://www.solentsu.co.uk)

## 8.0 Further Information

8.1 For further information about the contents of this document, please feel free to contact the Students' Union President or the Chief Executive. Contact details are available at <http://www.solentsu.co.uk/about/contactus>.

8.2 Solent Students' Union is an organisation that strives for improvement. If you have any suggestions as to how this document could be improved, please contact the SU President.