



## **Comments and Complaints Procedure**

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**Approved by:** Board of Trustees

**on:**

**Manager responsible for implementation:** Director of Marketing and Business Development

**Trustee responsible for interpretation:** Chair of the Board

**Relating documents:** Student Disciplinary Procedure; Staff Student Protocol; Constitution; Grievance Procedure

## **1.0 Introduction**

- 1.1 Our plan 2014-2017 details how Kent Union is a charity that empowers students to have a voice, to fulfil their potential and to get the most from their university experience. The ability to feedback, to criticise, and to complain is a vital part of ensuring that our members feel empowered.
- 1.2 When a complaint is made, Kent Union will always look to fix the cause of the complaint by looking to see if the service can be changed to ensure a similar complaint is not made in the future.
- 1.3 All complaints are taken seriously and, being more complex than comments, are dealt with under a separate strand of this procedure.
- 1.4 All comments and complaints are held separately and the original complaint, the response and subsequent action taken – including any improvements that have been made or suggested to improve the service are reviewed on a termly basis by Kent Union directors

## **2.0 Comments**

- 2.1 Constructive feedback is paramount to the continual development of our services and through effective analysis we can strive to exceed the requirements and expectations of our members. All comments will therefore be centrally collated by the Marketing Department, who have responsibility for logging all comments on a central register and then communicating them with relevant managers. They will provide support and scrutiny in the implementation of any targets set as a result of comments made.
- 2.2 A centralised email address is in place ([kentunion@kent.ac.uk](mailto:kentunion@kent.ac.uk)) allowing a register of comments and complaints to be compiled by the Marketing Department, who will distribute any comments or suggestions that are outlet specific so that, if necessary, immediate action can be taken. This email address is promoted via the website and through staff directly to the customer.
- 2.3 Within 3 working days the Marketing Department will send acknowledgement and thanks in regard to any comment, compliment or suggestion made.
- 2.4 On a yearly basis, the comments and complaints register will be submitted to the Board of Trustees with a full action and implementation plan developed by Director Group. Managers will be empowered by the Board to suggest and carry out actions they deem appropriate, with guidance from Director Group and the Marketing Department.
- 2.5 The Marketing Department will ensure that actions taken as a result of comments are publicised in a range of marketing materials. All compliments will be logged centrally, and stored for use in positive marketing materials published and distributed periodically.

## **3.0 Complaints**

- 3.1 We encourage people to invoke this procedure if for any reason they feel it necessary, allowing us to respond appropriately and have the opportunity to improve our service offering. The following defines how a complaint can be lodged with us and the process undertaken once a complaint has been received.

- 3.2 In the first instance, we encourage people to take a complaint informally to a Sabbatical Officer or member of staff. If it is felt that the complaint has not been dealt with satisfactorily, or if it is felt that the informal route is inappropriate for the type of complaint submitted, then the complainant should invoke the formal stages of this procedure.
- 3.3 Any member, who wishes to complain about a member of Kent Union staff, should refer to the 'Staff Student Protocol'. If a member of staff, student or otherwise, wishes to make a formal complaint about another member of Kent Union staff, s/he should refer to the 'Grievance Procedure'.
- 3.4 At all times a complainant's name and contact details will be kept confidential within the parameters of the investigation into the complaint. After the final outcome of a complaint, the complainant's contact details will be disposed of and only the complainant's name will be kept in the Complaints File (held centrally by the Marketing Department). Wherever possible, a complainant's details will be kept confidential, though in some circumstances it may be necessary to reveal certain information to the person about whom they are complaining, but this will not be done without receiving consent from the complainant first. In the instance that the complainant does not give formal consent for their details to be used, Kent Union guarantees to keep the complainant's name from any such person; in certain circumstances, however, it may make investigation into a complaint more difficult, even impossible.
- 3.5 It is not possible to predict what will happen in every complaint, however the following should give an idea of possible outcomes if a complaint is upheld:
- 3.5.1 If the complaint is about a fellow member of Kent Union, it will be dealt with under the Student Disciplinary Policy and the complainant will be informed of the Committee's decision through invoking this Policy.
- 3.5.2 If the complaint is about a Sabbatical Officer or Part-time officer and involves action within their elected remit, the complaint will be dealt with via the democratic forums (see Kent Union Constitution) and there will be no further stages of complaint in this instance. If, however, the complaint refers to the actions of an Officer as an ordinary student, then the complaint will be dealt with under the remit of the Student Disciplinary Policy.
- 3.5.3 Kent Union's Marketing Department will acknowledge all complaints within 2 working days of receipt.
- 3.5.4 On finalising investigations regarding a complaint, depending on the outcome, the complainant may receive an apology and an explanation for certain actions taken by Kent Union, its staff or members and be logged as Kent Union's formal response. The complainant may receive compensation for any loss which may have been directly incurred if Kent Union is at fault within policy or procedural boundaries.
- 3.5.5 We will always endeavour to improve its own services and procedures if these are deemed to be at fault in a complaint.
- 3.6 We recognise that complaints take two forms: either directed at the political and democratic environment of the organisation (such as complaints about a decision by one of its democratic committees); or complaints may regard provision of 'front' facing services

(for example dissatisfaction with the quality of service at one of Kent Union's commercial outlets). Two different routes have been designed for these two forms of complaint.

- 3.7 If advice is needed on a complaint, or if any part of this procedure is unclear, the complainant should see the Union President or the Director of Marketing who will provide any help required. In the event of the President being involved in the complaint, then any other Sabbatical Officer will provide the necessary help.

#### **4.0 Political Complaints**

- 4.1 Political complaints are all those involving the behaviour and decisions of Kent Union members and political committees in their capacity as Union representatives and decision-makers. These include complaints concerning Kent Union's constitution, rules, democratic procedures and policies. Political complaints include, but are not restricted to:

- Complaints regarding the behaviour of a sabbatical or part-time officer
- Complaints regarding the rules set out in the constitution
- Complaints regarding the failure of the Board of Trustees to enforce a Union policy

- 4.2 If for any reason the complainant is unclear whether their complaint is a political complaint or not, the final interpretation will be the responsibility of the Union President or another Sabbatical Officer in the case where the President is involved in the action leading to the complaint.

#### **4.3 Political Complaints - Formal Stages**

- 4.3.1 In the case of a formal Political Complaint, the complainant should refer firstly to the procedures and rules set down in Kent Union's Constitution.
- 4.3.2 The complainant should put their complaint in writing or by email to the Union Chair, copied to the Union President. The letter should include as much detail as possible, for example the date and timing of any incident, names of people involved and what the complainant sees as an appropriate outcome to the complaint. The complainant should also include their contact details for a response. An acknowledgement of receipt of the complaint should be dispatched within 48 hours of receipt from the receiving party.
- 4.3.3 Complaints will be dealt with through the channels specified in Kent Union's Constitution using the interpretation of the Union Chair. Political Complaints will be dealt with by the Union President and Chair, another member of the Board of Trustees.
- 4.3.4 The complainant should receive a written decision on whether the complaint has been upheld, with details of any action taken, within 5 working days. If for any reason a decision could not be reached within 5 days of the receipt of the complaint, a notice to that regard will be dispatched within 5 working days of receipt, and further notice every 5 working days thereafter, until a decision has been made.

## 5.0 Non-Political Complaints

5.1 Non-political complaints are those not relating to any of the Union's democratic structures, elected officers and representatives, constitution, rules, policies and procedures. The most common non-political complaints will involve the quality of a service tendered by the Union or the behaviour of a member of Union staff while providing that service. Non-political complaints include, but are not limited to:

- Complaints regarding the price, quality or service provision within any Kent Union commercial outlet
- Complaints regarding the availability and scope of services offered at non-commercial departments of Kent Union (such as JobShop, the Advice centre, or Mandela reception)
- Complaints regarding the behaviour and attitude of staff members.

## 5.2 Formal Stages

Although careful consideration will be paid to following the formal stages outlined below, stages may be skipped at the discretion of the Director of Marketing. At all stages of the formal complaints procedure, the Marketing Department will be responsible for logging on the comments and complaints register, the progress, actions and outcomes of a complaint.

### Stage One

- 5.2.1 A complaint should be passed to the Marketing Department who, once the complaint is logged, have responsibility for passing a complaint to the outlet manager (or staff member responsible for the service) who will investigate it fully and report findings and actions back to the Marketing Department. An acknowledgement of receipt of complaint will be dispatched from the Marketing Department, within 48 hours of receipt.
- 5.2.2 The complainant should receive a written decision on whether the complaint has been upheld, with details of any action taken, within 5 working days. If for any reason a decision has not been taken within 5 working days, the complainant will receive an update explaining what progress has been made, within this period, and every further 5 working days, until a decision has been made.
- 5.2.3 If at any point the complainant is dissatisfied with the outcome of their complaint, *subject to the test of reasonableness*, or can provide evidence that their complaint has not been dealt with in accordance with this procedure, they may go on to Stage Two of the procedure.

### Stage Two

- 5.2.4 The complainant should prepare another letter, detailing the original points of the complaint, but also including any reasons they have for being dissatisfied with the initial response. This complaint should be submitted to the Director of Marketing and Business Development, who will investigate the evidence previously collated and ensure that the correct procedures have been followed.
- 5.2.5 The complainant should receive a written decision on whether the complaint has been upheld, with details of any action taken, within 5 working days. If for any

reason a decision has not been taken within 5 working days, the complainant will receive an update explaining what progress has been made, and every further 5 working days, until a decision has been made.

- 5.2.6 If at any point the complainant is dissatisfied with the outcome of their complaint, *subject to the test of reasonableness*, or can provide evidence that their complaint has not been dealt with in accordance with this procedure, they may go on to Stage Three of the procedure.

### Stage Three

- 5.2.7 If the complainant is still *reasonably* dissatisfied with the treatment of the complaint, the complainant may take their complaint to the Board of Trustees through a sabbatical officer.
- 5.2.8 The complainant should prepare a letter detailing the original complaint along with the reasons why he/she is dissatisfied with the results of the two earlier stages; it should be noted that there must be a significant reason why the complaint merits going to Stage Three.
- 5.2.9 The complaint will be dealt with under open business in the following Board of Trustees meeting, except in the following circumstances, when it will be dealt with under closed business:
- If the complainant has requested anonymity
  - If the result of the complaint is likely to result in a member of the Union being referred to the Disciplinary Committee
  - If the complaint regards a sabbatical officer or member of Union staff
  - If the complaint involves a Board member, the chair will ask that the involved party leave the meeting during closed business, allowing open discussion about the complaint.
- 5.2.10 The complaint will be brought up as an agenda item, and the Board will decide how to proceed with it. An acknowledgement of receipt of the complaint, together with the decision of the Board of Trustees, will be dispatched immediately after the meeting. No further course of action will be taken by Kent Union following the Board of Trustees decision and/or investigation.
- 5.2.11 Should a member of the Union remain dissatisfied with Kent Union's Comments and Complaints procedure, there is a provision for an independent person appointed by the University's Council to investigate and report on complaints, as deemed appropriate by the Secretary of the Council (normally an independent senior person from the University). Complaints should be directed in the first instance to the Student Conduct and Complaints Office [-sccoffice@kent.ac.uk](mailto:sccoffice@kent.ac.uk)  
<https://www.kent.ac.uk/student-services/complaints/complaint-definition.html>

## 6.0 Abuse of the Complaints Policy

- 6.1 The procedure laid out in this document is at all times subject to a requirement of reasonableness. Any person found to abuse the Complaints Policy, for example by

deliberately making clearly false accusations, may be disciplined by Kent Union through the appropriate Disciplinary Procedure.

**7.0 Further information**

- 7.1 For further information or advice about the contents of this document or to suggest improvements, please feel free to speak to the Union President, Director of Marketing, your line manager or your Staff Council Representative.