

## Complaints Policy

### 1. Introduction

The Complaints Policy is the formal procedure for dealing with disputes with the Students' Union, in particular complaints arising from disputes between a student/other member of the University and elected officers, staff and/or the Union itself.

The policy allows any student, group of students or other members of Royal College of Art to make a formal complaint(s) against the Students' Union relating to their treatment by the Union, or anyone acting on the Union's behalf or that they feel they have been unfairly disadvantaged by reason of their having exercised the right to opt out of membership of the Union.

This Complaints Policy shall be interpreted to comply with the terms of the Education Act (1994). Throughout this procedure, the "Students' Union" and "SU" will be used to denote the Union of the Royal College of Art students.

Where time limits for action are defined, they are considered as maximum limits; all complaints and appeals will be dealt with in confidence and as promptly as possible. Where this is good reason why a time limit cannot be met, the complainant(s) will be informed immediately, if such a situation becomes apparent (this is more likely to occur during University non-teaching periods).

Efforts should be made in every case to resolve the complaint(s) **informally** before this procedure is invoked.

### 2. Application

This procedure shall apply in all instances except where the operational policies and procedures of the Union, as approved by the relevant Union Committee of Board of Trustees, allows for variation. If there is no operational policy or procedure, this section shall apply absolutely.

### 3. Making a Complaint

Complaints may be made about:

- (a) The services and facilities provided by the Union, or
- (b) An individual or group within the Union

#### 3.1. Valid Complaints

Complaints shall be considered valid if the complainant:

- (a) Provides details of their name, address and contact telephone number (if any).
- (b) Provides details of the event or occurrence which gave rise to the complaint.



- (c) Raises the complaint within 28 days of the event or occurrence giving grounds for complaint

### **3.2. Person to whom Complaints shall be addressed**

Complaints shall be addressed to:

Director  
Royal College of Art Students' Union  
Kensington Gore  
London  
SW7 2EU

Or

Director  
students-union@rca.ac.uk

If the complaint is against the Director then it should be addressed to the Chair of Trustee Board.

The Director/Chair of Trustee Board will acknowledge receipt of the complaint in writing within 5 working days.

## **4. Investigation of Complaints**

All valid complaints shall be investigated and the results of that investigation communicated to the complainant usually within 10 working days of receipt of the complaints form by the Director.

The Director will investigate all complaints about the elected officers and Union staff.

The Director may delegate responsibility for the investigation into the complaint to another Union staff member.

### **4.1. Guidelines for Investigations of Complaints**

- (a) Investigations shall be conducted by the Director or by that person chosen by the Director, which may include an external party (or the Chair of the Trustee Board in the case of a complaint against the Director) .
- (b) No person involved in the investigation of any complaint shall have a direct or vested interest in the outcome of the same.
- (c) All parties to the complaint shall be given an opportunity to submit written and oral statements and present appropriate evidence, including evidence of mitigating circumstances.
- (d) All parties to the complaint may be assisted by a representative or friend from the College community, without charge or cost to the Union

- (e) An employee (including student staff), in line with the staff code of conduct, may be suspended from work on full pay, normally for no more than 20 working days, if the Union considers that the individual's continued presence at work will jeopardise the proceedings.

#### **4.2. Outcome of an Investigation**

The outcome of an investigation shall be determined immediately after all parties to the complaint have presented their case and any supporting evidence.

The person(s) conducting the investigation shall determine:

- (a) All findings of fact, and
- (b) Any mitigating circumstances, and
- (c) Any appropriate further action

#### **4.3. Justified Complaints against a Service or Facility**

In the event of a justified complaint against a service or facility, the following procedure shall apply:

- (a) The person(s) conducting the investigation shall consider how to prevent any future instances of the event or occurrence which gave rise to the complaint and propose remedial action to the Director.
- (b) The person investigating the complaint (if not the Director) will inform the Director immediately of the outcome of the investigation. The Director will inform in writing the outcome of the investigation to all parties to the complaint within usually 10 working days of the receipt of the original complaint form.

#### **4.4. Justified Complaints against a Person or Group**

In the event of a justified complaint against a person or group, the following procedure shall apply:

- (a) If the person(s) conducting the investigation consider that there has been a breach of the Constitution, Staff Protocol, Equal Opportunities Policy or RCA Student Charter then the Disciplinary Procedure will be invoked.
- (b) The complainant shall not have a right to demand that the Disciplinary Procedure is invoked, or that sanctions should be imposed.
- (c) The person investigating the complaint (if not the Director) will inform the Director (or the Chair of the Trustee Board in the case of a complaint against the Director) immediately of the outcome of the investigation. The Director (or the Chair/Vice-Chair of the Trustee Board in the case of a complaint against the Director) will confirm in writing the outcome of the investigation to all parties to the complaint within usually 10 working days of the receipt of the original complaint form.

#### **4.5. Complaints which are not Upheld**



Where complaints are not upheld, they shall be deemed unsubstantiated complaints and the following procedures shall apply:

- (a) The person investigating the complaint (if not the Director) will inform the Director immediately of the outcome of the investigation. The Director will confirm in writing the outcome of the investigation to all parties of the complaint within usually 10 working days of the receipt of the original complaint form.

#### **4.6. Other**

Members who have received a final decision from the panel of the RCASU Member Disciplinary Process may not use the Complaints Policy/Process as an additional appeal. All decisions made by the RCASU Member Disciplinary Process panel are final.

There may be need to consult College policy and/or College complaints/conduct in certain cases (for example if a case is going through the College at the same time)

#### **Royal College of Art Students' Union Complaints Form**

The Royal College of Art Students' Union Complaints Policy is the formal procedure for dealing with disputes with the Students' Union, in particular complaints arising from disputes between a student/other member of the College and elected officers, staff and/or the Union itself.

The policy allows any student, group of students or other members of the Royal College of Art to make a formal complaint(s) against the Students' Union relating to their treatment by the Union, or anyone acting on the Union's behalf or that they feel they have been unfairly disadvantaged by reason of their having exercised the right to opt out of membership of the Union.

This Complaints Policy shall be interpreted to comply with the Education Act (1994). Throughout this Policy, the "Students' Union" and "SU" will be used to denote the Union of RCA Students.

Efforts should be made in every case to resolve the complaint(s) informally before this procedure is invoked.



## **1. DETAILS OF COMPLAINANT**

**Name of complainant:**

**Date complaint made:**

(This must be made within 28 days of the event/occurrence giving rise to the complaint)

**Term-time address:**

**Home address:**

(if different)

**Mobile phone number:**

**E-mail:**

## **2. DETAILS OF THE COMPLAINT**

Please give details of time, place, venue, witnesses and other relevant details.



**Signature of Complainant:**

**Date:**

**Please send completed form to:**

Director  
Royal College of Art Students' Union  
Kensington Gore  
London  
SW7 2EU

Or

Director  
[students-union@rca.ac.uk](mailto:students-union@rca.ac.uk)

If the complaint is against the Director then it should be addressed to the Chair of Trustee Board.

The Director (or Chair of Trustees if addressed to them) will acknowledge receipt of the complaint in writing within 5 working days.