

UNION

COMPLAINTS POLICY

1. **Background**

Anglia Ruskin University Students' Union (ARU SU) works to support all our members to have a great experience whilst at university. We have policies and procedures in place to ensure we are providing a fair and equal experience to all our members in support of our inclusive culture.

This Complaints Policy exists to make sure we follow all our processes and procedures properly and, if we don't, to make sure we learn from any errors made. This policy is also designed to clarify where and how complaints about the SU can be made.

2. **Complaints Policy**

This complaints procedure is designed to cover any complaint or concerns a student may have about the Students' Union or the services run by the SU or any allegations that would suggest there has been a breach of our Articles and Bye-laws [How We're Run](#)

Members of the Students' Union are expected to conduct themselves in a reasonable and responsible manner particularly when acting in any Union capacity (e.g., as an officer, member of an ARU meeting or group, Executive Committee of a Society or Sports Club, Student Rep or student group member, acting as a Trustee of the SU Board), whilst using Union facilities, or participating in any Union activity/ event including club and society events, or whilst representing or acting on behalf of the Union with other external stakeholders

a. **Context**

This policy has been developed in line with best practice and takes account of relevant legislation including but not limited to the Data Protection Act 1998, UK General Data Protection Regulations 2016, Equalities Act 2010, Education Act 1994, the Licensing Act 2003, and the Charities Act 2011.

b. **Exclusions**

Items that are NOT covered by this complaint's procedure include:

- i. A general enquiry or feedback – these can be shared using our Live Chat service accessed through our website – www.angliastudent.com.
- ii. A difference in political opinion.
- iii. A complaint regarding the conduct of the SU Leadership elections. These should be raised with the SU Deputy Returning Officer via email to: theelections@angliastudent.com
- iv. A complaint regarding an SU Elected Officer – complaints of this nature should be dealt with as laid out in Bye-law 8.
- v. A complaint regarding academic issues or services provided by the University. The University has its own student complaints process: [Student Complaints Procedure](#)

- vi. Employment issues – these should be addressed via the staff grievance procedure [Policies.docx](#) – refer to the SU's HR and People Department.
- vii. Request for disclosure of personal information – this is covered by the UK General Data Protection Regulations and should be submitted via a Subject Access request by contacting the SU Live Chat service.
- viii. A disagreement about policy content – this should be raised through the democratic processes outlined in the articles and bye-laws [How We're Run](#)
- ix. If a student has any more queries or concerns about university accommodation, they can get in touch with the Residential Service Team who will be more than happy to help. [Contact the Residential Service Team - ARU](#)
- x. Decisions made to refuse admission to Students' Union venues under the Licensing Act 2003. These decisions are final and cannot be appealed. However, if a student feels procedures have not been followed correctly (for example, notice of a ban has not been provided) then this may be a ground for complaint.
- xi. Complaints made against Clubs, Societies, or ARU Student Union Projects will be considered under the relevant procedure as outlined in the Society Hub [The Committee Hub](#). ARU SU encourages respect and tolerance and all organisations, clubs, societies and other student groups that collaborate with the SU should commit to these values. The SU will work with clubs and societies to resolve complaints, but will not intervene where individuals, not acting in an official capacity, have disagreements. The SU will offer guidance and support on coping in these situations wherever possible.

To use our charitable funds proportionately we will not investigate trivial, hypothetical, repetitious or vexatious complaints which are not supported by evidence of a breach of ARU or ARU Students' Union standards or complaints that are abusive or offensive in nature.

Complaints about the behaviour or conduct of another student (unless related to their SU role) should be referred to the University complaints procedure [Student Complaints Procedure](#)

c. **Principles and Definitions**

Members of the Students' Union:

Any individual who is formally registered for an approved programme of study provided by Anglia Ruskin University and studying at the Cambridge, Chelmsford, Writtle, London, or Peterborough campuses or on selected distance learning or work-based courses as identified by Anglia Ruskin University. For the avoidance of doubt, Anglia Ruskin University shall determine whether or not an individual has core student status.

A member shall automatically cease to be a member of the Union when they cease to be a student or subsequently opts out of membership by giving written notice to the Union in accordance with the By-Laws and/or when they cease to be a Student Leader.

Grounds for Complaint

Complaints can be made by any *member of the Students' Union* about:

- i. Any behaviour or activity that contravenes our Articles and Bye-laws [How We're Run](#), and ARU SU Staff policies [Policies.docx](#), and the Rules, Regulations and Procedures for ARU Students [Rules, Regulations and Procedures for Students](#)

Or

- ii. A complaint regarding the provision, or lack thereof, of SU Services and Venues

Anonymous complaints will not be dealt with through this procedure.

Group complaints

Where there are concerns affecting several students, members may choose to submit a group complaint. In such circumstances, the group is asked to nominate a lead member to act as the main point of contact for the group.

Concerns and complaints by third parties

Concerns and complaints submitted via a third party will not normally be accepted. However, it is recognised that some individuals may be unable to raise a concern or make a complaint on their own. In these circumstances, concerns or complaints brought by permitted third parties will only be accepted when the individual affected has completed a third-party authority form and the Chief Executive Officer of the Students' Union (or nominee) has approved the request.

Suspension of Procedures

This procedure will normally be suspended if the complainant refers it to a court, tribunal or other external organisation until the outcome of the external process is known.

Time Frames

Complaints should be raised within **28 days** of any issue or incident occurring (unless there are clear reasons that suggest it would be prejudicial to the complainant to reject their complaint on this ground). Complaints raised after this period may not be considered.

As an SU we aim to resolve all complaints quickly and informally and assuming the complainant meets any deadlines set for submitting information or evidence. Unless there is an unavoidable reason for delay which will be communicated as early as possible in writing to the complainant, it is expected that all stages of the SU Complaint Process should be **completed with 90 working days of the complaint being raised**.

Complainants should expect to receive **acknowledgement of their complaint within 5 working days of submission**.

Support and Representation

Complainants have the right to support during the processing of their complaint and may bring a representative along to any meetings held as part of the process. As this is an internal SU procedure, it does not have the same degree of formality as a court of law. Therefore, the complainant may not normally bring anyone who is not a member of staff or a student at Anglia Ruskin University. Similarly, to avoid any potential conflict of interest, no member of ARU SU staff or student staff may act as a representative.

Complainants may request reasonable adjustments to these procedures in line with their rights retained under the Equality Act 2010. Requests will be considered individually, and the complainant will be notified of the adjustments that have been agreed in writing and at the earliest opportunity.

d. Objectives when dealing with complaints

- i. To clarify the roles and responsibilities of the complainant and the SU.
- ii. To increase transparency so that all involved know what to expect of the process.
- iii. To encourage the resolution of issues and complaints informally and at the earliest stage possible.
- iv. To adopt best practice in dealing with complaints fairly and independently.
- v. To learn from complaints and make improvements where appropriate.
- vi. To provide an independent view at each stage of the process.
- vii. To provide a mechanism for appeal.

e. What Complainants Can Expect from the SU

We will treat anyone who complains with courtesy and respect. The issue will be taken seriously, and every effort will be made to try and resolve the complaint.

In the first instance we will try to resolve complaints informally. Confidentiality will be respected. We will seek permission where others need to be involved. Any complaint will be acknowledged and will be dealt with by an appropriately knowledgeable person.

A response will be provided within a reasonable timeframe, and we will keep the complainant informed about that timeframe and any delays.

f. What the SU Expects from any Complainant

We expect to be treated with courtesy and respect and reserve the right to discontinue correspondence if a complainant does not behave in this way.

We expect honesty and patience and the complainant's cooperation in resolving the issue.

We ask that the complainant follow the process described including a clear initial description of the issue and a statement of the resolution they would like to see.

We expect that the complainant keeps appointments and keeps to any agreed actions.

g. **Confidentiality**

At all times during investigations, confidentiality and discretion will be maintained by all those involved. If the complaint indicates evidence of potential criminal activity or harm to an individual, the SU reserves the right to break confidentiality. If there is a need to break confidentiality, this will be approved by the Director of Student Leadership and Communities.

Where a concern or complaint has been raised against an individual and has been upheld, the complainant will be advised of this. However, specific details relating to how the relevant behaviour was addressed will not be shared.

h. **Monitoring Complaints**

A report on complaints made will be submitted to the Appointments and Governance Committee. This report will review the number and nature of complaints and identify lessons learned and improvements that can be made. Information will be anonymised unless there is a specific reason to waive this.

i. **Data Protection and Retention**

Data and information collected during the complaints process will be treated as confidential. This information will be used for monitoring purposes and will be stored securely. Data will be retained in line with the SU's Data Retention and Privacy Policies.

3. Process

All complaints start at the same point with an individual making the decision to lodge a complaint.

Submitting a complaint

All complaints must be submitted either in writing and addressed to ***The President, ARU Students' Union, Anglia Ruskin University, East Rd, Cambridge CB1 1PT.***

Or

Using the e-form available at the following link: <https://forms.gle/D22EzYxVR6gxp82n7>

-The person making the complaint is asked to be clear about:

- The complainant's preferred contact details (including full name/email/SID)
- What is/are the specific allegation(s) (including dates and times as applicable)
- What supporting evidence/information exists.

-The complaint will then be screened by the Deputy Director of Student Leadership and Communities. The aim of the screening will be to check that the complaint is appropriate to the procedure and to assign the complaint to an appropriate person to investigate the complaint.

Wherever possible, complaints will be dealt with informally in the first instance, however, if the nature of the complaint is regarding a more serious breach of policy or procedure, the Deputy

Director of Student Leadership and Communities may raise the complaint to Stage 2 for a more formal investigation.

If the complaint is excluded, this will be communicated to the complainant.

Once a complaint is accepted, there follows a three-stage approach to managing and investigating the complaint:

a. **Stage 1 Review**

If the complaint is covered by this procedure, and deemed appropriate for Stage 1 resolution, the complaint will be assigned to an appropriate ARU Students' Union Manager to act as the lead investigator. This person will review and seek to resolve the complaint. This may involve requesting a meeting with the complainant, or other relevant parties. This process will be concluded as quickly as possible, and within 30 working days of the receipt of the complaint, unless there is good reason. Any delays will be communicated to the complainant. The investigating Manager will recommend an appropriate course of action to resolve the issue.

Typical remedies that may be recommended include:

- i. An apology
- ii. Removal of material on SU social media
- iii. Mediation

This list is not exhaustive, and the investigating Manager will use their discretion.

If the problems raised by the complainant constitute a more serious breach, the issue will be referred for a Stage 2 investigation by the person investigating.

b. **Stage 2 Investigation**

The second stage of the Complaints Procedure may be initiated under one of the following circumstances:

- i. The investigating Manager determines the complaint is not suitable for informal resolution and raises the Complaint to the formal stage for investigation.
- ii. The Stage 1 investigating Manager recommends a Stage 2 Investigation is more appropriate given the circumstances of the case and refers the case to a Stage 2 Investigating Officer.
- iii. The complainant is dissatisfied with the suggested resolution following the Stage 1 review and requests a Stage 2 investigation within 5 working days of the Stage 1 resolution being communicated.

When a Stage 2 Investigation is initiated, the Deputy Director of Student Leadership and Communities will assign a Senior Investigator and a Complaints Panel. The Senior Investigator will be a member of ARU SU Senior team with no prior knowledge or prior involvement in the complaint. The Complaint Panel should consist of 1 ARU SU Elected Student Leader, 1 ARU SU Director and the Senior Investigator.

The role of the Senior Investigator will be to establish the facts of the case promptly, obtain written evidence, interview witnesses, and keep written records. In conducting interviews, the Investigating Officer will state the issues as known; ask for information and explanations and inform the person of the next steps and timelines. They will consult with staff advisers as necessary and prepare a written summary of findings and any recommendations for resolution.

These findings will be presented to the panel who will review the facts of the case and determine any appropriate action to be taken. At the end of this process the Complaints Panel will recommend an outcome. Examples include:

- i. An apology
- ii. Mediation (recognising that this is voluntary)
- iii. Referral to an appropriate Disciplinary Procedure
- iv. Training
- v. Removal of material on ARU SU or Clubs and Societies websites
- vi. Referral to the relevant sports club or society committee for action
- vii. Other appropriate dispute resolution

This outcome will be communicated formally to the complainant. A Stage 2 investigation will be concluded as quickly as possible, and usually within 30 working days of the Stage 2 process being initiated, unless there is good reason.

Any delays will be communicated to the complainant in writing.

c. **Stage 3 Appeal**

If the complainant does not accept the outcome from Stage 2, they can use the appeals process.

An appeal must be lodged in writing **within five working days** of the outcome of Stage 2 being communicated. Appeals can be made on the following grounds:

- i. There is new evidence that could not reasonably have been provided prior to the Stage 2 Investigation being concluded, and the evidence is such that the result of Stage 2 may have been different should this evidence have been considered.
- ii. That there was a procedural error during the process that would suggest the recommendation may have been different had the error not occurred.
- iii. Prejudice or bias in the handling of the complaint that would suggest the outcome may have been different should this not have occurred.

The Chief Executive Officer (CEO) of ARU SU will be responsible for determining whether there are grounds for appeal. If it is determined that the complainant has grounds for appeal, an appeal panel will be convened.

The Appeal Panel will be made up of 1 SU Director, 1 SU Senior Manager and 1 SU Elected Student Leader, all of whom will have had no prior dealing with the original complaint.

The Appeal Panel will review the complainants' grounds of appeal, any new information provided and the findings of the original investigation and make a final decision. This decision will be communicated to the complainant formally along with a 'Completion of Procedures' notification, usually within 30 working days of the notification of the Stage 2 outcome, unless there is good reason for delay.

The stage 3 appeal is the conclusion of the ARU SU Complaints procedure.

Withdrawal of a Complaint

An individual may choose to withdraw a complaint at any stage of the process. A decision to withdraw the complaint must be made in writing and addressed to The President, ARU Students' Union, Anglia Ruskin University, East Rd, Cambridge CB1 1PT.

In these circumstances the SU will assess the information submitted to identify any potential risks or legal responsibilities. If there is a potential risk the SU may continue to investigate and will retain information.

If there is no risk identified the Students' Union will review whether there is any need to retain information, and if not, the information will be destroyed.

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