

Complaints Policy & Procedure

Students & Public

Document Control:

Title: Complaints Policy & Procedure

Applicable to: Student members, Associate Members, Suspended Members, University Staff & Members of the public

Date last reviewed: October 2024

Next review date: October 2027

Policy Owner: CEO & Head of Membership Services

1. Policy Statement

1.1 This policy and procedure lays out how student members and members of the public can make a complaint about a students' union service or complaints within the remits of student-to-student activity, what they can expect from DSU and what steps they need to take.

2. Scope and Purpose

2.1 This policy applies to all DSU student members, associate members, members under suspension or students who have revoked membership. This policy also covers members of the public and university staff in section 2

2.2 This policy does not cover DSU staff who wish to make a complaint about DSU, this will be covered in internal staffing policies

2.3 This policy does not allow complaints to be made on behalf of someone else or anonymous complaints. However, DSU acknowledges there should be a route if a student has a concern about another student, group, society or otherwise which does not directly impact them but they feel a complaint should be made. In these instances, you can contact the most appropriate team directly by finding the contact information on our website <https://www.demontfortsu.com/>

3. Who is responsible

3.1. The CEO is responsible overall responsibility and day to day responsibility is shared with the Head of Membership Services for student-related complaints.

DSU aims to treat everyone fairly, objectively, and consistently. We seek to ensure that members' views are heard, noted, and responded to promptly and aim for an amicable solution. Before submitting a complaint, please read and follow this procedure designed to help you.

We separate issues into two main categories:

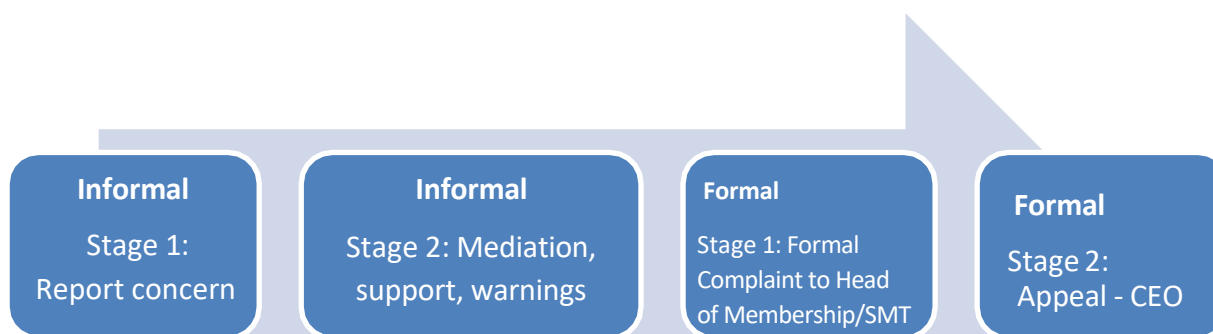
Section 1: Issues with individuals (e.g. inappropriate behaviour).

Section 2: Issues with the DSU (e.g. systems and procedures).

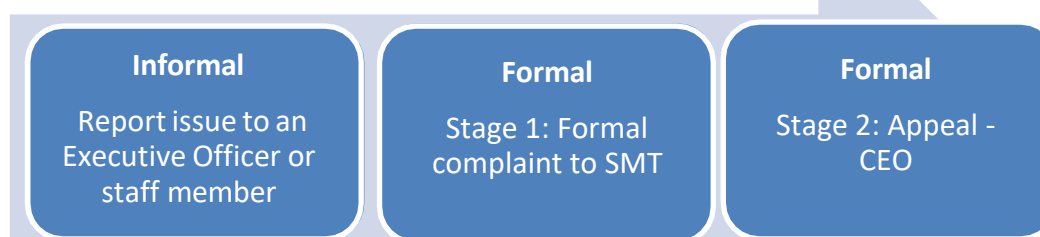
Each category has a separate procedure detailed in this document. These procedures will attempt to resolve your issue informally in the first instance. However, if you are unsatisfied with the resolutions offered, you can continue and follow the formal part of the procedures. This procedure applies in all DSU run spaces, activities, and services.

You cannot complain on behalf of another individual and we do not accept anonymous complaints as those are unable to be investigated or reviewed to reach solution for all parties. We do accept group complaints but you must specify a lead contact to ensure efficiency and ease of communication throughout any investigation.

1. Issues with Individuals:



Issues with DSU:



Information for both processes:

- **Acknowledgement of your issue/complaint**

We will acknowledge receipt of reports, feedback, or complaints at any stage within five working days (working days do not include weekends, bank holidays or university closure days). Please be aware that if you get an out-of-office response to your email, the timeline will begin from the date of return to the office. If you are raising an urgent concern and receive an out-of-office response or you do not know who to contact, please email dsuinfo@dmu.ac.uk with a summary of the issue so that someone can be allocated to support you.

- **Who will be involved?**

At the informal stages, you will be offered support by relevant members of the staff team best placed to assist you or the Head of Membership Services.

If your issue is escalated to a formal complaint, the CEO will review the complaint to decide if an investigation is needed and, in some cases, assign an Investigating Officer to produce a report and recommendation to the CEO who will relay this information back to you.

- **Support available (for students-only)**

Being involved in a complaint in any capacity is never easy, including being the person complained about. Any individual, even when a suspension is issued, will be provided with an individual point of contact – a member of the membership team will check in with you, answer questions about the process and point you to relevant services to support your wellbeing. Students always have access to our Advice service who can also assist.

- **Malicious complaints**

Unfortunately, malicious complaints (those based on lies, or with an ulterior motive or provided through unacceptable conduct) do occur. We do our best to avoid these from escalating to the formal stages of this process and may make a judgement to cease further contact or investigation as a result. However, it is not always possible to discover the truth until there is an investigation which will be handled professionally.

We take advice and action against anyone making malicious complaints as we take the impact on our staff and any students involved extremely seriously.

- **Personal data collection and retention**

As part of this process, confidential, accurate records will be kept in line with our Data Protection Policy. These records will be used internally to administer this process.

What information do we share with the University?

The University will be told if any one is:

- temporarily or permanently removed from DSU
- deemed a threat to the reputation of the University or to the safety of others
- complaining maliciously

Section 1:

DSU Complaints, Resolving and Settling Differences procedure: Student Members/Associate Members/Suspended Members or Non-Members

1. Issues with individuals

This procedure should be used for individuals* who engage in one or more of the following:

- a) Failure to follow any live DSU Student Policy, including but not limited to:
 - DSU Member code of conduct
 - DSU Bye-Laws
 - Safeguarding Policy
 - Volunteering Policy
 - Health & Safety Policy
- b) Any other willful behaviour likely to bring DSU into disrepute.
- c) Making vexatious, malicious, or persistent complaints.

**A complaint about DSU staff or Executive Officer may be dealt with under our staffing policies or other policies depending on the nature of the complaint.*

1.1 Informal complaints procedure

Stage 1: Reporting issues

Working alongside others, in-person or remotely, can mean differences of opinion and working styles which may cause conflict. The best approach is to sort things out informally in the first instance, as in the majority of cases it is simply a miscommunication or misunderstanding with no bad intent on either side. Practise positive intent but be aware that sometimes there is a need to intervene to prevent issues from escalating, or to provide opportunities for learning to support a cohesive environment.

While we do not accept anonymous complaints or complaints on behalf of others, there are routes for you to report anonymously using No Space for Hate and The Mandala Project: <https://www.dmu.ac.uk/current-students/no-space-for-hate/anonymous-disclosure-form.aspx#:~:text=If%20you%20wish%20to%20formally,misconduct%20experienced%20by%20DMU%20students>

The best way to resolve issues is to address them as soon as possible after an incident. If you feel confident speaking to the individual concerned, please do so from a place of good intent and kindness, recognising that they may not have had any malicious intent. If you would like support with an individual's behaviour, please report any concerns to an appropriate staff member, who will seek to understand what has happened and work with you to identify an appropriate resolution. This may include support for you to have your own conversation, as involving a third party can often affect the working relationship you have with the other person.

If staff members need to intervene, individuals will be advised that their behaviour has been reported; they will be asked to engage with us to explore what has happened and seek reasonable resolution for both parties.

It is important for creating a safe and supportive culture that all members recognise their

responsibility to challenge or report anything that they deem to be inappropriate, or which goes against our code of conduct.

Stage 2: Informal mediation or conflict resolution conversations

When issues are raised that cannot be easily resolved, we will seek to engage all those involved in mediation or conflict resolution conversations to give everyone a chance to be heard and to allow actions and ways forward to be agreed and recorded. This is a facilitated conversation with DSU staff which is not a formal stage.

Mediation or conflict resolution allows us an opportunity to better understand others and can be effective in resolving conflicts when individuals have felt uncomfortable addressing the issues directly themselves with the other party.

At this stage, informal warnings may be issued, and further training or support from staff or other experienced volunteers may also be recommended. It is important to agree timescales for change so that everyone understands the plan.

If mediation or conflict resolution conversations have taken place, but the issues continue, or if one party has refused to engage with mediation, you can escalate your case to a formal complaint.

1.2 Formal complaints procedure

Stage 1

You can submit a formal complaint if:

- you have already attempted to resolve your issue through the informal process
- you haven't attempted informal resolution as your concern relates to discrimination or harassment or related to a protected characteristic

Any report about an individual who has already had a formal written warning about similar behaviour within the last 12 months will automatically be escalated to a formal complaint. Malicious complaints will result in action being taken against the complainant.

Step One:

To submit your complaint, write to the Head of Membership using the dsuinfo@dmu.ac.uk email address **using the template provided in Appendix 1**. Complaints submitted not using this format cannot be reasonably reviewed as they are often hard to follow, therefore you must use the format advised so your complaint can be understood, and the appropriate information is included.

Step Two:

An initial assessment of whether there is a case to answer will be carried out by the Head of Membership and the CEO.

In cases where a complaint is about or involves our elected Executive Officers then the Chief Executive Officer, Chair of Trustees or other delegated member of staff or trustee may be involved to ensure fairness and remove bias. We may utilise Staffing or Trustee policies for this complaint instead depending on the nature of the issue. External advice will be sought where it is deemed necessary or helpful, or where there may be a conflict of interest.

Step Three:

The Head of Membership Services and/or another member of SMT will aim to investigate

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within 20 working days of the acknowledgement email, so they can review all evidence provided to them. They will either uphold, partially uphold or not uphold your complaint. Decisions will be based on the evidence available. This may include speaking with the subject of the complaint and providing an overview of the complaint made against them.

Within their response, the Head of Membership Services and/or SMT member will also make recommendations for resolutions and sanctions along with a suggested timeline for these to be actioned. **You will receive a full report in response to your complaint within 28 working days following the investigation.**

Should they find that there is no case to answer, the Head of Membership Services and/or CEO will work with you to find ways to help move things forward.

Should they find that there is a case to answer, a sanction may be administered and a recommendation sent to DMU if applicable.

The Head of Membership Services or CEO can impose sanctions up to and including temporary removal from DSU membership. Any permanent removal must be approved by the Board of Trustees.

Step Four:

The individual who is the subject of the complaint will have the right to reply and will be given ten working days to submit their response and any evidence to the Head of Membership Services. They will be given the full text of the complaint against them to allow them the chance to respond. Details of the complainant and the individual who is the subject of the complaint will be kept confidential.

Stage 2: Appeal

You will have ten working days to submit an appeal to dsuinfo@dmu.ac.uk

You may only appeal if:

- the decision or sanction are disproportionate to the offence and evidence provided.
- new evidence has come to light since the original decision.
- the procedure was not applied correctly.

A senior staff member, likely the CEO, with no previous involvement in the original complaint will be assigned to review the appeal.

They will have 28 working days to make their decision, and you will have the opportunity to meet with them if you want to. You may bring someone to support you in this meeting who has no involvement in the matter, you may also utilise the DSU Advice Service for this. If a decision cannot be made within the 28 working days, you will be given an update and explanation for this, with a new estimated timeline.

The member of senior staff reviewing your appeal has the power to overturn decisions, reduce sanctions and offer other suitable adjustments as necessary. It may not increase sanctions.

The decision of the Appeal is final.

Section 2: Issues with DSU Services or Processes – student members, associated members, suspended members, university staff or members of the public

2.1 Informal complaints procedure:

This procedure should be used if you are unhappy about any aspect of the DSU services – for example, we are using a platform that is not accessible, or you are unhappy with one of our processes (such as events, recruitment, or fundraising). 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.

We want to solve your problem as quickly as possible. The best way to do this is for you to talk to a member of staff in the first instance, explaining what is wrong and what they can do to correct it.

They, or the appropriate team member, will endeavor to rectify this quickly and will check that you are happy. If this is not possible, they will tell you what they are going to do to address the issue you have raised.

If you are still not happy and want to take the complaint further, you will need to raise a formal complaint following the procedure below:

2.2 Formal complaint procedure

Stage 1

You can submit a formal complaint if:

- you have already attempted to resolve your issue through the informal process
- you haven't attempted informal resolution as your concern relates to discrimination or harassment related to a protected characteristic

Step one:

Write to DSU via dsuinfo@dmu.ac.uk saying that you are making a formal complaint using the **template in Appendix One**. Complaints submitted without using this format cannot be reasonably reviewed as they are often hard to follow, therefore you must use the format advised so your complaint can be understood, and the appropriate information is included.

Step Two:

A senior member of DSU staff will review your complaint and decide the best way of solving the problem. This may include assigning an investigative officer. **You should receive a full response to your complaint within 28 working days of receipt of the complaint.** If no conclusion has been reached by this time, you will be given an update and explanation for this, with a new estimated timeline.

In cases where a complaint involves our elected Officers or senior staff, we may utilise staffing or Trustee policies for this complaint instead depending on the nature of the issue. External advice, including legal advice, will be sought where it is deemed necessary or helpful, or where there may be a conflict of interest.

Stage 2: Appeal

You have ten working days to submit an appeal to dsuinfo@dmu.ac.uk

You may only appeal if:

- new evidence has come to light since the original decision.
- the procedure was not applied correctly.

A senior staff member, likely the CEO, with no previous involvement in the original complaint will be assigned to review the appeal. If the CEO has been involved in the original complaint investigation then this matter will be referred to the Supervising Trustee.

The CEO (or Supervising Trustee) will review all the information held relating to your complaint and will conduct further investigations if they consider that the initial investigation was insufficient. They will have 28 working days to make their decision. If a decision cannot be made within the 28 working days, you will be given an update and explanation for this, with a new estimated timeline.

Once the internal review is complete, you will be informed what the decision is and if you are still unsatisfied, what the external appeal options are.

If you have a serious complaint regarding another area of our work and do not feel completely satisfied by our response you can raise a complaint with **the Charity Commission**

2.3 Monitoring and review

This policy will be revised periodically, giving due consideration to any legislative changes where necessary amendments may be made.

Appendix One: Formal Complaint Template

Section 1 Personal Details

Surname:
First Name:
Email:
Best contact telephone:

Section 2 Student Details (if applicable)

University ID Number:
Programme of study:
Any relevant SU positions held e.g. Student Council representative:
Availability: Note any dates/times when we cannot contact you

Section 3 Your Complaint

Please detail your complaint and specify if you are complaining about the conduct of one or more individuals or about an organisation such as a club or society. Please also outline steps taken to date to rectify.
(Maximum 700 words)

Section 4 Relevant Individuals

Please supply brief details of individuals that have information that is relevant to your complaint. By supplying these details, you are confirming that you give your consent to these individuals being contacted by DSU.
Surname/Family Name/Last Name:
First Name:
Email:
Best telephone number for contact:
Information/Role e.g. witness:

Section 5 Relevant Documentation

If you have any supporting information or material that you wish to submit, please list it here and attach to your email.
Type of material:
Content:
Date:

Section 6 Resolution

Please describe what outcome or further action would allow your complaint to be resolved to your satisfaction

Consent

Submitting the complaint: By submitting this form you are confirming that you are aware of and have read the DSU Complaints Policy and Procedure and that you agree that all information relating to this complaint will be kept in accordance with DSU Data Protection Policies.