

# BYE LAW TEN: MEMBERS' COMPLAINTS PROCEDURE

## 1. General Information

- 1.1. This complaints procedure is applicable only to members of Staffordshire University Students' Union. It is designed to be complementary to the University Complaints Procedure.
- 1.2. Complaints cannot be anonymous or made by third parties
- 1.3. If a third party is named as part of any complaint, the Union must notify them as to their inclusion.
- 1.4. Confidentiality will be maintained by the person dealing with the complaint and the complainant will not be discriminated against or suffer recriminations as a result of making a complaint, although the Union reserves the right to take action as necessary against anyone who makes a complaint which is subsequently found to be malicious or vexatious.
- 1.5. All complaints will be dealt with under this procedure. However, where a complaint is in direct relation to a service provided by the Union and managed by staff, the President or relevant Executive Officer may refer the complaint to the appropriate Senior Manager who will respond appropriately.

## 2. Verbal Complaint

- 2.1. Verbal complaints will be treated as informal complaints.
- 2.2. The following points summarise this policy:
  - Approaches may be made to any Union Officer or staff member where the complaint relates to an area or service under their responsibility.
  - The person responsible for the area or issue will seek to resolve the complaint without recourse to the formal procedure.
  - If the complainant is dissatisfied with the outcome they should make a formal complaint as detailed below.
  - A record of all informal complaints shall be kept at Front of House (FOH) and regularly monitored

## 3. Formal Complaints

- 3.1. Formal complaints should be made using the complaints form available on line or from the offices of the Students' Union.
- 3.2. The complaint should include:
  - Complainants' name and contact address or telephone number.
  - The nature of the complaint.
  - Any action taken by the complainant to resolve the situation.
  - Any action taken by the Union to resolve the situation.
  - Preferred course of action to resolve the complaint.
- 3.3. Receipt of formal complaints must be acknowledged in writing by the Union within 48 hours.
- 3.4. Investigations into the complaint will be conducted by the appropriate Manager or Officer.
- 3.5. If the complaint is in relation to any staff member of the Union then the matter shall be referred to the appropriate line Manager who will investigate and may invoke the Staff Disciplinary and/or Grievance Procedures of the Union.

- 3.6. If the complaint relates to a line Manager it will be referred to a member of the Senior Management Team (SMT)
- 3.7. If the complaint relates to a member of the SMT, it will be referred to the Chief Executive or in cases involving the Chief Executive to the President.
- 3.8. If the complaint relates to an Officer it should be referred to the President or if it relates to the president referred to the Chief Executive
- 3.9. The Union may consider invoking the members' disciplinary procedures, if complaints are vexatious or malicious. A vexatious or malicious complaint is a complaint, which is trivial or untrue, including, for example, attempts to defame the name or character of another person.

#### **4. Investigation of Complaints**

- 4.1. Complaints will ordinarily be resolved within ten working days of receipt of the written complaint.
- 4.2. The complainant must be notified of any undue delay in resolving the complaint as soon as possible.
- 4.3. The complainant will be notified of the result of the complaint in writing as soon as possible after the conclusion of the investigation.
- 4.4. If the complaint is upheld, the following courses of action are available:
- 4.5. If the complaint is against the Union the investigating Officer will advise the complainant in writing of the course of action to be taken to rectify the complaint
  - If the complaint is about a Trustee, then it will be dealt with according to the relevant provisions of the Constitution and byelaws.
  - If the complaint is about a member of staff, then it will be referred to the appropriate senior manager who will take the appropriate action.
  - If the complaint is against any member of the Union other than a staff member or Trustee then it will be dealt with using the Members Disciplinary Procedure.

#### **5. Stage Two – Trustee Board review**

- 5.1. Should the result of the investigation not be satisfactory to the complainant then they may write to the Board of Trustees, who will identify an external Trustee or university appointed Trustee, who have not been involved with the complaint, to investigate further.

#### **6. Stage Three – Independent Review**

- 6.1. Should the result of the Trustee investigation not be satisfactory to the complainant they may write to the Dean of Students who will arrange for the matter to be considered by an independent member of University Staff.