



Comments and complaints Procedure 2020

Marketing	Head of Marketing Assistant Marketing & Communications Manager
Officers	Union President
SLT	CEO Deputy Chief Executive
Governance	Head of Governance
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Contents

1. Introduction
2. Scope
3. Comments
4. Complaints
5. Political Complaints
6. Non-Political Complaints
7. Abuse of the complaints policy
8. Further Information

1. Introduction & Policy

The ability to feedback, to criticise, and to complain is a vital part of ensuring that our members feel empowered.

- 1.1. Our comments and complaints form will be located centrally on the Kent Union website. Students who email the KU Mailbox will be asked to submit their comments via the online form.
- 1.2. Submissions on the comments and complaints form will be automatically emailed to the relevant department. The Governance Department will collect, monitor and log all complaints throughout the term and will be notified each time a form is submitted. It is their responsibility to ensure the relevant manager has responded and logged the action.

2. Scope

- 2.1. This Procedure covers all Union services, and elected roles. It also covers the political side of the Union including our representation work and structures.
- 2.2. If the complainant is unclear whether their complaint is of a political nature or not, the final interpretation will be the responsibility of the Union President. If advice is needed on a complaint, or if any part of this procedure is unclear, the complainant can speak with the Head of Governance, who can provide any help required.
- 2.3. Any comments received about University services will be logged through the complaints form and the R&D department will liaise with the relevant Reps or Officers to determine whether further work will be carried out. Complaints about the University should follow the [University Complaints Procedure](#).
- 2.4. All comments and complaints are stored separately and the original complaint, the response and subsequent action taken (including any improvements) are reviewed on a termly basis by Kent Union SLT.

3. Oversight & GDPR

- 3.1. On a termly basis, the comments and complaints register will be submitted to SLT with an action plan developed by Heads of Departments. This will be done in December, June & March. Managers will be empowered by the Board to suggest and carry out actions they deem appropriate, with guidance from SLT.
- 3.2. Information will be kept for the purposes of dealing with complaints and any personal information will only be retained for one academic year.

Sensitive and personal information will not be shared without explicit permission to do so, with any external parties, except the university where relevant. If your feedback is about one of the University services we may also send it to your Student Rep. If the nature of your complaint requires us to share information we will obtain consent. Individuals have the right to be informed and request access to personal information. For more information on data protection, visit <https://kentunion.co.uk/privacy>

4. Comments, Complaints & Feedback

- 4.1.** All comments will be centrally collated by the Governance Department, who have responsibility for logging all comments on a central register and then communicating them with relevant managers. A centralised [form](#) is used and this can be submitted anonymously.
- 4.2.** Complaints, comments and feedback can include the behaviour and decisions of Kent Union members in their capacity as elected representatives and decision-makers. These include matters 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 officer or Network Chair
 - Complaints regarding the rules set out in the Constitution
 - Complaints regarding the failure of the Board of Trustees to enforce a Union policy

We also encourage feedback on matters not relating to any of the Union's democratic structures, elected officers and representatives, constitution, rules, policies and procedures. These include, but are not limited to:

- Complaints regarding the price, quality or service provision within any Kent Union commercial outlet
 - Complaints regarding services offered by non-commercial departments of Kent Union (such as JobShop, the Advice Centre, or Student Activities)
 - Complaints regarding the behaviour and attitude of staff member.
 - Complaints relating to content published by Kent Union's student media groups, KTV, InQuire, or CSRfm
- 4.3.** In the first instance, we encourage people to take a complaint informally to a Sabbatical Officer or member of staff. If a student or customer wishes to make a formal complaint they should use the formal complaints [form](#). Any student member, who wishes to complain about another member or a member of Kent Union staff, can do so confidentially within the same form.
- A student staff member who wishes to make a formal complaint about another member of Kent Union staff, should in the first instance talk to their manager or Kent Union HR, if still not satisfied then they should refer to the [Grievance Procedure](#).
- 4.4.** At all times a complainant's name and contact details will be kept confidential within the parameters of the investigation. After the final outcome the complainant's contact details will be retained in the complaints form for one academic year. 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.
- 4.5.** If the complaint is about a Network Chair and involves action within their elected remit, the complaint will be dealt with via the appropriate democratic forum. If, however, the complaint refers to the actions of an elected officer as an ordinary student, then the complaint will be dealt with under the remit of the [Student Disciplinary Policy](#).

- 4.6.** Managers are expected to acknowledge or respond within three working days of receipt of a complaint. This is separate to the social media protocols that require acknowledgment within 1 hour.
- 4.7.** The complainant should receive a decision on whether the complaint or feedback has been upheld or actioned, with details of any action taken, within 5 working days. If for any reason a decision could not be reached within 5 days, notice will be given within 5 working days of receipt, and further notice every 5 working days thereafter, until a decision has been made.
- 4.8.** On finalising investigations regarding a complaint, depending on the outcome, the complainant may receive an apology or some other remedial action and an explanation for certain actions taken by Kent Union, its staff or members and be logged as Kent Union's formal response.
- 4.9.** If the complainant is not satisfied with how their situation has been resolved they can contact the Head of Governance V.K.King@kent.ac.uk who can follow up any of the following stages they deem fit:
- Involve the Board of Trustees for an open conversation on the matter to decide a suitable way forward.
 - Escalate the issue to the University for advice and guidance and or to resolve the matter
 - Assign an independent person appointed by the University Council to investigate and report on the issue.

5. Abuse of the Complaints Policy

- 5.1.** 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.

6. Whistleblowing process

- 6.1.** This policy applies to all officers and career and student staff of Kent Union and also temporary employees of the Union. It also applies to external consultants, contractors and agency employees while they are at the Union. You are not required to have worked at the Union for a minimum amount of time before you can use this policy.
- 6.2.** Whistleblowing is specific and means a disclosure of information made by an officer, staff member or an external person or body where they reasonably believe that one or more of the matters detailed in section 6.4 below is happening now, took place in the past or is likely to happen in the future.
- 6.3.** This policy covers concerns that fall outside the scope of other procedures. It is not intended as recourse against financial or organisational decisions made by the Union or its Committees, or under procedures set out in the Constitution. Nor is it an alternative to well-established disciplinary or grievance procedures.

6.4 Concerns that can be raised under this Whistleblowing Policy should be about something that does not fall into the Comments & Complaints procedure. These may be something that is or may be:-

- unlawful or a criminal offence or a failure to comply with a legal or regulatory obligation or duty
- a miscarriage of justice
- mistreatment or abuse of a member of the Union or a member of the public for whom the Union has a responsibility
- in disregard of legislation governing health and safety at work including endangering the health and safety of any person
- in breach of the Union's Constitution or Financial Procedures
- fraud or financial irregularity, corruption, bribery or blackmail
- seeking undue favour over a contractual matter or a job application leading to or having the potential to lead to damage to the environment
- other unethical conduct including deliberate concealment of any of the above

6.5 You can view the Whistleblowing policy [here](#) including how to raise a concern within the Whistleblowing Policy.