

Complaints against the University of Leicester Students' Union

1.0 Purpose

This procedure shall apply to all complaints except those made by members of The University of Leicester Students' Union (The Students' Union) about the behaviour of other members of The Students' Union. Those complaints shall be dealt with under the separate Students' Union Complaints Procedure – Student Leaders & Student Groups.

2.0 Scope

This procedure should be followed for complaints about an experience of a Union service, the conduct or behaviour of a Union employee, elected Officer Trustee (or other paid representatives of the union) or an issue related to the Data Protection Act 2018. The Students' Union will accept complaints under this procedure from a student member, a member of University staff or member of the general public.

3.0 Definitions

Throughout this procedure, the person (or group of people) making the complaint shall be known as the complainant. The investigator shall be the person who carries out an inquiry into the complaint and the Deciding Officer shall be the person who makes the ruling decision on the complaint.

4.0 Principles

This Complaints Procedure aims to ensure that all complaints are:

- Resolved at the appropriate level.
- Handled in a timely manner, with clear and established time frames for action.
- Investigated in full, following a fair process
- Kept confidential wherever possible.

Complaints may be subject to a rapid triage process which will reject any vexatious, frivolous or unmeritorious complaints.

5.0 Complaints Procedure

All complaints will be dealt with fairly and promptly. As a result, we do not normally accept complaints if it relates to an incident or interaction that took place more than 30 days ago, unless there are exceptional circumstances. All complaints received will be managed in accordance with the following stages:

5.1 Informal Stage

We expect that most complaints will be resolved via an informal discussion about the matter at the earliest opportunity. A complainant can raise a concern by bringing it to the attention of a Students' Union staff member or an Officer Trustee. This may be orally or in writing via email.

The recipients of informal complaints are responsible for responding to them promptly and fairly. This would normally be within seven working days of receiving the complaint. An informal complaint can be resolved by an informal discussion, mediation or by another way that is deemed appropriate.

We recognise that there may be occasions when these actions are not sufficient to deal with the complaint. If the outcome of the informal stage does not conclude a complaint, then the following formal procedure may be followed.

5.2. Formal Stage

If the complaint has not been satisfactorily resolved informally or if the nature of the complaint is serious, the complainant can raise the matter as a formal complaint.

All complaints should be made via email to su-complaints@le.ac.uk

Complainants will receive confirmation of the receipt of their complaint by the appointed Deciding Officer who will oversee the process. The Deciding Officer will appoint a Students' Union staff member to investigate the complaint. During the investigation stage the complainant and others involved may be asked to provide evidence for clarification and additional information including any desired outcome.

The Deciding Officer will review the findings of the investigation and will rule to either uphold or partially uphold the complaint or not uphold the complaint and they will notify the complainant within 7 working days after the completion of the investigation. Where complaints are not upheld the complainant will be advised of the right to appeal. Where complaints are upheld, confirmation of this and further actions taken will be confirmed in writing to the complainant within the bounds of HR, employment and data law or any other relevant legislation.

Any disciplinary action to be taken as a result of a complaint being upheld, will be done so according to the relevant Students' Union procedures which may include the ULSU staff disciplinary procedure. The complainant is not entitled to know the outcome of any follow up disciplinary action.

5.3 Appeal Stage

If the complainant is dissatisfied with the decision of the Deciding Officer at the Formal Stage, then they may appeal the decision. The following are the only permissible grounds for an appeal:

- a) that there was a procedural irregularity which materially affected the outcome from the Formal Stage
- b) that relevant evidence, that could not previously be made available, has subsequently emerged.

A complainant wishing to appeal a decision taken at the Formal Stage is required to email the **Chief Executive** within five working days of receipt of the original decision taken. On receipt of the appeal, the Chief Executive will determine if permissible grounds for an appeal have been satisfied. If satisfied those grounds have been established, the Chief Executive (or a deputy from the SMT) and their nominee (usually another manager), will form a panel to review the Complaint investigation and decision of the Deciding Officer.

The panel shall review the justification for the appeal and decide whether to uphold or to dismiss the appeal. The decision of the panel on the appeal shall be communicated in writing within ten working days of the appeal being received. The decision of this panel is final and concludes the Students' Union Complaints Procedure.

Where the complainant is still dissatisfied after exhausting the appeals process they should be made aware of their right to escalate their complaint to the University of Leicester via the registrar for an independent review.