

# **Complaints Procedure**

**(Schedule 9)**

## **Complaints Procedure (Schedule 9)**

### **1. Introduction**

- 1.1 This Complaints Procedure is the formal procedure for dealing with disputes with the Students' Union, in particular complaints arising from disputes between a student/other member of the University and elected officers, staff and/or the Students' Union itself.
- 1.2 The procedure allows any student, group of students or other member of Queen Margaret University to make a formal complaint(s) against the Students' Union relating to her/his treatment by the Students' Union, or anyone acting on the Students' Union's behalf or if he/she is of the view that he/she has been unfairly disadvantaged by reason of her/his having exercised the right to opt out of membership of the Students' Union.
- 1.3 Where time limits for action are defined, they are to be considered as maximum limits; all complaints and appeals will be dealt with as promptly as possible and maintaining confidentiality as far as possible. Where there is good reason why a time limit cannot be met, the complainant(s) will be informed immediately, if such a situation becomes apparent.
- 1.4 Efforts should be made in every case to resolve the complaint(s) informally before this procedure is invoked.

### **2. Application of Complaint Procedure**

- 2.1 This procedure shall apply in all instances except where the operational policies and procedures of the Students' Union, as approved by the relevant Students' Union Committee or the University Court, allows for variation. If there is no operational policy or procedure, this section shall apply absolutely.

### **3. Making a Complaint**

- 3.1 Complaints may be made about:
  - 3.1.1 The services and facilities provided by the Students' Union.
  - 3.1.2 An individual, member, club, group or society forming part of, or receiving funds from, the Students' Union.
- 3.2 Valid Complaints
  - 3.2.1 Complaints shall be considered valid if the complainant:
    - 3.2.1.1 Provides details of their name, address and contact telephone number (if any).

3.2.1.2 Provides details of the event or occurrence which gave rise to the complaint.

3.2.1.3 Raises the complaint within 14 (fourteen) days of the event or occurrence giving grounds for complaint.

### 3.3 Persons to whom Complaints shall be addressed

#### 3.3.1 Complaints shall be addressed to:

The Student President  
Queen Margaret University, Edinburgh  
Queen Margaret University Drive  
Musselburgh  
EH21 6UU

3.3.2 If the complaint is against the Student President then it should be addressed to The Chair of the Student Parliament or the General Manager c/o of the Students' Union address above.

3.3.3 The addressee will acknowledge receipt of the complaint in writing within 5 (five) days.

## 4. Investigation of Complaints

4.1 All valid complaints shall be investigated and the results of that investigation communicated to the complainant within 10 (ten) days of receipt of the complaint form by the Student President.

4.2 The Student President will investigate all complaints about the General Manager, elected officers and Students' Union Representatives.

4.3 The Student President may delegate responsibility for the investigation into the complaint to the member of Students' Union staff or officer they deem appropriate.

#### 4.4 Guidelines for Investigations of Complaints

4.4.1 Investigations shall be conducted by the Student President or by that person chosen by the Student President and not more than 2 other people designated by that person.

4.4.2 No person involved in the investigation of any complaint shall have a direct or vested interest in the outcome of the same.

4.4.3 All parties to the complaint shall be given an opportunity to submit written and oral statements and present appropriate evidence, including evidence of mitigating circumstances.

4.4.4 All parties to the complaint may be assisted by a representative or friend, without charge or cost to the Students' Union.

#### 4.5 Outcome of an Investigation

4.5.1 The outcome of an investigation shall be determined immediately after all parties to the complaint have presented their case and any supporting evidence.

4.5.2 The person(s) conducting the investigation shall determine:

4.5.2.1 All findings of fact,

4.5.2.2 Any mitigating circumstances,

4.5.2.3 Any appropriate further action

#### 4.6 Justified Complaints against a Service or Facility

4.6.1 In the event of a justified complaint against a service or facility, the following procedure shall apply:

4.6.1.1 The person(s) conducting the investigation shall consider how to prevent any future instances of the event or occurrence that gave rise to the complaint and propose remedial action to the Student President.

4.6.1.2 The person investigating the complaint (if not the Student President) will inform the Student President immediately of the outcome of the investigation.

4.6.1.3 The Student President will confirm in writing the outcome of the investigation to all parties to the complaint within 10 working days of the receipt of the original complaint form

#### 4.7 Justified Complaints against a Person or Group

4.7.1 In the event of a justified complaint against a person or group, the following procedure shall apply:

4.7.1.1 If the person(s) conducting the investigation consider(s) that there has been a breach of the Constitution, Staff Protocol, Equal Opportunities Policy or University's Codes of Conduct then the Disciplinary Procedure may be invoked.

4.7.1.2 The complainant shall not have a right to demand that the Disciplinary Procedure is invoked, or that sanctions should be imposed.

4.7.1.3 The person investigating the complaint (if not the Student President) will inform the Student President (or the Chair of the Student Parliament in the case of a complaint against the Student President) immediately of the outcome of the investigation. The

Student President (or the Chair of the Student Parliament in the case of a complaint against the Student President) will confirm in writing the outcome of the investigation to all parties to the complaint within 10 (ten) days of the receipt of the original complaint form.

#### **4.8 Complaints which are not upheld**

4.8.1 Where complaints are not upheld, they shall be deemed unsubstantiated complaints and the following procedure shall apply:

4.8.1.1 The person investigating the complaint (if not the Student President) will inform the Student President immediately of the outcome of the investigation. The Student President will endeavour to confirm in writing the outcome of the investigation to all parties to the complaint within 10 (ten) days of the receipt of the original complaint form.

4.8.1.2 The complainant will be informed by The Student President of her/his right to appeal to the University Court.