

## **Glasgow University Union**

### **Complaints Procedure – Updated October 2019**

#### **1. Authority**

- 1.1 This Complaints Procedure was adopted by the Board of Management (“the Board”) on the 29<sup>th</sup> of October 2013 in pursuance of its obligations under section 22 (2) (m) of the Education Act 1994 that there should be a complaints procedure available to all students or groups of students (“the Complainer”). It was updated by the Board on the 29<sup>th</sup> of October, 2019.
- 1.2 Further, pursuant to section 22 (2) (m) of the Education Act 1994 the Glasgow University Union (“GUU”) shall appoint a graduate of the University of Glasgow to serve as an independent person to investigate and report on complaints (“the Independent Complaints Commissioner”).
- 1.3 A copy of this Complaints Procedure shall be available to any member of GUU on request and to any non-member.

#### **2. Complaints**

- 2.1 For the purpose of the present procedure, a Formal Complaint (“the Complaint”) may be defined as an expression of dissatisfaction by one or more persons about their dealings with GUU. A complaint may relate but is not limited to:
  - 2.1.1 The quality and standard of services provided by GUU;
  - 2.1.2 Failure to provide a service;
  - 2.1.3 Treatment by or attitude of another member or employee;
  - 2.1.4 Inappropriate behaviour by another member or employee;
  - 2.1.5 The failure of GUU to follow procedures defined in its constitution or bye-laws.
- 2.2 Any member or non-member may make a Complaint.
- 2.3 The Complaint must be submitted in writing to the President of GUU (“the President”). It must detail the following information:
  - 2.3.1 The Complainant’s details including a means of contact and, where the Complainant is a member of GUU or a student of the University of Glasgow, their GUU membership number, matriculation number and any club or society affiliations which are relevant;
  - 2.3.2 The conduct or policy complained of; and,
  - 2.3.3 The action the Complainant would like taken.
- 2.4 If the Complaint is against the President, the matter should be raised with the Honorary Secretary.

- 2.5 A Complaint should be made with the GUU as soon as problems arise. Complaints will not normally be investigated after three months from the date of the matter arising.

### 3. Internal Review

- 3.1 The President will resolve the matter within five working days where the issue is straightforward and easily resolved.
- 3.1.1 The President shall, on behalf of the Board in accordance with Article V (1) of the Constitution, have the power to determine whether a Complaint is straightforward or complex.
- 3.1.2 The Complaint might be resolved by an apology, explanation or other action to resolve the Complaint.
- 3.1.3 The President will inform the Complainant of the decision and explain the reasons for coming to it in writing, in a face-to-face meeting, by email or by phone.
- 3.1.4 The details of the Complaint, outcome, and action taken will be recorded and used for improvement of GUU services.
- 3.1.5 The President shall produce a report on complaints at the GUU Annual General Meeting, but shall not divulge details of individual cases.
- 3.2 The Executive will investigate a complex or serious Complaint or Complaints which may bring GUU into disrepute.
- 3.2.1 Upon receipt of a complaint the Executive will acknowledge receipt of the Complaint within five working days, with a copy of the Complaints Procedure enclosed.
- 3.2.2 The purpose of the investigation is to establish all the facts and to provide a full, objective and proportionate response.
- 3.2.3 A hearing may be required to hear witnesses but a hearing is not essential in all cases. If a hearing is to be held, the Honorary Secretary will inform all parties, including the Complainant, seven working days in advance.
- 3.2.4 The Complaint, the conclusions of the investigation and a recommendation shall be presented to the Board of Management at the next meeting of that body. If the next meeting of the Board of Management is within five working days of receipt of the Complaint, the President's conclusions and recommendation shall be made at the following meeting. Notification of this date shall be contained in the President's acknowledgement of receipt of the Complaint.
- 3.2.5 The Executive will try to conclude such Complaints within twenty working days of receipt of the Complaint. If an extension of time is needed, the Executive will explain the reasons to the Complainant and try to reach an agreement with him/her on the length of time needed.

- 3.2.6 In accordance with Article V (1) of the Constitution, the Board shall have the power to uphold or dismiss the Complaint and make any disposal it sees fit.
- 3.2.7 Following this decision the Executive shall write to the Complainant informing them of the decision of the Board within five working days. This letter must state reasons for the decision and the disposal, as well as notification of the External Review Procedure.
- 3.2.8 The details of the Complaint, outcome, and action taken will be recorded and reported in an annual report at the GUU Annual General Meeting.

#### 4. External Review

- 4.1 An Independent Complaints Commissioner shall be appointed at GUU's Annual General Meeting upon recommendation by the Board of Management.
- 4.1.1 The Independent Complaints Commissioner shall be a graduate of the University of Glasgow, who has not been a registered student or an employee of the University of Glasgow nor a member of the Board of Management at any point in the five years preceding the date of his/her appointment.
- 4.1.2 The Independent Complaints Commissioner shall hold office until he/she submits his/her resignation to the Board of Management; or the Annual General Meeting of GUU next following his/her appointment, at which he/she shall be eligible for re-appointment; or becomes a registered student or an employee of the University of Glasgow; or dismissal by resolution of a Special General Meeting of GUU at which he/she shall have the right to be heard in opposition to the motion. The Independent Complaints Commissioner, while holding that office, shall be ineligible for nomination to the Board of Management.
- 4.1.3 A casual vacancy in the office of Independent Complaints Commissioner may be filled by resolution of the Board of Management, with the individual so appointed holding office until the next Annual General Meeting of GUU in accordance with section 4.1.2 above.
- 4.2 A Complainant may request in writing that the decision of the Board be reviewed by the Independent Complaints Commissioner.
- 4.3 The request must be lodged with the Independent Complaints Commissioner at GUU within five working days of notification of the Board's decision. The Complainant shall send a copy of the request to the Honorary Secretary.
- 4.4 The written request for review must state:
- 4.4.1 The elements of the Board's decision the Complainant wishes to be reviewed, and on what grounds;
- 4.4.2 The action the Complainant would like taken; and,

- 4.4.3 Any representations which the Complainant wishes to make regarding the Complaint.
- 4.5 The Honorary Secretary must within five working days of receipt of the request for review forward copies of the following documents to the Independent Complaints Commissioner:
  - 4.5.1 The initial letter of Complaint;
  - 4.5.2 The letter sent under section 3.2.7 of this Complaints Procedure;
  - 4.5.3 Any documents considered by the Board of Management; and,
  - 4.5.4 The written request for review.
- 4.6 No party shall have the right to make oral representations to the Independent Complaints Commissioner.
- 4.7 The Independent Complaints Commissioner shall have the power to request from GUU and/or the Complainant any further written information or any oral representation he/she may deem necessary to reach a determination.
- 4.8 The Independent Complaints Commissioner shall inform the Complainant and GUU of his decision within thirty working days of receipt of the request for review.
- 4.9 The Independent Complaints Commissioner shall have the power to uphold in full or in part or dismiss the request for review and to recommend to the Board of Management any disposal he/she deems necessary. A copy of the recommendation should be provided to the Complainant.

## 5. Further Considerations

- 5.1 An anonymous Complaint will be considered if there is enough information in the Complaint to enable GUU to make further enquiries. If an anonymous Complaint does not provide enough information to enable GUU to take further action, GUU may decide not to pursue it further. GUU may give consideration to the issues raised if it will help improve GUU.
  - 5.1.1 A decision not to pursue an anonymous Complaint will be taken by the President. This decision will be reported to the Board.
- 5.2 Where GUU believes that the Complaint shows that a criminal offence may have been committed it may refer the matter to the police. GUU will cooperate with police in any incident of this kind.