



## Bangor University Complaints Procedure

Date	Purpose of Issue / Description of Change	Equality Impact Assessment Completed
September 2019	Initial Issue (incorporating the <i>Staff and General Complaints Procedure</i> )	

Policy Officer	Senior Responsible Officer	Approved by	Date
Head of Governance and Compliance	University Secretary	Compliance Task Group	30 <sup>th</sup> September 2019

*This Procedure will be reviewed in 3 years*

# COMPLAINTS PROCEDURE

## 1. INTRODUCTION

This Procedure outlines the various procedures which exist at Bangor University for individuals who wish to make a complaint about any aspect of the University.

Bangor University welcomes comments and suggestions from individuals and groups with whom it has contact, reflecting its commitment to continue to enhance the quality of its provision. If you have a complaint which relates to the University, please follow the relevant procedure outlined below. The procedure that you follow will be dependent on whether you are a member of University staff, a student or member of the public.

Complaints relating to the University's Welsh Language Policy or the implementation of the Welsh Language Standards will be dealt with by Canolfan Bedwyr.

## 2. MEMBERS OF STAFF

### [a] Complaints from Staff

Complaints from members of academic, managerial and professional staff concerning their appointment or employment, and relating to matters affecting themselves as individuals or their personal dealings or relationships with other staff of the University (including, but not limited to, issues of harassment or unlawful discrimination) should be dealt with under the University's *Grievance Procedure*.

Complaints from support staff in relation to issues such as terms and conditions of employment, health and safety matters, and relationships at work, new working practices, organisational changes and equal opportunities should be dealt with under the University's *Grievance Procedures for Support Staff*.

The University's grievance procedures should not be used in relation to:

- actions or decisions taken following formal action under the disciplinary, capability/performance, probation, redundancy, incapacity or retirement policies. Complaints about these matters should be considered at hearings under these policies.
- grading decisions, which will be managed through the appropriate grading appeal procedure;
- collective disputes;
- grievances raised by former employees.

### [b] Complaints about Staff

Depending on the nature of the issue complaints about members of staff, either from other members of staff or from students can be dealt with under the University's *Grievance Procedures* or the *Disciplinary Procedure*. In all such cases the complaint should be directed to Human Resources in the first instance.

### [c] Public Interest Disclosure (Whistleblowing) Policy

The University has a *Public Interest Disclosure (Whistleblowing) Policy*, which aims to provide avenues for members of the University to raise serious concerns, disclose information in circumstances which the individual believes shows malpractice, and receive feedback on any action taken. It also creates mechanisms so that the matter can be taken further if there is dissatisfaction with the University's response.

Any member of the University who wishes to use this policy to make a disclosure should report the concern to the designated officer. The designated officer for Bangor University is the University Secretary.

### **3. STUDENTS AND FORMER STUDENTS**

#### **[a] Complaints from Students and former students**

Students and former students who wish to complain about their academic programme (course) or any other service offered by the University should use the *Student Complaints Procedure*.

The *Student Complaints Procedure* should not be used to complain about the conduct or behaviour of another student, these complaints should be referred to the Head of Governance and Compliance under the University's *Student Disciplinary Regulation*. The *Student Complaints Procedure* should not be used to complain about the conduct of a member of staff which is unrelated to the student's academic work or experience. These complaints should be referred to Human Resources in the first instance.

### **4. MEMBERS OF THE PUBLIC AND EXTERNAL GROUPS**

#### **[a] Definition**

A general complaint is:

An expression of dissatisfaction or concern, spoken or written by any communication method, made by one or more members of the public, about an action or a lack of action, or about the standard of service provided by Bangor University, which requires a response.

#### **[b] About our General Complaints Procedure**

A general complaint from a member of the public about a particular University college, school, department, service, unit, policy or activity should follow the Procedure outlined in Section [c] below. Using this procedure you can complain about things like:

- the quality and standard of any service we provide
- failure to provide a service
- the quality of our facilities or learning resources
- unfair treatment or inappropriate behaviour by a student or staff member
- the failure of the University to follow an appropriate administrative process
- dissatisfaction with University policies

The complaint may involve more than one aspect of the above, more than one school and / or department, or be about someone working on behalf of the University. It should be noted that there are some things we can't deal with through the General Complaint Procedure. These include:

- a request under Freedom of Information or Data Protection legislation (there is a separate procedure to be followed which is available from the Head of Governance and Compliance);
- a request for information (this can be requested through the University Freedom of Information Policy);
- an explanation regarding the existence of a particular policy or practice ;
- an appeal about an academic decision on assessment or admission (these should be submitted by using the *Academic Appeals Procedure* and the *Appeals and Complaints Procedure for Enquirers and Applicants* respectively);
- an issue which is being, or has been, considered by a court or tribunal;
- a request for compensation only ;

- an attempt to have a complaint reconsidered where we have already given our final decision following an investigation.

**[b] Initial Resolution Procedure**

- i. If, having considered the points raised in Section 4[a] above you believe that you have a general complaint which falls within the remit of this Procedure, the matter should initially be discussed with the member of staff directly involved in the issue. Most problems can be resolved by talking through the issue with either the person you've been dealing with or with their line manager. Complaints can often be sorted out this way.
- ii. If the complaint remains unresolved following discussion with the individual concerned, the complaint should be put in writing to the Head of the relevant School or the Director of the relevant Professional Service. The Head of School / Director should acknowledge receipt of your complaint within five working days. The complaint should be investigated, and every effort made to resolve the issue in a satisfactory manner.
- iii. If the complaint relates to the Head of School, you should direct your complaint to the Dean of College. Complaints against a Dean of College should be directed to a Pro Vice-Chancellor.
- iv. Following consideration of your complaint, the Dean of College/ Head of School or Director of Professional Service will write to you normally within fourteen days of receiving your complaint informing you of the findings and if necessary, noting any steps taken to resolve the matter.

**[c] Formal Investigation Procedure**

- i. If following consideration by the Dean / Head of School or Director you remain dissatisfied, you may choose to lodge a formal complaint. Responsibility for overseeing this procedure lies with the Chief Operating Officer / University Secretary but initial correspondence should be addressed to the Head of Governance and Compliance, Governance and Compliance Office.

This correspondence must:

- set out clearly the nature and origin of the complaint;
  - detail the steps taken to resolve the complaint in accordance with the process stipulated in Section 4[b] above;
  - explain why the outcome of the previous action is not considered satisfactory;
  - identify (if appropriate), any desired outcome to resolve the complaint.
- ii. The Head of Governance and Compliance will acknowledge receipt of your correspondence within five working days, and consult the Chief Operating Officer / University Secretary, who will conduct such initial enquiries as are considered appropriate (or will appoint a nominee to do so). On completion of these enquiries the University Secretary or nominee may arrive at one of the following decisions:
    - a. That a *prima facie* case exists for a formal investigation. In this case, a Panel of Enquiry will be established by the Head of Governance and Compliance to consider the complaint. The procedure to be followed shall be determined by the Panel but shall generally take the form of a hearing. OR
    - b. That no *prima facie* case exists, and no formal investigation should take place.

The decision will be conveyed in writing to you by the Head of Governance and Compliance.

- iii. The Panel of Enquiry should be convened within ten working days of the Chief Operating Officer / University Secretary's decision, and will normally, dependent on the nature of the complaint, consist of four members, namely:
- The Chief Operating Officer / University Secretary (Chair)
  - Two individuals from the following group: the Pro Vice-Chancellors, members of the Executive, Heads of School, Directors of Professional Services;
  - The President of the Students Union (or nominee)  
and
  - The Head of Governance and Compliance (Secretary)

The Panel must not include any members of staff from the College, School or Professional Service mentioned in the complaint. The Panel has the authority to call any witness they require in order to consider the complaint.

The University aims to resolve most complaints which involve a Panel of Enquiry within 2 months of the Chief Operating Officer / University Secretary's decision to refer a complaint to the Panel, you will be informed if there is a delay in the process.

- iv. The Head of Governance and Compliance, in response to instructions from the Chair, will arrange for all relevant individuals (complainant, witnesses etc.) to attend the Panel of Enquiry. The school/professional service, against which a complaint has been made, will be represented at the Panel hearing, normally by the Head of School/Director or Head of Professional Service. This ensures that the School/Professional Service is fully aware, at the highest level, of the issues raised by the Panel.

You can ask for a meeting of the Panel of Enquiry to be postponed if there are mitigating circumstances, and such postponement should, where possible, be requested at least 3 working days before the date of the Panel. The Chair of the Panel will decide whether the mitigating circumstances justify postponing the Panel meeting.

- v. The Panel of Enquiry will be conducted as follows, unless deemed otherwise for specific reasons and with the agreement of all participants.

**In a closed session**

Panel members will review the main elements of the complaint.

**In an open session with all participants**

- (i) The Chair will explain the remit of the Panel and the decisions it can reach;
- (ii) You will be asked to summarise the main elements of your complaint;
- (iii) Witnesses can respond to the complaint;
- (iv) The Panel members can question you and witnesses;
- (v) The witnesses can present any additional comments and/or concluding remarks;
- (vi) You can present any additional comments and/or concluding remarks;
- (vii) You will be informed by the Chair of the Panel that a decision will be sent in writing, and a timescale will be agreed;

**In a closed session**

The Panel will review the complaint and will approve one of the following actions:

- (i) No further enquiries are required and the Panel's recommendations should be conveyed to all relevant parties in a report written by the Secretary and approved by the Chair;
- (ii) Further enquiries are required and the Panel will be reconvened to consider the additional evidence. When a Panel is reconvened it will normally meet in closed session and a final report, approved by the Chair will be produced and sent to you in writing.

The Panel Report will explain how and why the Panel came to its conclusions, and if it finds that a University College, School or Professional Service is at fault in some way then you will be told what has happened and why. If the Panel finds there is a fault with a University system or the way things are currently done you will be told how the University plans to change things to stop the issue happening again. If the Panel decides that the University was at fault in some way you will receive an apology.

**[d] Appeal**

If you remain dissatisfied following the outcome of the process outlined in Section 4[c] above you can appeal by writing to the Vice-Chancellor. The Vice-Chancellor will make what enquiries they consider appropriate and will communicate their view to you within 10 working days. The Vice-Chancellor's decision will be final.

**5. LEARNING LESSONS**

The University Executive will consider a summary of general complaints on a quarterly basis, and the University's Audit and Risk Committee will also receive a report on general complaints on a yearly basis.