

Complaints Procedure

Version 2 Approved by: SOAS SU Trustee Board Date: 12/02/2020

We, as the SOAS Students' Union, know that sometimes things don't go as planned, so we have this Complaints Procedure to make sure we resolve problems as soon as possible.

We listen & respond to all complaints from our members, the students of SOAS. We use what we learn from our complaints to get better. We use this procedure to make sure we treat everyone fairly and consistently.

Anyone can make a complaint, and this procedure applies to **members**, students who have **opted out of membership** and **associate members**. If you're not part of one of these groups, for example you're a member of the public, you can contact us with any concerns via su@soas.ac.uk for a response.

When's the right time to use the complaints procedure?

We have lots of different [policies and procedures](#) relating to our spaces, activities, democracy and operations and we hope that these will resolve any issues. However, if you think that we **haven't dealt with something as we said we would** then you can make a complaint through this procedure.

For example:

If you think we have not properly run our Union General Meetings (UGM) by not following our rules and procedures, you can make a complaint about that. However, you can't complain about the fact that a lift at SOAS is broken via this process - you can bring up such a concern with us and we will take it to the School, but it is not something we can handle through our internal complaints procedure. The complaints procedure is here to make sure we **follow our processes and procedures properly** and if we don't, then it gives us a chance to make sure we do.

Support & Adjustments

Any investigation under this procedure will be undertaken with appropriate discretion, care and consideration. All steps in the process will remain fair and in line with our [Equality and Diversity Policy](#). You'll be given opportunities throughout the procedure to identify if there are any adjustments that will make this accessible. Reasonable adjustments to the procedure can be made to accommodate members defined as disabled under the Equality Act 2010. We also recognise other support may be needed to enable people to access this procedure, and in line with our commitment to non-discrimination and tackling oppression we encourage you to let us know about the support you need. Also, you have the right to stop the process at any stage of your complaint.

How do you tell us something is wrong?

We want to resolve problems as quickly as possible, so dependent on what your complaint is about you can do one of the following:

- You can get a problem solved straight away. For example, if the beer we serve in the bar is flat, you can speak to a Supervisor or Manager and they will sort it immediately.
- You can make us aware of your concerns by contacting us through su@soas.ac.uk. We'll let you know we've read your email and give an indication of when we will get back to you. If it's something we can solve easily we'll provide a resolution straight away or it may be that more information or time is needed so a member of the team will contact you to let you know what we'll do next.
- You can explain the issue to a member of staff who will direct you to an appropriate staff member or Sabbatical Officer who will try to resolve the issue for you.

What if you're not happy with this response?

If you aren't happy with the outcome of your first conversation with us, or where your complaint is complex or serious and having a conversation is not appropriate you can make a **formal complaint**. Fill in [this form](#), provide as much evidence as possible and let us know what it is you want to happen next. We will try our best to make everything better and we will consider and prioritise what you think would make a difference.

What do we do when we receive a complaint form?

We'll start by **acknowledging your formal complaint** within **5 working days** of receiving it. We'll let you know who has been appointed to investigate it and what their contact details are. Usually your complaint will be initially investigated by a member of staff, who is not directly involved in what you're complaining about.

We investigate all formal complaints and try to resolve them as soon as possible. Investigating may include meeting with people involved to find out more information, collecting statements from people, looking at our policy or procedure to understand what should have happened and try to correct what may have gone wrong.

The investigation outcome and recommendations will be sent to an appointed Trustee, for approval of the decision. We will keep you up to date with what we are doing and aim to get back to you within **1 month**. Once we've been through the investigation we'll let you know the outcome and send you a formal response so that you know that this stage of the procedure has been completed. This tells you what we have done and what our resolutions are.

Some examples of resolutions we may be able to suggest are;

1. An apology
2. A refund
3. Actions to put right the specific causes of the complaint
4. Mediation or supported conversation to enable people involved to come to an agreed resolution
5. Access to further procedures, for example the misconduct procedure

What can you do if you're not happy with the formal response?

You can ask for a **review of your complaint** for the following reasons:

1. there is new evidence that would have an impact on the decision which you weren't able to make available at the time of the initial investigation
2. you can demonstrate that we've not followed this complaints procedure correctly and that this was substantial enough to affect the final decision
3. you have reason to believe the outcome is unfair or unreasonable based on all the information that was provided through the investigation.

A review will be carried out by a SOAS SU Trustee, who has **not** been involved at any stage of the complaint so far. You need to ask for this review within **10 working days** of receiving the formal response from us. To ask for a review contact su@soas.ac.uk with the reason for the request and any further evidence (if relevant) that you want to be considered. The review will consist of the newly appointed Trustee looking at all the available evidence, how the procedure has been carried out and the previously suggested resolutions. They may change completely, partly or not at all the decisions that had been previously made. Normally the review will be carried out within **10 working days** of receiving your request. We will then send you a formal response with the outcomes of the review, and we will inform you that you have now completed our internal procedures for complaints.

Anything else you might need to know?

We encourage you to make your complaint(s) within **1 month** of the issue or incident happening, or from when you received an informal response from one of the team. We understand that there are good reasons, particularly issues relating to **harassment and bullying** that you might not submit your complaint within this time limit. All complaints will be reviewed, and reasons for delay fairly considered.

If you are making a **complaint as a group**, you need to identify one of the group as a spokesperson who will be our main contact. If you are making a complaint about a student group (society, sports team) we will normally use the president/captain as a spokesperson for that group.

Making a complaint **will not affect** the way you are treated, your rights or any decisions made which are unconnected to the complaint. **It is a legal offence under the Equality Act 2010 to victimise (treat someone less favourably) anyone for seeking to protect or claim redress for discrimination or harassment.**

SOAS SU, and SOAS, expects everyone in our community to behave in a **reasonable and respectful way**. SOAS SU has a [Safer Space Policy](#) which sets out expectations for behaviour applying to our spaces, events, activities, services and groups. Complaints that relate to Safer Spaces can be investigated under our **complaint procedure**, our **misconduct procedure**, or may be **referred to the School's procedures**. These decisions will be made in conversation with the individual(s) raising concerns with us. The way we deal with complaints about **discrimination, bullying, harassment and victimisation** will take consideration of any reasonable adjustments needed to enable people to access the procedures, and based on our principles of zero tolerance of harassment and principles set out in the Safer Space Policy. If you want to get support for bullying and harassment, but do not want to make a complaint you can [Report here](#)

Protection of Confidentiality

We will deal with complaints discreetly, protecting the confidentiality of those involved. No Student Officer, staff or Trustee will comment publicly on any incident that is being dealt with under this procedure, and no formal reports will be publicly available. Anonymised information may be shared with SOAS SU Trustees to ensure we provide appropriate resources to support proper dealings with complaints. Where redress applies that will impact on the wider student community, the method of announcement will be explained to the people involved in the complaint.

Dealing with your Data

Accurate records will be kept detailing:

- The matter of complaint
- Any incident report, or
- referral to the Misconduct Procedure
- Any redress imposed and the reasons for it
- Whether a review was requested and the outcome of the review

These records will be kept confidential and retained in line with our **data & privacy policies**. Copies of any meeting records will normally be given to any people involved in the complaint.

Conflict of Interests

If your complaint is about a member of our SOAS SU staff team, an Officer or Student Trustee, we'll do what we can to make sure that the complaint is dealt with fairly. To avoid any real, or perceived bias in the investigation and decision making of any complaints, the Trustee Board will have the authority to delegate decision making to any other trustees, and may involve independent external investigators if necessary. All efforts will be made to ensure that no person involved with, or closely connected to the complaint has a decision-making role in this procedure. If you are concerned about potential conflict of interest, please make sure to mention so in your formal complaint form.

What can you do if you are not happy with the outcome we offer you?

If you have been through all of our procedures and you are still not happy, then you can make a request to the University for a review in line with Stage 3 of [their procedure](#). The University will review the Students' Union's handling of the case and either uphold the complaint or offer an alternative resolution where deemed necessary.

What else do you need to know?

1. Our complaints 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.
2. This complaint mechanism created under the Education Act 1994 does not interfere with licensees obligations to the Courts concerning the **running of licensed premises**. A licensee has the right to exclude persons from the premises in appropriate circumstances. As a Students' Union we reserve this right and the University does not have the power to overturn decisions made regarding exclusion from our venues.

The Complaint Form can be found here: <https://forms.gle/DRyMUHzJLsniiKxz8>

Email su@soas.ac.uk if you need the form in a different accessible format, or need any other adjustments to access making a formal complaint.