



**Newcastle University Students' Union**

**STRATEGY AND GUIDANCE  
DOCUMENT**

**Annexe D**

**COMPLAINTS**

Last amended 20<sup>th</sup> October 2022

## **Definition of a Complaint**

1. A complaint is an expression of dissatisfaction by an individual or a group about the quality of service, the acceptability of standards, or the appropriateness of communication provided by the staff and officers of Students' Union, or in connection with officially authorised Students' Union activities.
2. Complaints may be brought by Student Union members, University staff, or by members of the public. Internal Union staff complaints are really grievances and must be handled via the Grievance Procedure.
3. The culture at the Students' Union must be to welcome complaints as opportunities to learn and improve. Such a culture does not mean that all complaints are tolerable, however. A failure to rectify a problem that continues to disappoint our members, customers or our partners, is clearly unsustainable and unacceptable.
4. Complaints cannot be submitted anonymously but can be kept confidential – on receiving a complaint with such a request, the Administration Office will confirm who would be privy to the identity of the complaint, at which point the complainant can choose to proceed or raise concerns about those privy to the information. Anonymous complaints cannot be received in order to protect against conflict of interest.

## **Preliminary / Informal Stage**

5. In most circumstances, complaints can be dealt with courteously, effectively and efficiently by the member of staff, officer, student rep or committee member with whom they are raised, who should listen, understand and endeavour to resolve matters on a one to one basis. They should make it clear that this discussion is an informal attempt to mediate, and that it should be made clear if the complainant wants to escalate to a formal complaint – once that has occurred, the informal process should cease and the complainant referred to the form (see below).
6. On rare occasions when a group of people complains, the member of staff, officer, student rep or committee member should ask to talk to a spokesperson for the group, ideally separated from other members of the group.
7. Staff should request the attendance of the relevant manager or duty manager if practicable, and if they believe that this could help in resolving the complaint there and then. However, if the complaint cannot be satisfactorily resolved through initial discussions with the member of staff, or with the input of a manager, then the formal Complaints Procedure should be used. The Complaints Procedure has 4 formal stages:

## **Stage 1: Acknowledgement**

### **Verbal Complaints**

8. The complainant should be directed to the online form at [www.nusu.co.uk/complaints](http://www.nusu.co.uk/complaints).

### **Telephone Complaints**

9. Staff members should endeavour to understand and acknowledge the nature of the complaint, but should politely explain that they are unable to deal with it by telephone, citing this as Union policy and in keeping with the General Data Protection Regulations (GDPR), and inviting the caller to detail their complaint using the online form.

### **Written Complaints (including returned complaint forms & complaints via e-mail\*)**

10. The staff member or officer receiving the complaint should pass it or forward it to staff at the Administration Office, where the complaint will be copied, logged, and a standard letter of acknowledgement dispatched. This will be sent to the complainant within 1 working day. The acknowledgement will be sent in the name of the President, referencing the nature of the complaint, stating what action is being taken and indicating when the complainant can expect a comprehensive response. (\*Note that e-mailers with a non-“ncl” address will be asked, via an immediate e-mail message, to supply a full postal address for correspondence and verification purposes. The Students’ Union is unable deal with the complaint without this).
11. Students (e.g. committee members, reps) should either refer the complainant to the online form, or up via their line manager (e.g. the Activities Officer for Societies Committee Members) or the President.
12. The Administration Office will forward a copy of the complaint to the President, with a further copy to the Chief Executive and another, if appropriate, to the relevant Departmental Manager/ Sabbatical Officer. The officer or manager concerned, as nominated by The President will then initiate the second stage of the Procedure. Complaints relating to other aspects of Students’ Union business shall immediately be referred to the appropriate body as follows, who will follow the appropriate part of the Disciplinary Policy (Strategy and Guidance Annex E):
  - a. Election practice or procedures in the first instance to the Junior Returning Officer
  - b. Breach of regulations or disciplinary policy by a student or group of students (not clubs, societies, or media) to the Scrutiny Officer and Education Officer.
  - c. Actions of individual Officers relating to their Office, to Scrutiny Committee.
  - d. Decisions of Executive Committees in the first instance to Students’ Union Council, via Scrutiny committee.
  - e. Complaints about Societies, Clubs and Media, and their elected committees, to their appropriate executive committees.
  - f. Complaints against a member of a Club or, Society, or Media except in instances of gross misconduct (i.e., violations of the Sexual Violence or Hate Crime policy); this list is not exhaustive, to their Club or, Society or Media committee.
  - g. Complaints against the Students’ Union as an institution may be referred to the Academic Registrar at Newcastle University.

### **Stage 2a: Investigation**

13. On receipt of the complaint, the officer, committee members or manager will carry out a full investigation into the circumstances surrounding it. They may wish to liaise with the Chief Executive or the President to ensure the necessary support and guidance so that the investigation can proceed thoroughly, but quickly, to a clear conclusion. In any event, the CE and the President will take an active interest in the outcome.
14. The investigation should request comments in writing from any staff members or officers concerned, and/or conduct minuted interviews with those involved, to establish the facts

surrounding the complaint as fully as possible. The aim should be to provide a satisfactory response to the complainant within a maximum of 10 working days. In the case of an investigation into an officer's actions by Scrutiny Committee, this deadline may be extended, and the complainant/s will be kept informed of this action. From the opening of the investigation, the members will meet again within 10 working days and either vote to close or extend further the investigation.

15. In exceptional circumstances requiring further time for investigation, the investigating officer / manager must write to the complainant explaining the reasons why and when a response can be expected. Copies of all related correspondence must be forwarded to the Administration Office for filing with the original complaint.

#### **Stage 2b: Hearing**

16. After the investigation has concluded, if there is enough evidence to substantiate the possibility of a breach of the Disciplinary Regulations, the complaint will be escalated to the appropriate body as per the respective part of the Disciplinary Policy to be heard and an outcome decided.
17. The complainant will be written to as per the respective part of the Disciplinary Policy.

#### **Stage 3: Response**

18. The letter of response must contain sufficient information to reassure a complainant that the complaint has been taken seriously. The letter must also inform complainants of their right to a review of the investigation if they are dissatisfied with the outcome, and how to request one if this is so.
19. A copy of the response letter should be filed with the other correspondence relating to the complaint in the General Office, with further copies for the President and the Chief Executive.
20. It is the responsibility of the investigating officer / manager or committee members, to maintain a file containing all documentation relating to the complaint, including all investigation notes, written staff submissions and other "evidence". This documentation must be kept for a period of 12 months following the conclusion of this stage. The Administration Manager will file and store all relevant documentation.

#### **Stage 4: Review**

21. The purpose of a review is to check that the investigation has been carried out fully and properly, to check that the fundamental point of the complaint has been satisfactorily answered and to address any outstanding issues raised by the complainant. The aim must be to achieve a final resolution of the complaint.
22. The process to be followed in reviewing the complaint is the same as the previous 3 stages, where relevant and when not superseded by the respective part of the Disciplinary Policy, except for the reviewing manager/officer will be as stated below:
  - a. For complaints against individual services, reviews will be conducted by the appropriate Director or Chief Executive (as long as they were not involved with the original investigation).
  - b. For complaints that have been investigated by an officer or the Chief Executive, or where a complainant is not satisfied with a review by the Union, the review will be referred to the University which will be the final stage in the process. Where the University has considered a complaint at the final stage, a Completion of procedures letter should be issued.
  - c. Complaints relating to other aspects of Students' Union business shall follow the appeals process on the respective part of the Disciplinary Policy.

**When the Complaints Procedure may not be appropriate**

23. Some complaints concerning the quality of advice provided by the Students' Union's Student Services may lead to a public liability claim. In these cases, the matter should be referred, through the General Office, to the Union's Insurers. Failure to comply with this may invalidate the Students' Union's insurance.
24. If legal action is started against the Union during the process of investigating or reviewing a complaint then the Complaints Procedure will cease, although it may be necessary for internal investigations to continue.