**Student Union Complaints Procedure**

There are three main routes of complaint:

1. Complaint about the activity of the Student Union
2. Complaint about a Student Union Staff Member
3. Complaint about a Student Officer or Student Member in association to a Student Union Activity

Complaints relating to students that do not fall within the Student Union jurisdiction should be referred to the University through the University Complaints Policy.

1. **Making a complaint about the Student Union**

Any member or group of members dissatisfied in their dealings with the Union should take up their complaint in writing with the President. The President shall deal with the complaint in a fair and timely manner with appropriate remedies instituted as necessary.

**Appeals**

If the complainant(s) is/are not satisfied with the reply or have not received a reply within ten working days of receipt of the complaint, they should appeal to the Trustee Board.

The appeal should be in the form of a letter to the Chief Executive Officer of the Student Union, who shall place the matter on the agenda for the next meeting of the Trustee Board. The member, or representatives of the group of members, shall be invited to address the meeting of the Trustee Board.

If they are not satisfied with their reply or if the matter has not been resolved within ten notice days of the first meeting of the Trustee Board which considered the matter, they should write to the Secretary of the University requesting consideration of the complaint by an independent complaints adjudicator appointed by the Court. The decision of the independent complaints adjudicator shall be final and binding on both parties.

1. **Complaining about a member of Union Staff**

The Student Union has student engagement at the core of all that it does. The Union is founded on the leadership and direction of elected Student Officers and employees of the Union are required to work alongside these Officers.

Officers of the Union are required to adhere to all Union Policy and, in particular, Sabbatical Officers will receive the same induction, support and guidance as any other employee.

The Union has a line management structure in place to ensure adequate guidance and support is available for all staff. Line Managers are responsible for managing the performance of staff in their area of responsibility and in consultation with the Chief Executive Officer. The Union has policy and procedures in place to manage staff including Performance Management Policy and Attendance Management Policy.

It is unacceptable for any Ordinary Member to comment directly to staff or indirectly to students, other staff or external parties on the performance, pay and terms of any staff member. For the avoidance of doubt, Officers of the Student Union are considered to be Ordinary Members and shall be required to adhere to this Protocol at all times.

Instances where Ordinary Members breach this Protocol will be subject to disciplinary action as determined by the Union Policy and Bye Laws. Where an Officer of the Union breaches this Protocol the matter will be automatically treated as a complaint through the Working with Officers Policy.

An Ordinary member of the Student Union wishing to make a complaint against a staff member of the Union should follow this Policy. All complaints should be resolved in a fair and timely manner.

An Ordinary Member wishing to make a complaint about a staff member has two options:

**Informal complaint**

An informal complaint should be made in writing to the President of the Student Union. The President shall be required to inform the Chief Executive Officer of the nature of the complaint. The President and Chief Executive Officer shall discuss the complaint and decide what action, if any, to take. Action through an informal complaint shall be limited to a maximum penalty of a verbal warning and must be conducted within the Union Policy relating to warnings.

**Formal complaint**

A formal complaint should be made in writing to the Chief Executive Officer of the Student Union. The CEO shall be required to inform the President of the nature of the complaint. If the complaint is relating to the Chief Executive Officer, the complaint should be made in writing to the Chair of the Trustee Board.

Formal complaints made against staff shall be investigated in a fair and timely manner and a response provided to the complainant within 15 working days. Depending on the outcome of the investigation, the matter can be referred to the appropriate Union Policy such as Disciplinary or Performance Management Policy.

1. **Complaining about a Student Officer or Student Member in association with a Student Union activity**

Complaints relating to a Student Officer or Ordinary Member in association with a Student Union activity should be made under the Disciplinary Procedure

1. **Union Discipline Committee**

The Executive shall act as the Union Discipline Committee. However should the case involve a member of the Executive Committee, the Trustee Board shall act as the Union Discipline Committee.

1. **Authority to Charge**

A person authorised by the Trustees, shall be empowered to charge members and to arrange for action to be taken by the Union Disciplinary Committee.

1. **Delegating Responsibility**

 It shall be competent for any Office-Bearer mentioned in this Bye-Law to appoint a deputy or a staff member to execute his/her functions under this Bye-Law.

1. **Jurisdiction**

Bye-Laws with regard to conduct shall be applicable to any function held in the name of the Union or any of its constituent parts. The organising body shall report any apparent breach of the Bye-Laws to the President of the Union;

Complaints in respect of alleged breaches of regulations of other Unions by Union Members shall be dealt with by the Union Disciplinary Committee;

An offence allegedly committed by a member of another institution shall be referred to the member’s institution for action;

It is the responsibility of all members to acquaint themselves with these Bye-Laws.

1. **Conduct**

 The Union Disciplinary Committee may take action regarding any member:

1. Who has contravened the Constitution or Bye-Laws of the Union or:
	1. who wilfully damages, defaces, steals or attempts to steal any fittings, property owned by, hired or loaned to the Union or to any member thereof or who is indirectly responsible through omission or default for any of the above;
2. Who has conducted him/herself in a manner unbefitting a member;
3. Who has breached a Union Policy
4. Who causes a disturbance in the Union or:
	1. who wilfully obstructs a duty volunteer or staff member in the execution of his/her duties;
5. Who defrauds or attempts to defraud the Union;
6. Whose guest contravenes these Bye-Laws;
7. Who refuses to produce his/her University Identity Card on demand to an authorised person;
8. Who, not having an Identity card, refuses to give his/her name and class on demand to an authorised person;
9. Who has harassed other members, guests or members of Union Staff where harassment is defined using the University Harassment Policy or Union Zero Tolerance Policy;
10. This Bye-Law shall apply where applicable to other organisations with a reciprocal agreement with the Union.
11. **Charging Procedure**

 The following procedure shall be carried out by an authorised person where she/he considers the conduct of the person to lie within the scope of the Disciplinary Committee.

* 1. If possible, the authorised person shall identify themselves to the person whose conduct is in question;
	2. The authorised persons may issue a warning or make a formal charge;
	3. If a warning is issued, the authorised person may make a formal charge if the conduct continues;
	4. The charge form, together with a written statement from the authorised person, shall be sent to the Vice-President as soon as possible.
1. **Initial date for hearing**

The President or his/her nominee shall organise a meeting of the Union Disciplinary Committee to hear the case. A notice shall be sent to the member/s charged with the date of the meeting and a copy of the charge form and any written statements giving at least five notice days prior to the date of the meeting.

The member charged shall have the right to appear and to be represented by a member of the Union. If the member charged or his/her representative fails to attend the initial meeting of the committee, the hearing shall be deferred for a maximum of 15 Notice Days. Notice of at least 5 Notice Days shall be given to the charged member if a second meeting has to be arranged.

If the member or his/her representative fails to appear at the second meeting, the case will be heard in the member's absence at that meeting.

1. **Procedure of meetings**

 The procedure at meetings of the Disciplinary Committee shall be as follows:

* 1. The committee shall invite the member charged (and/or his/her representative) (the accused), and the persons who initiated the charge (the complainant) into the room;
	2. The chairperson shall ask the accused whether she/he wishes the meeting to be held *in camera*;
	3. The chairperson shall read out the details of the charge (as noted on the charge form) and ask the accused how she/he pleads;
	4. If the accused pleads guilty, the chairperson shall then receive details of any mitigating circumstance and prior convictions. She/he may request further details for the purpose of clarification;
	5. If the accused pleads not guilty, the chairperson shall ask the complainant to present his/her case. If the complainant introduces witnesses, these may be questioned by the accused. The committee may also ask questions to clarify any matter. Each witness shall leave the room after his/her evidence has been presented. The accused shall then present his/her case. If she/he introduces witnesses they may be questioned by the complainant (and by the Committee). Each witness shall leave the room after his/her evidence has been presented:
		1. The complainant shall sum-up his/her case;
		2. The accused shall sum-up his/her case;
		3. Accused and complainant shall both leave the room while the Committee considers its verdict. Both parties shall return for the announcement of the verdict;
		4. If the verdict is guilty the Committee shall then receive details of any mitigating circumstances and/or prior convictions;
	6. In the case of the accused pleading or being found guilty, the complainant and accused shall be asked to leave the room while the Committee considers the penalty to be imposed, and both shall return for this to be announced;
	7. The committee may refer a case to the Trustee Board if they feel that the case merits a more severe penalty than they are able to impose.
1. **Informing member of decision**

 Following the meeting and within 5 Notice Days, the President shall inform the accused member by recorded delivery of the decision of the committee, and if she/he has been found in breach of discipline she/he has the right to appeal.

1. **Appeals procedures**

Appeals shall be heard by the Union Trustees. In cases where the Trustee Board has acted as the Discipline Committee, the appeal will be heard by a committee formed by one representative each from:

1. The University
2. The National Union of Students
3. A senior representative (Officer or staff) from another Student Union.

A letter of appeal shall be received by the President within ten Notice Days of the member being informed of the Disciplinary Committee’s decision. The appeals procedure shall be as detailed in Bye-Laws 9.6 and 9.7 for the Disciplinary Committee.

The Trustees shall have the power to change the verdict if they deem necessary. Should the Appeals Committee uphold the verdict the penalty imposed by the Disciplinary Committee shall stand unless the Appeals Committee have sufficient grounds to amend the penalty.

Appeals against a verdict of the Disciplinary Appeals Committee shall be made to the Disciplinary Committee of the University.

1. **Minor Breaches of Discipline**

Minor breaches of discipline taking place in the Union may be dealt with by the Union Minor Disciplinary Group.

This Group shall consist of the Chief Executive Officer and a member of the Executive Committee appointed by the Executive for this purpose. They shall have the power to impose one or more of the following penalties:

* + - * 1. an admonition;
				2. a reprimand;
				3. such fine as it considers appropriate, but not exceeding £25;
				4. suspension from some or all of the privileges of membership of the Union for a period not exceeding six weeks;
				5. a requirement to make good in whole or in part any loss or damage caused.

The Group may decide to refer the case to the Union Disciplinary Committee if they feel the penalties available are insufficient or that the case is more appropriately dealt with there.

The member charged shall be asked to attend meeting. He/she shall be entitled to be accompanied by another Ordinary Member or representative of the Union. The meeting shall be held as soon after the event as possible and the procedures shall be informal. The member may opt to have the case heard by the Union Disciplinary Committee.

The member may appeal against the decision of the Group to the Union Discipline Committee.

1. **Payment of fines**

If an appeal has not been lodged in the specified time, the decision of the Disciplinary Committee, or Appeals Committee, shall become final.

The President shall then send a letter (by recorded delivery) requiring payment of any outstanding fine. If within two weeks from the date this letter was sent, the outstanding fine has not been paid, the member shall be suspended from all privileges of the Union until the fine is paid.

1. **Suspension of privileges**

When a member is suspended from all privileges of the Union a letter shall be sent to affiliated societies and corporate bodies informing them of this fact, and instructing them to prevent the member from holding office or taking part in any activities of the Union.

The Secretary of the University shall be notified of any suspension.

1. **Exclusion**

Notwithstanding the provisions contained elsewhere in this Bye-Law, the Executive Committee shall have the authority to exclude an individual student from any premises which fall under the jurisdiction of the Union.

The exclusion shall have effect only where there exists a threat to the safety of members, their guests, staff or property of the Students Union.

The exclusion will apply until the case has been decided by disciplinary procedures or the member requests that the exclusion be reviewed by the Executive Committee.

The Secretary of the University shall be notified of any exclusion.