

## **BYE LAWS G**

### **PROCEDURE FOR COMPLAINTS AGAINST NSU**

#### **Introduction**

1. This procedure is for complaints against NSU by its members, the University, external agencies and members of the public. Complaints may be made against elected officers, representatives of NSU, staff of NSU, the services or any other aspect of NSU. (There is a separate procedure for complaints concerning the NSU Elections.)

#### **How to make a complaint**

1. NSU strives to resolve complaints as quickly as possible and in the first instance complainants are encouraged to discuss their complaint informally with either a sabbatical officer and/or the General Manager of NSU. If they do not wish to do so or still wish to make a formal complaint after informal discussions then it should be put in writing to the General Manager (or nominee).
2. The General Manager or nominee shall contact a member of staff from a partner Students' Union, with no link to the service, Officer or complaint who shall investigate, gather evidence and determine whether there is a case to be heard. The complainant shall receive a formal response normally within 10 working days.
3. If there is a case to be heard, the General Manager (or nominee) shall convene a formal meeting of a Complaints Panel to which the complainant shall be invited to put their complaint. This meeting shall be normally within 5 working days of the decision of the external investigator.

#### **Complaints Panel and Hearing**

1. The Complaints Panel shall consist of an Executive Officer nominated by the Chair of Executive and who shall have no connection with the service, officer or any other aspect of the complaint and the General Manager who shall likewise have no connection with the complaint, other than for the initial and informal conversation.

Where process cannot be legitimately be dealt with internally, where there are allegations of racism, or where the integrity of the process is at risk, NSU may seek external support for the panel.

2. The Complaints Panel shall be supported by a minute taker and a nominee of the General Manager.

3. The purpose of the Complaints Panel is to review the investigation notes made by the external investigator, and determine whether the complaint should be upheld, and what action should be taken.
4. The Complainant will be invited to attend the panel, and may bring a supporter.
5. The supporter may only speak with the permission of the Chair. A 'supporter' cannot be a member of staff because this may put them into a position of conflict of interest. The role of the friend is not to be an expert witness. The role of the friend is to act as an observer, give moral support and to assist the person to make their case (although they may only speak with the permission of the Chair). In addition, where reasonable adjustments are required, a complainant may be accompanied by a supporter e.g. a sign language communicator or a note taker, and a complainant with difficulty in understanding English may be accompanied by an interpreter.
6. The Panel may ask the complainant further questions for clarification based on the investigation notes they have received.
7. A written record of the Hearing shall be maintained and a copy given to the complainant.
8. A written response to the complaint shall be sent to the complainant within 10 working days of the hearing.

### **Appeal to the Board of Trustees**

1. If the complainant is not satisfied with the outcome of the Complaints hearing, then the complainant has the right to submit a formal appeal to the NSU Board of Trustees which should be carried out within 20 working days of the receipt of the written response to the Complaints Panel outcome.
2. The Board of Trustees shall determine a Trustees' Appeals Panel of three individuals which shall not include any trustee who has previously heard the case or had any connection with the case.
3. The Trustees Appeals Panel shall invite the complainant to appear with their supporter to provide an overview of their appeal, submit any new evidence and clarify any questions that the panel may have.
4. The Trustees' Complaints Panel shall be supported by a minute taker.
5. The written response shall be sent within 10 working days of the hearing.
6. The decision of the Trustees' Complaints Panel shall be final.