

THE STUDENTS' UNION (*THE SU*) COMPLAINT POLICY

Vision: For The SU to be a responsive organisation that actively engages with and learns from complaints.

Rationale: To provide a means in which issues can be formally raised and discussed with The SU in a timely and sensitive manner with the aim of achieving a resolution that learns from the experience.

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Confidentiality

Information gathered as part of a complaint will be handled confidentially and kept in a restricted access folder.

This will only be shared with those staff whose involvement are necessary for responding to the complaint.

Details of specific complaints will be erased from records after 4 academic years.

Making a complaint

Any person or group (*complainant*) may email su-cda@bath.ac.uk to make a complaint where an issue has arisen with The SU or any of its Student Groups that they wish to raise formally.

The complainant's email should, where possible, include:

- a full explanation of their complaint;
- any additional documents they wish to send in support of their complaint;
- any suggestions regarding how they feel the complaint might be resolved.

Before making a complaint they may wish to discuss it first in confidence with [The SU Advice & Support team](#).

This policy does not cover complaints regarding:

- Student member misconduct (*see Student Member Disciplinary policy*);
- Elections (*see SU Election rules*);
- Employment (*see University staffing policies*).

Any complaints received in relation to the above areas will be handled in accordance with the relevant policy.

Responding to a complaint

The SU will within 5 University working days of receiving a complaint arrange for an appropriate senior manager to investigate and respond to the complaint.

The senior manager will:

- investigate the complaint to determine what actions (*if any*) should be taken in response;
- offer the complainant the opportunity to either meet in person or speak with them over the phone;
- ensure that if a meeting takes place:
 - the complainant is offered the opportunity to bring a companion who may be an adviser;
 - there is at least one other staff member present with them.

- determine if the complaint needs to be referred to Chief Executive as the investigation may have identified a *'serious incident'* that may need to be reported to the Charity Commission.

The senior manager will send an email to the complainant within 10 University working days of receiving the complaint which will:

- explain the key findings of their investigation and any lessons that have been learnt for the future;
- explain any actions that are being taken in response to their complaint;
- inform them if the complaint has been referred to the Chief Executive or provide them with details on how they can appeal their complaint.

Stage 1 Appeal: Chief Executive

The complainant will have 5 University working days to request an appeal to the Chief Executive (*or Deputy Chief Executive*) by emailing su-cda@bath.ac.uk.

The email should explain why they believe the response that has been given to their complaint is not sufficient.

The Chief Executive (*or Deputy Chief Executive*) will:

- review the response given to the complaint to determine if any amendment should be made;
- offer the complainant the opportunity to either meet in person or speak with them over the phone;
- ensure that if a meeting takes place:
 - the complainant is offered the opportunity to bring a companion who may be an adviser;
 - there is at least one other staff member present with them.
- review to determine whether a *'serious incident'* has occurred and, if so, seek the Board of Trustees' approval to report the matter to the Charity Commission.

The Chief Executive (*or Deputy Chief Executive*) will send an email to the complainant within 10 University working days of receiving an appeal which will:

- explain the key findings of their review and any lessons that have been learnt for the future;
- explain any actions that are being taken in response to their appeal;
- provide them with details on how they can further appeal their complaint.

Stage 2 Appeal: Complaints & Disciplinary committee

The complainant will have 5 University working days on receiving the outcome of stage 1 to request an appeal to the Complaints & Disciplinary committee by emailing su-cda@bath.ac.uk.

The email should explain why they believe the response that has been given to their complaint is not sufficient.

The Complaints & Disciplinary committee will:

- comprise two Independent Trustees and an Officer;
- meet to review the response given to the complaint to determine if any amendment should be made;
- offer the complainant the opportunity to attend along with a companion who may be an adviser;
- review to determine whether a *'serious incident'* has occurred and, if so, seek the Board's approval to report the matter to the Charity Commission.

The Complaints & Disciplinary committee will send an email to the complainant within 10 University working days of receiving an appeal which will:

- explain the key findings of their review and any lessons that have been learnt for the future;
- explain any actions that are being taken in response to their appeal.

A decision made by the Complaints & Disciplinary committee will be the final decision of The SU.

Reporting to the Charity Commission

As a registered charity The SU is required to report if a '*serious incident*' occurs to its regulator the Charity Commission.

The Charity Commission defines a '*serious incident*' as any adverse event, whether actual or alleged, which results in or risks significant:

- harm to your charity's beneficiaries, staff, volunteers or others who come into contact with your charity through its work;
- loss of your charity's money or assets;
- damage to your charity's property;
- harm to your charity's work or reputation.

The main categories of reportable incident are:

- protecting people and safeguarding incidents – incidents that have resulted in or risk significant harm to beneficiaries and other people who come into contact with the charity through its work;
- financial crimes – fraud, theft, cyber-crime and money laundering;
- large donations from an unknown or unverifiable source, or suspicious financial activity using the charity's funds;
- other significant financial loss;
- links to terrorism or extremism, including 'proscribed' (or banned) organisations, individuals subject to an asset freeze, or kidnapping of staff;
- other significant incidents, such as – insolvency, forced withdrawal of banking services without an alternative, significant data breaches/losses or incidents involving partners that materially affect the charity;

The Charity Commission states that it is the responsibility of the Board to decide whether an incident is significant and should be reported. Their full guidance on this can be found [here](#).