

# KCLSU Complaints (non election) Procedure.

Name: KCLSU Complaints (non election) Procedure	
Brief description: : This procedure ensures that KCLSU can listen and respond to all complaints from our members, so that complainants are treated fairly and KCLSU can continue to learn and improve based on feedback from our members. The procedure also enables members to raise concerns about the behaviour of other members, which may prompt a disciplinary investigation. The procedure is applicable to all KCLSU members, including associate members, and is also applicable to non-members (members of the public, other stakeholders).	
Approved by: Governance and Policy Committee	
Date of approval: Jan 18	Date of next approval: 2 years

## 1. The KCLSU Complaints (non election) Procedure

### 1.1 Purpose

KCLSU has a clear procedure for responding to any complaints about our events, spaces, activities, people or groups. Complaints are treated seriously and dealt with fairly, and are an opportunity for KCLSU to learn and improve how we work.

Most concerns can be informally resolved by talking to our members of staff, student group leaders, or other students. Sometimes it may not be possible to resolve concerns through these channels. The KCLSU Complaints Procedure is used to set out what needs to be done to make a formal complaint, and to investigate the complaint. In cases where a complaint is made in relation to a student group, the group President or lead officer will represent the group, and any required redress will be applied directly to the group and not against individual students.

Making a complaint will not affect the way members are treated, members' 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.

### 1.2 When should a different procedure be used?

This procedure should not be used if the concerns raised relate to:

- KCLSU Elections or Referenda
- KCLSU Student Officers political performance

To find out more and read associated policies and procedures visit our website <https://www.kclsu.org/policyzone/>

## 1.3 Support and 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 KCLSU's equal opportunities policy.

Reasonable adjustments to the procedure can be made to accommodate members defined as disabled under the Equality Act 2010.

## 1.4 Protection of Confidentiality

KCLSU is committed to dealing with complaints discretely, protecting the confidentiality of those involved. No KCLSU Student Officer, staff or Trustee should comment publicly on any incident that is being dealt with under this procedure, and no formal reports will be published. 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.

## 1.5 Recording Complaints

Accurate records will be kept detailing

- The matter of complaint
- Any incident report, or referral to the Members Disciplinary Procedure
- Any redress imposed and the reasons for it
- Whether an appeal was lodged and its outcome

These records are to be kept confidential and retained in line with the above Complaints Procedures and the General Data Protection Regulations. Copies of any meeting records will normally be given to any people involved in the complaint.

## 1.6 What does KCLSU mean by 'complaint'?

A complaint is an expression of concern, difficulty or difference of opinion for which a formal response is being requested. This may include:

- Dissatisfaction with the response given after raising an informal complaint
- A complaint about a very serious matter
- A complaint about being disadvantaged following opting out of students' union membership

## 1.7 Conflict of Interests

In the event of a complaint involving KCLSU staff, Officer or Student Trustees, KCLSU will ensure that the incidents are dealt with fairly. To avoid any real, or perceived bias in the investigation and decision making of any complaints, the KCLSU Trustee Board will have the authority to delegate decision making to any other trustees, and may involve independent, external investigators. All efforts will be made, where possible, to ensure that no person involved with, or closely connected to the complaint has a decision making role in this procedure.

# Formal Proceedings

## 2. Stage 1: Report of Complaint

2.1 A complaint is sent to [complaints@kclsu.org](mailto:complaints@kclsu.org) and reviewed by the Adviser to the Complaints Procedure

2.2 A complaint will be considered a formal complaint if it is about a matter which falls within KCLSU's control or remit, and requires a formal response or redress

2.3 A complaint should include

- details of the concern,
- the date(s) when this occurred,
- name and contact details for the complainant

2.4 The complaint should, where possible, usually be submitted within 28 days of the incident in question. It is recognised in some cases, particularly cases of harassment and bullying, a report may not be submitted within 28 days. All complaints will be reviewed, and reasons for delays fairly considered.

2.5 The complaint is recorded in the Complaints Log

2.6 The KCLSU President (or delegated nominee officer trustee) is notified of & reviews the complaint with any relevant initial evidence and decides:

- The complaint should be dismissed as it there is no merit or the information is factually incorrect
- The complaint can be quickly and simply resolved, and a resolution offered
- The report should be referred to [the Members' Disciplinary Procedure](#)
- The complaint needs to be investigated

2.7 The complainant will be informed of this decision, in writing, within 15 working days. This communication must include:

- Details of the complaint
- A copy of this Complaints Procedure
- Information about what will happen next

### 3. Stage 2: Investigation Stage

3.1 A complaints investigator will be appointed by the President. The investigator will be a KCLSU manager not previously involved in the case.

3.2 The complainant, and any person who may be subject to a complaint (including student group leaders, or KCLSU department manager) will be informed, in writing, of the investigation, confirming:

- The details of the complaint
- The name and contact details of the complaint investigator
- A minimum of 2 working days' notice will be given for any meetings

3.3 The complaints investigator will review all evidence, and may request additional evidence as required to determine the details of the complaint.

3.4 The complaints investigator will present the complaint, evidence, findings and recommendation to the President.

3.5 The President will review the findings and documents and decide one of the following:

- The complaint has been found not justified and no further action will be taken
- The complaint has been partly or fully justified, and the recommendations for redress

3.6 The complainant will be informed of this decision, in writing within 15 working days.

### 4. Stage 3: Appeal Stage

4.1 An appeal against the decision of the complaints investigation can be considered on one or more of the following grounds:

- There is evidence a significant procedural error in the investigation of the complaint, which significantly contributed to the outcome
- Significant new evidence has come to light which could not have been made available during the initial investigation



4.2 Appeals should be made to the Chief Executive within 10 working days of notification of the decision.

4.3 The Chief Executive, or their nominee, will determine the most appropriate method of conducting the review and communicate in writing the result of the appeal and the reasons for the decisions taken within 28 working days.

4.4 Possible outcomes of an appeal are:

- The appeal is rejected and the original decision is upheld
- The appeal is upheld and the complaint redress is modified

4.5 If your appeal is not upheld we will write to you to explain that you have the right to raise the complaint with the Independent Complaints Officer of King's College London by writing to the Director of Academic Services.

## Appendix One: Tables & Charts

STAGE	WHO & WHAT	OUTCOME	
1) REPORT STAGE	Case reviewed by President	A] Complaint Dismissed/Resolved. Process Complete. Completion of Procedures Issued.	
		Initial resolution offered	Complainant doesn't accept resolution. Refer to 2) Investigation Stage
			Complainant accepts offer. Refer to outcome A]
		Incident referred to Members' Disciplinary Procedure	
		Investigation warranted. Refer to 2) Investigation Stage	
2) INVESTIGATION STAGE	Incident investigated by Complaints Investigator	Complaint found not justified. Complainant informed of 3) Appeal Stage.	
		Complaint found partly or fully justified. Resolution offered.	Complainant doesn't accept resolution. Refer to 3) Appeal Stage
			Complainant accepts offer. Refer to outcome A]
3) APPEAL STAGE	Case reviewed by Chief Executive	Appeal upheld. Resolution offered. Refer to outcome A]	
		Appeal rejected. Refer to outcome A]	Member informed of right to complain to the Independent Complaints Officer (KCL)

