

Bye-Law 10: Complaints

1. General

- 1.1 Any person or groups of people dissatisfied with their dealings with Falmouth and Exeter Students' Union (FXU) has the right to make a complaint.
- 1.2 Students also have the right to make a complaint if they claim to have been unfairly disadvantaged as a result of opting out of FXU membership.
- 1.3 If a third party is named as part of any complaint, FXU must notify them as to their inclusion.
- 1.4 Confidentiality will be maintained by the person dealing with the complaint and the complainant will not be discriminated against or suffer recriminations as a result of making a complaint.
- 1.5 All complaints will be dealt with fairly and promptly and will be investigated according to the three following stages: 1) Informal complaint, 2) formal complaint, 3) Review stage

2. Informal complaint

- 2.1 We expect that most complaints will be resolved via an informal discussion about the matter at the earliest opportunity. A student or other person should therefore bring the matter to the attention of the Manager of the service, or Officer Trustee responsible for the area in question. This may be orally or in writing, including by electronic format and/or the informal complaints feedback form available online.
- 2.2 The recipients of informal complaints are responsible for responding to them promptly and fairly. This would normally be within five working days of receiving the complaint.

3. Formal complaint

- 3.1 If the complaint has not been satisfactorily resolved informally or if the nature of the complaint is serious, the complainant has the right to raise the matter as a formal complaint. Formal complaints may be made about a service or an individual or group within the Union.

4. Making a complaint

- 4.1 A formal complaint must be made in writing:
 - (i) by personal letter or
 - (ii) via email
 - (iii) online complaints facility available on the FXU website
- 4.2 All complaints should be addressed to the Deputy Chief Executive Officer. A complaint concerning the Deputy Chief Executive Officer must be addressed to the Chief Executive Officer. The Deputy Chief Executive Officer or Chief Executive Officer will then delegate the complaint to an investigator.
- 4.3 Complaints will be considered valid if the complainant:
 - (i) provides details of their name and contact details
 - (ii) the nature of the complaint
 - (iii) raises the complaint within 10 working days of the event or occurrence giving grounds for complaint, unless there are exceptional circumstances.

- 4.4 Receipt of formal complaints will be acknowledged in writing within 5 working days.
- 4.5 Valid complaints will be investigated within 10 working days of receipt.
- 4.6 The complainant will be notified of any undue delay in resolving the complaint as soon as possible.
- 4.7 During the investigation stage the complainant and others involved may be asked to provide verbal evidence for clarification and additional information but no formal hearings will take place.
- 4.8 The person conducting the investigation will determine:
 - (i) all findings of fact and
 - (ii) any mitigating circumstances and
 - (iii) appropriate further action if any.
- 4.9 Where complaints are upheld, confirmation of this and that appropriate action will be taken will be confirmed in writing to the complainant.
- 4.10 Any disciplinary action to be taken will be done so according to the relevant FXU procedures which may include: (i) staff disciplinary procedures (ii) Bye-Law 11 Disciplinary Procedures (iii) Article 35 of the Memorandum and Articles of Association, Removal of Trustees

5. Review stage

- 5.1 Where complaints are not upheld the complainant will be advised after completion of the investigation and informed of the right to raise the matter with the Independent Complaints Officer of the University of Exeter or Falmouth University in accordance with the Education Act 1994.