

**Students'  
Union**  
Bath Spa

**BATH SPA STUDENTS'  
UNION**

**Complaints Policy**

## **1 Introduction**

- 1.1 The Students' Union is run by students on behalf of students. It is ambitious and aims to deliver high quality services and facilities for the benefit of Bath Spa University students.
- 1.2 We want to ensure that the Students' Union is an organisation its members are proud of, that staff and officers are proud to work in and that our partners are proud to be associated with.
- 1.3 We encourage feedback and comments, both positive and negative, as these help us ensure we are continually striving to achieve our ambitions. However we also recognise that occasionally things can go wrong and the purpose of this document is to provide clear guidelines on how complaints can be raised and outline how complaints will be dealt with.
- 1.4 From time to time there will be a requirement to update these procedures; this will be done at least every four years.
- 1.5 The Complaints Procedure forms an appendix to the Union's Constitution and in the event of any conflict the Constitution is the overriding document of authority.
- 1.6 The Complaints Procedure includes the provision for the involvement of an 'independent person' in line with the Education Act 1994 and the Union's Code of Practice.
- 1.7 All complainants shall have the right to complain and to have that complaint dealt with promptly and fairly.
- 1.8 The Chief Executive Officer shall be responsible for implementing this policy and be responsible for keeping a log of all complaints received and their outcomes.
- 1.9 The Union will keep a complaint confidential in as far as is necessary to comply with its data protection obligations. No complainant or person complained against will be discriminated against while the complaint is being dealt with. We may deem it necessary to divulge certain information if the Union believes there is a Health and Safety risk.

## **2 Who can complain?**

- 2.1 This procedure is 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.
- 2.2 Complainants may be any student(s) 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 University. In such cases the student concerned must support the complaint in writing.

## **3 What can I complain about?**

- 3.1 These procedures shall deal with any incident with which a member of the Union is involved with that takes place on Union property, or as part of a Union activity, or any complaint regarding the Union, its representatives or staff.
- 3.2 A complaint is any expression of grievance that the Union has failed or is failing to meet reasonable expectations, or that a member of staff or an Officer of the Union has behaved or is behaving unreasonably.

- 3.3: A complaint may be made about any third party organisation that the Union is working with, either through a formal contract or an informal basis.
- 3.4 Issues that can be considered under this procedure include:
- i. Where a student feels that she/he has missed out on something by virtue of not being a Union member.
  - ii. Where a student feels that she/he has not been represented properly by the Union.
  - iii. Allegations that an executive member has missed an appointment with a student without giving a satisfactory reason 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.
  - vi. A union officer has not or is not carrying out their duties satisfactorily.
  - vii. Where a member believes the Union is failing to meet reasonable expectations.

#### **4 How will the Union deal with other issues or types of complaint?**

- 4.1 The Complaints Procedure will not be invoked in response to anonymous complaints as we are unable to respond to the complainant. However, any anonymous complaints received will be recorded in the complaints log and circulated to the relevant line manager(s) for noting.
- 4.2 Complaints must be deemed to be genuine for the Complaints Policy to be invoked. The Chief Executive may refuse to hear complaints s/he considers to be vexatious or frivolous. In these circumstances the complainant would be advised of the reason for the decision.
- 4.3 Complaints made against students may be referred to the Student disciplinary procedure if that is deemed more appropriate.
- 4.4 Complaints regarding staff or staffing matters are dealt with in accordance with the Union's Staff / Student protocol.
- 4.5 Complaints regarding the elections of officers and representatives should be made through the elections procedure.
- 4.6 Complaints made against third parties shall be referred to the third party to follow their complaints procedure. The Union must return the outcome to the complainant. The Union may choose to review its existing working relationship or contractual arrangements with this party as a result of the complaint.

#### **5 The Procedure**

##### **5.1 Stage One – Informal complaint**

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 complainant should follow the formal procedure.

## **5.2 Stage Two – Formal Procedure**

- 5.2.1 If a complainant feels unable to refer problems directly to the relevant individuals or considers that they did not receive a satisfactory outcome from doing so, they should write to the Union's Chief Executive citing the reasons for their complaint.
- 5.2.2 Complaints must be made in writing within three months of the original incident/issue occurring. Unless there are exceptional circumstances, the Union will not hear a complaint which is raised more than three months after a perceived service failure.
- 5.2.3 The complainant must provide evidence to support their claim.
- 5.2.4 The Chief Executive shall convene a meeting of the Union Complaints Panel, within ten working days of receipt of the written complaint.
- 5.2.5 Panel members will be remote from the matter to be investigated. The panel shall include:
- The President (or in the case of a complaint against the President, this should be another Student or Sabbatical officer)
  - The Chief Executive Officer or their nominee
  - Two representatives from the Board of Trustees.
- 5.2.6 The Union Complaints Panel will meet with the complainant to discuss the matter. It will then decide upon an appropriate response, which will be 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 or external advice is necessary.
- 5.2.7 The Chair of the Complaints panel shall inform the complainant of the outcome of the meeting within ten working days of the panel's decision.

## **5.3 Stage Three - Appeals**

- 5.3.1 In accordance with the Education Act 1994 and the Students' Union Code of Practice the University's Board of Governors has appointed an independent person to act on its behalf if a complainant feels that their complaint has not been satisfactorily dealt with under the formal Complaints Procedure. The Board of Governors appointee is the University Complaints Officer.
- 5.3.2 If the complainant is dissatisfied with the outcome of the formal procedure they should refer their complaint in writing to the University Complaints Officer.
- 5.3.3 The decision of the independent arbiter is final.