



Complaints Procedure

Reviewed October 2017

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Introduction

This Complaints Procedure covers handling of complaints from individuals, organisations or groups about the University of York Graduate Students' Association (GSA).

A complaint is normally an expression of dissatisfaction about certain action or lack of action taken by the GSA or about the standard of a service provided by or on behalf of the GSA.

All complaints are dealt with via this procedure with the following exceptions:

- Complaints related to staffing and staff conduct will be handled via the Staffing Protocols and Grievance Process.
- Election Complaints are dealt with following the GSA Election Regulations and Guidance.

The GSA welcomes comments and suggestions from students and other individuals. Individuals wishing to make a comment or suggestion are invited to do so informally at the point of service delivery by contacting the appropriate person.

General Principles

Complaints should be dealt with initially as close to their source and as informally as possible.

Frivolous, malicious and/or vexatious complaints (including within the legal sense of having no substantial chance of success) will not be accepted.

Complaints should be dealt with within a reasonable time, avoiding any undue delay.

It is expected that all parties involved will act reasonably, fairly and courteously towards each other and respect the processes

Any investigating officer shall be unbiased. They should not be or remain in an investigative or decision-making role if they have or subsequently find they have a conflict of interest. They should act in good faith, taking into account relevant considerations and extenuating circumstances, whilst ignoring irrelevant considerations. As far as is feasible, investigating officers should not have had significant prior involvement in matters central to the complaint.

Suitable records should be kept at each stage of the complaint, including of matters considered and any outcomes.

Individual privacy/confidentiality will be respected as far as reasonably practicable, subject to the need to facilitate a fair and proper investigation and appropriate reporting of the outcome. Complainants are also asked to adhere to an appropriate level of confidentiality while the complaints process is carried out.

Students considering making a complaint against the GSA may wish to seek independent help or guidance from the University of York Students' Union (YUSU)

Where a complaint has been upheld, appropriate reasonable remedial action should be offered.

Informal stage

The majority of complaints and concerns should be easily and amicably resolved. In the first instance a complainant should contact relevant GSA officer or staff member for complaint resolution.

Staff members will listen to concerns and endeavour to resolve matters on a one to one basis. As the matter is considered, it may involve meetings, discussions, giving of further information, explanations, suggested solutions and/or an apology as appropriate. Staff may request the attendance of a line manager if practicable, and if they believe that would help resolve the issue swiftly.

Only when the complaint cannot be satisfactorily resolved through informal discussions should the formal complaints procedure be used.

Formal Stage

Any person wishing to lodge a formal complaint must do so in writing to the Chief Executive Officer – ceo@yorkgsa.org. Complaints will be considered valid if the complainant:

- Provides full contact details
- Provides details of the event or occurrence giving rise to the complaint
- Raises the complaint within six months of the event giving ground for the complaint, unless there are exceptional circumstances.

The Chief Executive Officer will decide whether the complaint should be investigated under the formal complaints procedure, or whether it would be more appropriately dealt with under another procedure, and notifying the complainant accordingly.

He/she will initiate an investigation into the circumstances surrounding the complaint, where possible ensuring the complainant shall remain anonymous unless it is impractical to investigate the complaint thoroughly.

The investigation will aim to be as thorough as possible, taking necessary steps and gathering evidence where required and ensuring accurate records of the investigation are kept. Documentation relating to the complaint will be gathered and retained for twelve months.

The GSA aims to resolve any complaint in a timely fashion, however in exceptional, or complex cases timescales may need to be extended. The investigation lead should ensure the complainant is kept updated.

On completion of the investigation, the CEO will respond to the complainant, setting out the reasons for any decision and a statement of the outcome, along with information on next steps available to the complainant.

Appeal

Once the Chief Executive has completed a formal response, if the complainant remains dissatisfied or does not believe that the matter has been properly resolved, he/she can ask for it to be raised with the GSA Board of Trustees.

The Board shall receive notification of the complaint, the investigation and its outcome in order to satisfy itself that the complaint has being dealt with promptly and fairly.

Where the Board disagrees that the process has been fair or that there has not been an effective remedy to the complaint then the Board of Trustees shall appoint from its number an Investigation Panel which shall comprise at least one external trustee one student trustee. This panel will review the appeal and shall make a final ruling of the complaint. The outcome of the appeal will be notified to the complainant.

If a complainant exhausts the Graduate Students' Association procedure and remains unsatisfied they can contact the University Registrar who will arrange for a suitable nominee to investigate before considering whether any additional action should be taken.