

Complaints Policy and Procedure

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REVIEW HISTORY			
Date	Version	Name	Notes

Policy Statement

This policy outlines the procedure for individuals to raise complaints regarding the Students' Union's services, activities, staff, and elected officers. It ensures complaints are handled fairly, promptly, and transparently, in line with the Education Act 1994 and other relevant legislation.

Complaints Policy and Procedure

1. Introduction

- 1.1. This policy outlines the procedure for students, members, and the general public, to raise complaints regarding the Students' Union's services, activities, staff, or elected officers. It ensures complaints are handled fairly, promptly, and transparently, in line with the Education Act 1994 and other relevant legislation.

2. Scope

- 2.1. Who can make a complaint:
- Any member or visitor to the Union, has a right to complain if they are dissatisfied with their dealings with the Union, or the service they have received.
 - Any Roehampton student has a right to make a complaint if they feel they have been unfairly disadvantaged by reason of having exercised their right not to be a member of the Union, in accordance with the Education Act 1994.
- 2.2. Complaints will be considered in scope if the incident giving rise to the complaint:
- Relates to the conduct of another member, or members, specifically in the context of Union membership, or concerns the conduct of a member of staff or sabbatical officer, or concerns a service provided by the Union.
 - Is made within ten working days of the incident (unless there are exceptional circumstances).
- 2.3. Where a complaint relates to a Students' Union staff member's (including Sabbatical Officers) conduct, we will investigate this under RSU's Staff Disciplinary Policy and Procedures. While this takes place your complaint will be paused. Once an outcome has been reached under the Staff Disciplinary Policy and Procedure, your complaint will promptly be resumed, including sharing the outcome of the investigation where appropriate and necessary to do so and in accordance with data protection legislation or other relevant law
- 2.4. Complaints relating to Students' Union elections will be managed through the process as set out in Bye-Law 6 and the relevant elections standing orders.
- 2.5. Complaints related to the political direction, or policy decisions of the Students' Union, should be raised through the Union's democratic accountability framework as outlined within the Bye-Laws.
- 2.6. The Union will not consider the same complaint multiple times, including when the original complaint is not upheld. A member or group raising the same complaint repeatedly will have their complaint rejected as vexatious.
- 2.7. This policy does not allow complaints to be made on behalf of someone else or anonymous complaints. However, RSU 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](#).

3. Principles

- 3.1. The Students' Union is committed to ensuring that all complaints are handled in a manner that reflects the following core principles:
- **Accessibility:** We will have a clear and easy to understand process.
 - **Fairness:** All complaints will be treated impartially, without bias or prejudice with decisions based on evidence and guided by relevant policies and procedures.
 - **Confidentiality:** Complaints will be handled with discretion and sensitivity with information shared only on a need-to-know basis.
 - **Timeliness:** Complaints will be acknowledged and resolved within reasonable timelines with any delays promptly communicated.
 - **Support:** Individuals involved in complaints will be signposted to appropriate support services, including the SU Advice Centre, university wellbeing services, and external organisations if needed.

4. Complaints procedure

- 4.1. A complaint should be made in writing within ten working days of the incident using the [online form on our website](#).
- 4.2. 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).
- 4.3. The Students' Union reserves the right to automatically class a complaint as a formal complaint if an informal resolution would not be suitable.
- i. Stage 1: Informal Complaint
- 4.4. Early resolution of issues in an informal setting should be the starting point for any complaint, and we will seek to support you in making this happen.
- 4.5. If you are unhappy with any aspect of RSU's services or processes, the best way to raise this is directly with a staff member responsible for that area, explaining what is wrong/went wrong, and what action you are looking for the SU to take to remedy the issue.
- 4.6. If you have an issue with an individual, or group of individuals, please report your concerns to a member of our staff team, who will seek to understand what has happened and identify an appropriate resolution. This may include support for you to have your own informal conversation, or they can mediate on your behalf to allow for all parties to be heard and a way forward to be agreed.
- 4.7. If the informal stage has failed to resolve the issue, or if one party has refused to engage with mediation, you can escalate the case to be a formal complaint. This also applies if you are not happy about the resolution you have been provided regarding our services and wish to take your complaint further.

ii. Stage 2: Formal Complaint

- 4.8. Following receipt of a formal complaint, a member of the management team (assigned as the investigation lead) will aim to investigate within 20 working days of the acknowledgement email, so they can review all evidence provided to them.
- 4.9. 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 investigation lead. They will be given the full text of the complaint against them to allow them the chance to respond.
- 4.10. The investigation lead will either uphold, partially uphold or not uphold your complaint. Decisions will be based on the evidence available. Within their response, the investigation lead 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.
- 4.11. Should they find that there is no case to answer, the investigation lead will work with you to find ways to help move things forward outside of the complaints process.
- 4.12. Should they find that there is a case to answer, a resolution/sanction may be recommended.
- 4.13. Based on the recommendations for resolutions and sanctions, the Deputy Chief Executive or Chief Executive can impose sanctions up to and including temporary removal of RSU membership. Any permanent removal of RSU membership must be approved by the Board of Trustees.

iii. Stage 3: Appeals

- 4.14. You will have ten working days to submit an appeal to rsuceo@roehampton.ac.uk.
- 4.15. You may only appeal if:
- The decision or sanction is disproportionate to the offence and evidence provided.
 - New evidence has come to light since the original decision.
 - The procedure was not applied correctly.
- 4.16. A senior staff member, likely the Chief Executive, with no previous involvement in the original complaint will be assigned to review the appeal.
- 4.17. 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 RSU 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.
- 4.18. 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.
- 4.19. The decision of the appeal is final.

5. External review

- 5.1. As per Section 22 of the Education Act 1994, complainants have the right to request that the University review the complaints process. The University will not reinvestigate a complaint but will report on the confidence that can be placed in the complaints procedure being fair and appropriate.

6. Support available for students

- 6.1. 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 RSU staff 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.

7. Data collection and usage

- 7.1. 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.
- 7.2. We have a [data sharing agreement](#) in place with the University of Roehampton which covers data related to complaints. This ensures that if a student is involved in a disciplinary issue or has lodged a complaint, both the Union and the University can maintain a consistent and fair approach, avoiding duplication or conflicting actions. While also allowing effective coordination in supporting students who may be at risk or in need of help.
- 7.3. We will always tell the University the outcome of a complaint if anyone is:
- Temporarily or permanently removed from RSU.
 - Complaining maliciously.
- 7.4. If during an investigation a potential serious offence is uncovered that is illegal in nature, deemed a risk to student welfare/life or may cause serious reputational damage to the University, the Investigation Lead can recommend to the Chief Executive that the case is referred to one of our external partners including but not limited to, the University, the local authority or the police. This decision will be made jointly by the Chief Executive and a trustee and may include legal counsel.