

The Students' Union at UWE - General Complaints Procedure

1. Introduction

This procedure shall apply to all complaints except those made by members of The Students' Union at UWE (The Students' Union) about the behaviour of other members of The Students' Union. Those complaints shall be dealt with under Bye Law 7 of the Constitution of The Students' Union.

2. Definitions

2.1 The person making the complaint shall be referred to throughout this document as "the complainant."

2.2 The term "elected officer" shall, for the purpose of this document refer to all of The Students' Union Presidents and Officers that have been duly elected.

2.3 The term "SMT" shall mean the Department Managers and CEO of The Students' Union.

3. Non-Disclosure

To ensure The Students' Union protects staff and maintains a confidential relationship with and between those involved in any complaint, information relating to the complaint will not be discussed with any third party. The exception to this is where the matter is of such a serious nature that it has to be referred to the university or the police.

4. Informal Action

Where possible, The Students' Union will try to resolve matters informally by discussing issues with those involved however, if for any reason they are unhappy with the outcome of the informal action, they may choose to proceed to the formal stage as detailed in section 5 below.

5. Reporting of a Complaint

5.1 Complaints should be in writing to the CEO of The Students' Union.

5.2 The Complaint Form is located at: www.thestudentsunion.co.uk/

6. Acting on a Complaint

6.1 The CEO shall either authorise an investigation or write to the complainant explaining why the complaint is not being pursued.

6.2 The complainant shall be informed, in writing of the proposed action being taken, within 5 working days of the complaint being raised.

7. Investigation of a Complaint

7.1 The complaint will be investigated by an elected officer and a member of The Students' Union SMT.

7.2 The investigation shall be completed within 10 working days of the complaint being received. This can be extended if the investigation is complex, the complainant shall be informed of any such extension.

7.3 The recommendations from the investigation are to be sent to the CEO.

8. The Resolution of the Complaint

8.1 The CEO shall review the results of the investigation and then decide what action should be taken.

8.2 The CEO may take any such actions that are appropriate, depending on the nature of the complaint.

8.3 The decision shall be communicated in writing to the complainant within 5 working days of receiving the results of the investigation.

9. Appeal Process

9.1 Appeals against the decision may be made within 10 working days.

9.2 The appeal must be in writing to the Secretary of the Appeals Committee, stating the reasons for the request and the outcome being sought.

9.3 Appeals can normally only be made on the grounds; of significant new evidence that has not been considered, that the correct process has not been followed, the decision is irrational or a disproportionate sanction has been imposed.

10. The Appeals Committee

10.1 The Students' Union Appeals Committee shall comprise:

- a) An elected President,
- b) Another trustee;
- c) A member of The Students' Union SMT or their nominee;
- d) The Universities Head of Complaints & Appeals or their nominee (as Secretary).

10.2 No member of the Appeals Committee shall have either a conflict of interest or previous involvement with the matter under consideration.

10.3 Appeals will be heard as soon as practicable possible after the appeal has been submitted.

10.4 The appeal hearings will follow the procedures laid out in section 11.

10.5 The Appeals Committee has the authority to change or confirm the decision and / or the sanctions issued by the CEO.

10.6 The decision of the Appeals Committee is final and binding.

11. Appeals Committee Hearing

11.1 The meeting will proceed in the following manner:

- a) The results of the investigation will be presented by the CEO;
- b) Witnesses, including the complainant, will be called if appropriate;
- c) The members of the Committee will have the opportunity to ask questions of witnesses;
- d) The Complainant will have the opportunity to attend, speak and ask questions of witnesses;
- e) The Complainant can be accompanied at the hearing;
- f) Everyone apart from members of the Committee will leave the meeting;
- g) The Committee will make a decision based only on the evidence presented.

11.2 All issues raised at the Appeals Committee are confidential.

12. Other Matters

12.1 Records of all investigations will be kept for the duration of 3 years.

12.2 The Students' Union reserves the right, where appropriate, to reopen an investigation at any stage.

12.3 The Students' Union can bring procedures against a complainant, if a complaint is deemed to be malicious or vexatious.