

Bye-Law 6

Complaints (about the Union)

Owned by: President

Date passed by Board of Trustees: 15/06/23

Date passed by Student Senate: tbc

Review required: Annually.

Bye-law 6: Complaints (about the Union): Procedures for Members

1. Overview

- 1.1. This Bye-law provides details on how a member of the Union can make a complaint about the services and activities of Winchester Student Union (the Union/we/us); this might include, but is not limited to, service in one of our commercial outlets, a policy position we have taken, a member of staff who works for the Union, a Union event, or one of our activity groups and/or their committees.
- 1.2. Where relevant such received complaints may be resolved by a more appropriate process of the Union, such as Bye-law 2: Code of Conduct, or staff disciplinary procedures.

2. Scope

- 2.1. Any member or group of members dissatisfied with their dealings with the Union has the right to make a complaint.
- 2.2. University of Winchester students also have the right to make a complaint if they believe they have been unfairly disadvantaged as a result of opting out of Union membership.
- 2.3. Any visitors to the Union also have the right to complain if they are dissatisfied with the service they have received.
- 2.4. The Student Union and University of Winchester take all complaints regarding sexual misconduct and harassment seriously. These complaints must be made through the University's "Report and Support" to enable these to be investigated appropriately.
- 2.5. All complaints will be dealt with fairly and promptly, and will be investigated according to the procedure provided below.

3. Informal Complaints

- 3.1. We expect that most complaints can be resolved by an informal discussion about the matter at the earliest opportunity. A complainant should therefore bring the matter to the attention of the relevant Union staff member or Sabbatical Officer responsible for the area in question. This may be orally or in writing, including email (su_complaints@winchester.ac.uk). The Union's Head of Membership can advise on the appropriate person to contact if the person making the complaint is unsure who to contact.
- 3.2. The recipients of informal complaints are responsible for responding to them promptly and fairly. This would normally be within five working days of receiving the complaint.

- 3.3. This is an informal stage, and therefore no written records would be kept if the matter is resolved at this point.
- 3.4. The Union may suggest mediation as a solution to complaint resolution where deemed appropriate.

4. Formal Complaint

- 4.1. If the complaint has not been satisfactorily resolved informally, or if the nature of the complaint is serious, the complainant has the right to raise the matter as a formal complaint.
- 4.2. A formal complaint should be made in writing within ten working days of the incident (or if relevant, ten working days from receiving the outcome of the informal complaint investigation findings):
 - 4.2.1. Via email (su_complaints@winchester.ac.uk) or
 - 4.2.2. By completing the online formal complaint form
- 4.3. The Union's Advice Centre is available to offer support and advice to any Member on the process of submitting a formal complaint. For independent support, the University's Student Life Advice team in the department of Student Support and Success is available to offer independent support and guidance to any member on the process of submitting a formal complaint to the Union (student.advice@winchester.ac.uk).
- 4.4. All complaints will be reviewed by the Chief Executive (or nominated Senior Manager) and an appropriate Sabbatical Officer (agreed by the Chief Executive or nominated Senior Manager) who may delegate responsibility for handling the complaint to an appropriate person(s).
- 4.5. Where the complaint relates to the Chief Executive or a Sabbatical Officer, these complaints will be reviewed by a suitable member of the Union's Trustee Board.
- 4.6. Complaints will be considered valid if the complainant:
 - 4.6.1. Provides details of their name, address, and telephone number.
 - 4.6.2. Provides details of the event of occurrence giving rise to the complaint.
 - 4.6.3. Raises the complaint within 10 working days of the event or occurrence giving grounds for complaint unless there are exceptional circumstances.
- 4.7. We recognise that timeframes stated may not always be possible to meet; if a complainant considers that they have a compelling reason why the complaint should be considered out of time, this should be indicated in writing at the time of making the complaint.

5. Investigation of formal complaints

- 5.1. Complaints will be investigated within 10 working days of receipt.
- 5.2. During the investigation, the complainant and others involved may be asked to provide evidence for clarification and additional information.
- 5.3. If more time is required for the investigation, any delay will be explained to the complainant and they will be kept informed of progress.

6. Outcome of the investigation

- 6.1. The person conducting the investigation will determine:
 - 6.1.1. all findings of fact, and
 - 6.1.2. any mitigating circumstances, and
 - 6.1.3. any appropriate further action if any.
- 6.2. Where complaints are upheld, the person conducting the investigation will in writing, contact the complainant; to confirm the complaint has been upheld; to provide details of any relevant action that will be taken.
- 6.3. When complaints are not upheld, the person conducting the investigation will advise the complainant within five working days of completion of the investigation. They will be informed of their right to raise the matter with the University of Winchester for review. The decision of the University of Winchester in respect of a formal complaint is final.
- 6.4. The person conducting the investigation may suggest mediation as a solution to complaint resolution where deemed appropriate.
- 6.5. Any disciplinary action to be taken will be done so according to the relevant Union procedures which includes, but is not limited to:
 - 6.5.1. Winchester Student Union Disciplinary Procedure for Staff
 - 6.5.2. Bye-Law 2: Code of Conduct (relating to Disciplinary Procedures for Members)
 - 6.5.3. Article 52, Removal of Trustees by the Members
- 6.6. The Union will report annually to the Board of Trustees on the formal complaints received, summarising the volume, nature and resolutions of complaints received. All complaints referred to in that report will be anonymised.
- 6.7. If a complaint relates to criminal behaviour, the Union may refer the matter to the police.
- 6.8. If the complaint relates to failure to comply with "standards of conduct" under the University of Winchester Student Disciplinary Procedures for Students, the Union may refer the matter to the University of Winchester.

6.9. Records of all formal complaints will be kept by the Union for 6 years.