



Complaints Procedure:

1 Scope:

- 1.1 This policy should be used when an individual wants to make a complaint about a service offered by Beds SU or an employee employed by Beds SU.
- 1.2 This procedure applies to all individual matters relating to Beds SU, except where other formal procedures have been approved (e.g. sports and societies code of practice, and election rules and regulations). Where an individual has used such procedures and remains dissatisfied, they may complain via this procedure.
- 1.3 For the avoidance of doubt, this procedure covers complaints relating to a student's right not to be a member of Beds SU without being unfairly disadvantaged.
- 1.4 This procedure does not apply to complaints regarding the performance and/or behaviour of Elected Officers. Complaints regarding the performance and/or behaviour of Elected Officers must be submitted in accordance with the procedures given in the By-Laws of Beds SU.
- 1.5 For the avoidance of doubt this policy does not cover complaints surrounding complaints about members of Beds SU. Individuals who wish to make a complaint about a member should refer to the By-Laws and the members code of conduct for further information.
- 1.6 For the avoidance of doubt this policy does not cover grievances employees may wish to make about their employment with Beds SU. Employees who wish to submit a grievance should refer to the employee handbook for further information.

2 Purpose:

- 2.1 A complaint is defined as the expression of a specific concern about the provision of a service by Beds SU. The procedures set out below can be used by students, university staff and members of the general public to complain about any service Beds SU provides.
- 2.2 Beds SU aims to deal openly, fairly and effectively with any comment or complaint about its services, and to offer an appropriate remedy to any whoever is adversely affected by a service which fails to deliver to Beds SU standards.

- 2.3 Beds SU will not penalise you for making a complaint about services, and nothing will appear on any records we hold to indicate that a complaint has been made.
- 2.4 You should make every possible effort to resolve your complaint within the relevant service, or in discussion with the relevant departmental manager or senior manager. The formal procedure can of necessity take some time and should be used only if the stages above have been exhausted.
- 2.5 Beds SU does not normally deal with anonymous complaints, although it will consider the circumstances of any such anonymous submission and may, in exceptional circumstances, take forward the complaint.
- 2.6 If you have a particularly sensitive issue to raise, you can approach a member of the Student Advice team or University for help. Beds SU will endeavour to make sure that such a complaint is known to the smallest number of staff necessary to undertake a thorough investigation, and that staff deal with the complaint on a confidential basis.
- 2.7 A group of individuals affected by the same set of circumstances may wish to make a collective complaint through a single spokesperson. In such circumstances the spokesperson must at all times express the views of the group and relay and copy all correspondence to the group. Each member of the group must provide their names and contact details in the initial submission.
- 2.8 Beds SU seeks to improve its services. The Senior Leadership Team (SLT) monitor the complaints received, and the effectiveness of these procedures in addressing them.

3 Meetings:

- 3.1 In conducting the procedures to investigate complaints set out below, Beds SU may invite you to meet staff. At all such meetings, you will be permitted to be accompanied by a friend: for example, an officer of Beds SU, a fellow student, a member of academic staff, or a contact from outside the University such as a member of the family. Beds SU must be notified of the name and affiliation of the person concerned in advance of the meeting.
- 3.2 If you intend bringing someone from outside the University to such meetings, you must seek approval from Beds SU in advance. It is not normally necessary to be accompanied by a legally qualified person, but if you do decide to seek approval to be accompanied by such a person, Beds SU reserves the right to include a legally qualified colleague to participate in the meeting.
- 3.3 The accompanying person will not be permitted to present your case, but will be in attendance to support you and to clarify issues as appropriate.

4 Informal discussion:

4.1 Before invoking the formal procedure, an individual is expected to have discussed their complaint with the immediate provider of the service or, where this is not appropriate, with the relevant Elected Officer of Beds SU.

5 Time Limits:

5.1 It is expected that complainants wishing to make use of this procedure will do so within 25 working days of the date when the matter giving rise to the complaint occurred.

5.2 Complaints submitted outside of the time limits stated at all stages within this procedure will be accepted only at the discretion of the relevant person identified at the particular stage of the procedure that the complainant is at. Where a relevant person does not accept a complaint submitted outside of the time scales identified in this procedure, this cannot of itself constitute grounds for a complaint.

5.3 Beds SU recognises that complaints are a valuable form of feedback from members about how it can continue to improve and develop. It is expected that, where a complaint is submitted outside of the time limits stated at any stage in this procedure, the relevant person receiving the complaint will not unreasonably refuse to accept it and follow due process.

5.4 If a complaint is not heard within a time limit stated in this procedure, or within any extended time limit agreed with the complainant, the complainant may move to the next stage in the procedure. Time limits are expressed as working days and therefore exclude Saturdays, Sundays and Bank Holidays and other days when Beds SU is officially closed.

5.5 At each stage of this procedure, where a complainant is required to request that their complaint is progressed to the next stage of the procedure, the 10 working day period will commence on the working day following the date on the letter of reply from Beds SU.

5.6 Exceptionally, where a complaint relates to a matter of discipline under which disciplinary action is being considered or in progress, Bed SU may defer action under this procedure pending the conclusion of disciplinary action.

6 The Procedure Stage One:

6.1 The individual shall refer their complaint either verbally or in writing to the immediate provider of the service or, if the complaint relates to the immediate provider of the service, to the relevant Elected Officer of Beds SU.

6.2 The immediate provider of the service will investigate the complaint and will reply in writing within 10 working days of the complaint being submitted.

6.3 Unless the complaint was submitted to an Elected Officer under 6.1 above, a complainant dissatisfied with the reply given under 6.2 shall submit their complaint to the relevant Elected Officer of Beds SU within 10 working days of the reply.

6.4 The relevant Elected Officer will investigate the complaint and will reply in writing within 10 working days of the complaint being submitted.

6.5 If the complainant is not satisfied at this stage, they may move to Stage 2 below.

7 The Procedure Stage Two:

7.1 The complainant shall submit their complaint, in writing, to the President of Beds SU within 10 working days of the reply given at 6.5 above.

7.2 The President (or their delegate) will acknowledge receipt of the complaint within 10 working days, in writing, to the complainant. The President (or their delegate) will consider the complaint and carry out their own investigation.

7.3 Where possible/appropriate, the President (or their delegate) will attempt an informal resolution of the complaint. Where any informal resolution is proposed, it shall be notified in writing to the complainant within 15 working days of receiving the written complaint. If the President (or their delegate) does not consider that the complainant's complaint can be addressed informally, they shall convene a hearing within 10 working days of receiving the written complaint.

7.4 Where the complainant is dissatisfied with an informal resolution of their complaint proposed under 7.3 above, they may – within 10 working days of the notification of that informal arrangement - request in writing that a hearing be convened.

7.5 Where a hearing is necessary under 7.3 or 7.4, the President (or their delegate) shall convene a hearing within 10 working days of receipt of the complaint in 7.1 or the request from the complainant in 7.4.

7.6 The President (or their delegate) may, after consultation with the complainant, invite or instruct, as appropriate, relevant witnesses and other parties to the complaint to attend for all or part of the hearing.

7.7 The President (or their delegate) shall chair the hearing and shall appoint a panel to hear the complaint. The panel will consist of the Chair and two other Elected Officers. A member of Beds SU Senior Leadership Team may also be invited to attend to act in an advisory capacity to the panel. The Chair, the panellists and the invited Senior Leader acting as advisor shall have had no direct or indirect connection with the complaint nor shall they have been appointed under earlier stages of this procedure.

7.8 The Chair of the panel shall notify the complainant of its decision in writing within 5 working days of the hearing.

7.9 If the complainant is still not satisfied, they may move to the final stage below.

8 The Procedure Stage Three:

8.1 The complainant shall submit their complaint in writing to lead external trustee within 10 working days of receipt of the reply given at 7.8 above.

8.2 The lead external trustee (or their delegate) will acknowledge receipt of the written complaint within 10 working days.

8.3 The lead external trustee (or their delegate) will consider the complaint and where they deem it appropriate may make a further attempt at resolving the complaint by asking the President (or their delegate) to reconsider the decision of the panel.

8.4 Where the lead external trustee (or their delegate) deems it inappropriate to ask the President (or their delegate) to review the decision of the panel in 2 or the decision has been reviewed but is unchanged, they will refer the complaint to an independent person within 15 working days of receipt of the submission made under 8.1.

8.5 Complaints that are deemed to be trivial, vexatious, malicious or mischievous will be dismissed at the earliest opportunity in this final stage of the procedure. The lead trustee shall have absolute discretion to determine whether and how a complaint submitted under this part of the procedure is progressed.

8.6 The independent person may, if they deem it appropriate, arrange a meeting at which all parties to the complaint may be invited to attend. Where an invited party does not attend the meeting, the independent person shall have absolute discretion to determine whether the meeting proceeds or is postponed. If an invited party is unable to attend the meeting as a result of wholly exceptional and unforeseen circumstances, the independent person shall have absolute discretion to determine whether the meeting proceeds or is postponed.

8.7 The independent person will have the right to ask questions of the parties in attendance. The independent person shall investigate the complaint and draft a report and recommendations.

8.8 The report and recommendations of the independent person shall be submitted to the complainant and to the President of Beds SU within 40 working days of the referral under 8.4.

8.9 The decision of the independent person is final. Beds SU shall comply with the report and recommendations of the independent person. Such compliance shall be monitored by the lead external trustee. There is no provision, under this complaints procedure, for any appeal against the decision of the independent person by either Beds SU or the complainant.

9 Monitoring

9.1 Beds SU will monitor the number of complaints, trends and outcomes on an ongoing basis and produce an annual report and any action plan to the trustee board on an annual basis.