

External Complaints Procedure

1. Purpose:

AUSA aims to be an association that engages students to have a voice, fulfil their potential, and get the most out of their university experience. We are a student community with influence who strive to support, empower, and represent. We are committed to ensuring high-quality services to not only our students but to anyone affected by them. Everything we do is informed and guided by all our core values; this document describes our complaints procedure and how to make a complaint if you feel we have fallen short of these in our dealings with you. It also explains our service standards and what you can expect from us.

2. Scope:

For this procedure, a complaint may be defined as:

An expression of dissatisfaction by one or more individuals about the standard of service, action, or lack of action by or on behalf of AUSA (referred to as 'the Association' throughout this procedure) by a staff member, Elected Student Officer of the Association (as defined by the Constitution), or member (where member refers to any current student who has not rescinded their membership of the Association).

A complaint may relate to:

- The quality and standard of service,
- Failure to provide a service,
- Treatment by or attitude of a staff member, member, Elected Student Officer, or contractor in a physical or online AUSA space or at an event hosted by the Association,
- Inappropriate behaviours by a staff member, member, Elected Student Officer, or contractor in a physical or online AUSA space or at an event hosted by the Association,
- The failure of the Association to follow an appropriate administrative process or standard operation procedure.

The definition of a complaint is very broad, and the list above is not exhaustive. However, not every concern raised with the Association is a complaint. For example, the following are **not** complaints:

- A routine, first-time request for a service,
- A request under the Freedom of Information (Scotland) Act or Data Protection Act,
- A request for information or an explanation of policy or practice,
- A response to an invitation to provide feedback through a formal mechanism such as a questionnaire or committee membership will generally not be treated as a complaint,
- An insurance or reimbursement claim,
- An issue which is being, or has been, considered by a court or tribunal,
- An attempt to have a complaint reconsidered where the Association's procedure has been completed and a decision has been issued,
- A grievance by or about a member of staff that is eligible for handling through the grievance procedure.

- Complaints about the behaviour of non-Elected Student Officer members out with physical or online Association spaces or events hosted by the Association.

These issues will be dealt with under the alternative appropriate processes rather than under the Complaint Handling Process (CHP). It should be noted, however, that some situations can involve a combination of issues, some are complaints and others are not, and each case should be assessed on a case-by-case basis.

For information on the Staff Grievance Policy, please see the AUSA employee handbook.

2.1. Who can make a complaint?

The CHP covers complaints from anyone who receives, requests or is affected by our services.

Complaints may be submitted by:

- Current ordinary members of the Association (all referred to as 'members' through the remainder of this document) who have a complaint about matters which are (or were at the time they arose) the responsibility of the Association.
- Members of the public, where they have a complaint about matters which are (or which were at the time the issue arose) the responsibility of the Association.
- Elected Student Officers of the Association and members of staff of the Association who have a complaint about matters which are (or were at the time they arose) the responsibility of the Association.

The basic processes for investigating complaints are the same for members, members of the public, and Elected Student Officers or staff of the Association.

Sometimes individuals may be unable or reluctant to make a complaint on their own. The Association will accept complaints brought by third parties, as long as the individual affected has given their consent under the requirements of the Data Protection Act (1998). This usually means that the individual affected must give clear written authority for the third party to act on their behalf. Complaints made by a third party with the explicit permission of the complainant will be dealt with according to the same timescales.

2.2. Anonymous Complaints

Complaints submitted anonymously will be considered if there is enough information in the complaint to enable the Association to make further inquiries. If, however, an anonymous complaint does not provide enough information to enable us to take further action, we may decide not to pursue it further. However, the Association may consider the issues raised and will record the complaint so that corrective action can be taken as appropriate.

Any decision not to pursue an anonymous complaint must be authorized by a member of Senior Management. If an anonymous complaint contains serious allegations, it should be referred to a member of Senior Management immediately.

2.3. Complaints involving more than one Department or Service:

If a complaint relates to the actions of two or more Departments or Services, the staff member receiving the complaint must confer with the other area(s) to decide who will take the lead on the complaint. The complainant will be told to whom the complaint is being passed. Coordination may still be required between different areas of the Association to ensure that the complaint is fully

addressed in a single response. The nature of the complaint may also require parallel procedures to be initiated (such as staff or student disciplinary procedures).

2.4 Complaints involving other organisations or contractors who provide a service on behalf of the Students' Association:

If an individual complains to the Association about the service of another organisation, but the Association has no involvement in the issue, the individual should be advised to contact the appropriate organisation directly.

Where a complaint relates to a service provided by AUSA and another organisation, the complaint must be handled through the CHP. In particular, the same timescales will apply. This relates to complaints that involve services provided on behalf of the Association (such as partner institutions and contractors) or to those provided by a separate organisation (such as awards agencies). If inquiries to an outside organisation in relation to the complaint are required, care must be taken to comply with Data Protection legislation and the guidance on handling personal information. Such complaints may include, for example:

- A complaint made about the provision of third-party services.
- A complaint made about a service that is contracted out.
- A complaint made about a partnering organisation where the Association was hosting the organisation or facilitating its involvement with members, staff, or Elected Student Officers.

2.5 Time limit for making complaints:

Complaints should be raised with the Association as soon as problems arise to enable prompt investigation and swift resolution. This CHP sets a time limit of six months to raise a complaint with the Association, starting from when the complainant first became aware of the problem unless there are special circumstances for requesting consideration of a complaint beyond this time.

Beyond the six-month time limit, the Association will exercise discretion in the way that the time limit is applied.

3. Responsibilities:

The responsible persons frequently mentioned in the procedure are as follows:

- **Investigating Officer:** Each Head of the Department and Elected Student Officers will be appointed as Investigating Officer. Investigating Officers will be responsible for thoroughly investigating the complaint and for reaching an appropriate and robust decision on the outcome. In doing this they may meet with all parties involved and prepare a comprehensive written report, including details of any recommended procedural changes to service delivery. In the case of more complex complaints, Investigating Officers may require clear direction and support from senior management on the extent and limits of discretion and responsibilities in investigating and resolving complaints, including the ability to identify failings, take effective remedial action, and apologise, where it is appropriate to do so. Where the complaint involves the Head of Department or Service or a senior member of staff, an appropriate member of Senior Management will be asked to nominate another appropriate individual to act as an Investigating Officer who is independent of the situation.
- **Senior Management:** The Senior Management Team has responsibility for ensuring that there is an effective CHP with a robust investigation process that demonstrates that organisational learning is in place. The Senior Management Team must receive assurance of complaints performance by way of regular reporting. The Senior Management Team should

ensure that complaints are used to identify service improvements that these improvements are implemented, and that learning is fed back to the wider organisation as appropriate. A member of Senior Management will be responsible for signing response letters to complainants following Stage 2 Complaint Investigation and therefore must be satisfied that the investigation is complete and that their response addresses all aspects of the complaint.

- **Case Officer:** The Case Officer is a trained staff member responsible for ensuring the appropriate and timely conduct of the complaint's investigation and the coordination of all aspects of the response to the complainant. They will be the complainant's main point of contact throughout the investigation of their complaint.
- **Investigation Panel:** Responsible for examining complaints and making decisions.
- **All staff:** A complaint may be made to any member of staff. All staff must, therefore, be aware of the CHP and how to handle and record complaints at the frontline resolution stage. They should also be aware of who to refer a complaint to in case they are not able to handle the matter personally. We encourage all staff to try to resolve complaints early, as close to the point of service delivery as possible, and quickly to prevent escalation.

4. Materials/Resources Needed:

The resources that will be needed within the scope of this procedure are as follows:

- Data Protection Act (1998)
- Staff Grievance Policy

5. Procedure Steps:

The CHP is intended to provide a quick, simple, and streamlined process with a strong focus on early resolution by empowered and well-trained staff.

5.1. Frontline Resolution:

Anyone who has a complaint is encouraged to raise it initially at the point of, or as close to the point of, becoming aware of it as possible and to raise it with the Department or Service in which the issue arose. Complaints at this stage may be made face-to-face, by phone, in writing, or by email.

The purpose of the frontline resolution is to attempt to resolve as quickly as possible complaints that are straightforward and require little or no investigation. Complaints at this stage of the process may be addressed by any relevant member of the Association's staff or a relevant full-time Elected Student Officer and may be handled by way of a face-to-face discussion with the complainant, or by asking an appropriate member of staff or full-time Elected Student Officer to deal with the complaint.

Members of staff or full-time Elected Student Officers to whom complaints are made will consider some key questions:

- Is this a complaint or should the individual be referred to another procedure?
- What specifically is the complaint (or complaints) about, and which area(s) of the Association is /are involved?
- What outcome is the complainant hoping for and can it be achieved?
- Is this complaint straightforward and likely to be resolved with little or no investigation?
- Can the complaint be resolved on the spot by providing an apology /explanation / alternative solution?

- If I cannot help, can another member of staff or full-time Elected Student Officer assist in seeking a frontline resolution?
- What assistance can be provided to the complainant in taking this forward?

Resolution may be achieved by providing an on-the-spot explanation of why the issue occurred and/or an apology and, where possible, what will be done to stop this happening in the future.

If responsibility for the issue being complained about lies in the staff member's area of work, every attempt will be made to resolve the problem at the source. If responsibility lies elsewhere, the staff member receiving the complaint will liaise with the relevant area rather than simply passing the complainant on to another office.

The Association will give a decision at Stage 1 in five working days or less after meeting with the complainant unless there are exceptional circumstances.

5.2. Investigation

These complaints may already have been considered at the frontline resolution stage, or they may be complaints identified upon receipt as appropriate for immediate investigation.

A complaint will be moved to the investigation stage when:

- Frontline resolution was attempted, but the complainant remains dissatisfied. This may be after the case has been closed following the frontline resolution stage.
- The complainant refuses to recognise or engage with the frontline resolution process and is insistent that the issue be addressed by a more senior member of staff.
- The issues raised are complex and will require detailed investigation.
- The complaint relates to issues that have been identified by the Association as high-risk or high-profile.

Special attention will be given to identifying complaints considered high risk /high profile, as these may require particular action or may raise critical issues requiring direct input from senior management. Potential high-risk/high-profile complaints may:

- Involve a death or terminal illness,
- Involve serious service failure, for example, major delays in service provision or repeated failures to provide a service,
- Generate significant and ongoing press interest,
- Pose a serious operational risk to the Association,
- Present issues of a highly sensitive nature.

A person can make a complaint in writing, in person, by telephone, by email online, or by having someone complain on their behalf. Where it is clear that a complaint will be immediately considered at the investigation stage, the complainant will be strongly encouraged to complete the appropriate complaint form to provide full details of the complaint and any relevant documentation. If they choose not to write it down and would prefer to complain in person, the complaint form can be completed with them, and a letter to confirm the scope of the complaint issued to them.

The purpose of conducting an investigation is to establish all of the facts relevant to the points made in the complaint and to provide a full, objective, and proportionate response to the complainant that represents the Association's definitive position.

5.2.1. What the Association will do when it receives a complaint for investigation:

The Association will allocate the complaint to a Case Officer.

The complaint will be sent to the relevant Head of Department or Service (Investigating Officer) for investigation. It is important to be clear from the start of the investigation stage exactly what is being investigated and to ensure that both the complainant and the Investigating Officer understand the scope of the investigation. In discussion with the complainant, three key questions should be considered:

1. What specifically is the complaint (or complaints)?
2. What does the complainant want to achieve by complaining?
3. Do the complainant's expectations appear to be reasonable and achievable?

If the complainant's expectations appear to exceed what the Association can reasonably provide or are not within the Association's power to provide, the complainant will be advised of this as soon as possible to manage expectations about possible outcomes.

Details of the complaint must be stored in the complaints folder and a reference number allocated. Where the complaint has been through the frontline resolution stage this must be shown in the complaints log. After the investigation, the log must be updated to reflect the outcome and any action taken in response to the complaint.

5.2.2. Timelines:

The following deadlines will be used for cases at the investigation stage of the Complaints Policy:

- Complaints will be acknowledged in writing within five working days
- The Association will provide a full response to the complaint as soon as possible but not later than 20 working days from the time that the complaint was received for investigation.

5.2.3. Extension to the timeline:

Not all investigations will be able to meet this deadline; for example, some complaints are so complex that they will require careful consideration and detailed investigation beyond the 20 working days timeline. Where there are clear and justifiable reasons for extending the timeline, senior management will exercise judgment and will set time limits on any extended investigation inform the complainant of the reason for the delay and advise the revised timescale to conclude the investigation. It is expected, however, that this will be the exception and that the Association will always strive to deliver a definitive response to the complaint within 20 working days.

Where an extension has been agreed, this will be recorded appropriately and the proportion of complaints that exceed the 20-working day limit will be evident from reported statistics.

5.2.4. Mediation:

Some complex complaints (where, for example, the complainant and/or other involved parties have become entrenched in their position) may benefit from a different approach to resolving the complaint. Using mediation can help both parties understand what is driving the complaint and may be more likely to result in a mutually satisfactory conclusion being reached. Whilst the Association does not have a formal mediation service, complainants who wish to consider alternative routes for investigation should discuss this with their Case Officer. Where

the Association and the complainant agree to pursue an alternative form of resolution, the complaint investigation process will be suspended pending its outcome. If the complaint remains unresolved, the investigation will resume, and revised timescales will be agreed.

5.2.5. Closing the complaint at the investigation stage:

The outcome of the investigation will be communicated to the complainant in writing. The decision, and details of how and when it was communicated to the complainant, must be recorded in the complaints log.

5.3. Appeals:

An appeal must be submitted in writing through the complaints e-mail address SUcomplaints@abdn.ac.uk, within 10 working days, in the event of the following grounds for appeal:

- Procedure has not been followed correctly.
- Substantial new evidence is available.
- The reasons or outcome of the investigation/disciplinary meeting is considered too severe for the offense.

The grounds of the appeal must be stated to the Complaints Facilitator, with details of the new information, who will appoint a new individual to consider the appeal and will notify in writing.

Where agreement is made for an Appeal, a further panel will proceed:

The process will follow as per the disciplinary meeting e.g.

- Further investigation should be considered and conducted if required.
- The appellant has the right to be accompanied.
- All written statements and minutes will be provided in advance unless restricted due to Data Protection.
- Consider a different outcome if appropriate.

5.3.1. Appeals Outcome:

The panel may:

1. Uphold the appeal or in part.
2. Make recommendations for adjustments.
3. Consider the outcomes as per the investigation or disciplinary meeting.
4. Dismiss the appeal.

The outcome will be issued within 5 working days of the Appeal meeting. The decision is final.

5.4. Recording, reporting, publicizing, and learning:

Valuable feedback is obtained through complaints. One of the objectives of the CHP is to identify opportunities to improve the provision of services across the Association. Staff must record all complaints so that complaints data can be used for analysis and management reporting. By recording and using complaints information in this way, the causes of complaints

can be identified and addressed and, where appropriate, training opportunities can be identified, and improvements introduced.

5.4.1. Recording complaints:

To collect suitable data, all complaints must be recorded in sufficient detail. The minimum requirements are as follows:

- Name and contact details of the complainant and student ID number (if applicable),
- Date of receipt of the complaint,
- How the complaint was received,
- Category of complaint,
- Staff member responsible for handling the complaint,
- Department/service to which the complaint relates,
- Action taken and outcome at the frontline resolution stage,
- Date the complaint was closed at the frontline resolution stage,
- Date the investigation stage was initiated (if applicable),
- Action taken and outcome at the investigation stage (if applicable),
- Date the complaint was closed at the investigation stage (if applicable),
- Underlying cause and remedial action taken (if applicable),
- Response times at each stage,

A Reference Number will also be assigned to the complaint by the Case Officer where a complaint is taken forward to the investigation stage.

5.4.2. Reporting of complaints:

The Association has a system for the internal reporting of complaints information. Regularly reporting the analysis of complaints information helps to inform management of where improvements are required. Information reported internally will include:

- Performance statistics, detailing complaints volumes, types, and key performance information, for example on time taken and stage at which complaints were resolved.
- The trends and outcomes of complaints and the actions taken in response including examples to demonstrate how complaints have helped improve services.

5.4.3. Learning from complaints

The Case Officer will always try to ensure that all parties involved understand the findings of the investigation and any decisions made. Senior management will ensure that the Association has procedures in place to act on issues that are identified. These procedures facilitate:

- Using complaints data to identify the root cause of complaints,
- Taking action to reduce the chance of this happening again,
- Recording the details of corrective action in the complaints file,
- Systematically reviewing complaints performance reports to improve performance.

The analysis of management reports detailing complaints performance will help to ensure that any trends or wider issues that may not be obvious from individual complaints are quickly identified and addressed. Where the Association identifies the need for service improvement:

- An appropriate member of staff (or team) will be designated the 'owner' of the issue, with responsibility for ensuring that any identified action is taken.
- A target date will be set for the action to be implemented and followed up on to ensure delivery within this timescale.
- Where appropriate, performance in the service area will be monitored to ensure that the issue has been resolved.

6. Confidentiality and Data Protection:

Confidentiality is an important factor in conducting complaint investigations. The Association will always have regard to any legislative requirements, for example, data protection legislation and also internal policies on confidentiality and the use of complainant information. Complaints will be handled with an appropriate level of confidentiality and information released only to those who need it for investigating or responding to the complaint. No third party will be told any more about the investigation than is strictly necessary to obtain the information required from them.

Where a complaint has been raised against a student or member of staff and has been upheld, the complainant will be advised of this. However, it would not be appropriate to share specific details affecting specific students or staff members, particularly where disciplinary action is taken.

7. Principles:

It is recognised that people may act out of character in times of trouble or distress. The circumstances leading to a complaint may result in the complainant acting unacceptably. Complainants who display unacceptable behaviour may still have a legitimate grievance, and the Association must therefore treat all complaints seriously and assess them properly.

The Association places the same expectations regarding behaviour of complainants as it does with its staff students and all others who interact with the Association. The Association also has a duty of care to ensure the safety and welfare of all staff, Elected Student Officers, and students. Consequently, the Association will not tolerate complainants behaving unacceptably.

Complainants should feel able to raise any matter of concern without any risk of disadvantage, however, where the Association deems a complainant's behaviour to be unacceptable the Association takes appropriate action as necessary, for example:

- In the case of an applicant, unacceptable behaviour may result in consideration of an application being terminated or an offer of admission being withdrawn.
- In the case of a member or student, unacceptable behaviour may be dealt with under the AUSA complaints byelaws.

Where it is deemed necessary to take steps to address unacceptable behaviour, the complainant will be advised of this, and attempts will nevertheless be made to complete the investigation of the complaint although contact with the complainant may be restricted.

8. Supporting the complainant:

Anyone who receives, requests, or is directly affected by the services the Association provides has the right to access the Association's CHP. The Association will seek to make reasonable adjustments to enable complainants with specific needs to bring forward their complaint.

9. Records:

- All records are kept by the Students' Union Privacy Policy.

10. References:

- Code of conduct

11. Revision History:

- Version numbers 1, January 2024

Appendix 1 – External Complaints procedure flow chart

