



## Complaints Procedure

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This policy aligns with the GCU Complaints Handling Procedure (April 2021) which is based on The Scottish Higher Education Model Complaints Handling Procedure.	

## Contents

Section		Page
<b>1</b>	<b>Foreword</b>	4
<b>2</b>	<b>Scope and Purpose</b>	4
2.1	What is a complaint?	4
2.2	Who can make a complaint?	6
2.3	Non-Member Feedback and Complaints	6
2.4	Anonymous Complaints	6
2.5	Complaints involving other organisations or contractors who provide a service	7
2.6	Time limits for making complaints	7
<b>3</b>	<b>The Complaints Handling Procedure</b>	7
3.1	Overview	7
3.2	Stage 1: Frontline Resolution	8
3.3	Frontline Resolution Timescales	9
3.4	Extension to Frontline Resolution timescale	9
3.5	Closing the complaint at frontline resolution stage	9
3.6	Stage 2: Complaint Investigation	10
3.7	What the Students' Association will do when it receives a Stage 2 complaint for investigation	11
3.8	Complaint Investigation Timescale	12
3.9	Extension to Complaint Investigation timescale	12
3.10	Investigation Report Approval	13
3.11	Closing the complaint at the Complaint Investigation stage	13
<b>4</b>	<b>Independent Person</b>	13
4.1	Role of the Independent Person	13
<b>5</b>	<b>Governance of the Complaints Procedure</b>	14
<b>6</b>	<b>Recording, reporting, publicising and learning</b>	15
6.1	Recording complaints	15
6.2	Reporting of complaints	16
6.3	Learning from complaints	16
<b>7</b>	<b>Maintaining confidentiality</b>	16
7.1	Confidentiality and data protection	16
7.2	Reporting outcomes	17
<b>8</b>	<b>Supporting the complainant</b>	17
8.1	Reasonable adjustments and accessibility	17
8.2	Support from the Advice Centre	17
<b>9</b>	<b>Managing unacceptable behaviour</b>	18
9.1	Actions Students' Association considers to be unacceptable	18
9.2	Aggressive or abusive behaviour	18
9.3	How the Students' Association will manage aggressive or abusive behaviour	18

9.4	Unreasonable demands	19
9.5	Unreasonable levels of contact	19
9.6	Unreasonable refusal to co-operate	19
9.7	Unreasonable use of the Complaints Procedure	20
9.8	Examples of how we manage unacceptable behaviour	20
9.9	Examples of how we deal with other categories of unreasonable behaviour	18
9.10	Informing about unacceptable or unreasonable behavior	21
9.11	Process for appealing a decision to restrict contact	22
9.12	How we record and review a decision to restrict contact	22
Appendix 1	The Complaints Procedure Flowchart	23

## **1 Foreword**

- 1.1 The Complaints Procedure reflects Glasgow Caledonian University (GCU) Students' Association's commitment to valuing complaints. Members should feel free to raise matters of concern without risk of disadvantage. Our aim is to resolve issues of dissatisfaction as close to the initial point of contact as possible and to conduct thorough and fair investigations of complaints so that, where appropriate, we can make evidence-based decisions on the facts of each individual case.
- 1.2 Resolving complaints early saves time and resources and contributes to the overall efficiency of the Students' Association. Concentrating on achieving an early resolution of a complaint as close to the point of contact as possible will free up the time of staff and ultimately contribute to the continued positive experience of our members.
- 1.3 This procedure has been developed by reviewing the GCU Complaints Handling Procedure (April 2021).
- 1.4 Where a complaint is about the Chief Executive or the Chief Executive is unavailable for a prolonged period of time, then the responsibilities of the Chief Executive within this policy would be undertaken by the Vice Chair of the Trustee Board or an External Trustee delegated responsibility by the Vice Chair of the Trustee Board.

## **2 Scope and Purpose**

### **2.1 What is a complaint?**

For the purpose of this procedure, a complaint may be defined as:

*'an expression of dissatisfaction by one or more individuals about the standard of service, action or lack of action by or on behalf of GCU Students' Association.'*

A complaint may relate to:

- Inadequate quality or standard of service, or an unreasonable delay in providing a service
- failure or refusal to provide a service
- the quality of facilities
- conduct, treatment by or attitude of an employee or contractor (**except** for the Full Time Officers where complaints are made through the Full Time Officer Accountability and Complaints Process (Schedule 6 to the Constitution) and available from [www.GCUstudents.co.uk/keyinformation](http://www.GCUstudents.co.uk/keyinformation)).
- failure to properly apply the law, policy or procedure when delivering services
- the failure of the Students' Association to follow an appropriate administrative process

If a member asks the Students' Association to do something (for example, provide a service or deal with a problem), and this is the first time they have contacted us, this would normally be a routine service request and not a complaint.

The definition of a complaint is very broad and the list above is not exhaustive. However, not every concern raised with GCU Students' Association is a complaint. For example, the following **are not complaints**:-

- a routine, first-time request for a service
- a request under the United Kingdom General Data Protection Regulation (GDPR) and the Data Protection Act 2018
- a request for information or an explanation of policy or practice
- a response to an invitation to provide feedback, such as through a formal mechanism like a questionnaire or committee membership
- a concern about member conduct (this should be reported to [chief.executive@GCUstudents.co.uk](mailto:chief.executive@GCUstudents.co.uk)) and concerns will be considered in line with [Schedule 3](#) to the Constitution, Discipline Code)
- an insurance claim
- issues that are in court or have already been to court or a tribunal (if you decide to take legal action, you should let us know immediately as the complaint cannot then be considered under this process)
- concerns about services outwith the Students' Association responsibilities
- an attempt to reopen a previously considered complaint or to have a complaint reconsidered where we have already given our final decision
- a complaint by an employee relating to their employment. The Employee Grievance Policy is the formal way for an employee to raise a problem or complaint to the Students' Association
- an election complaint regarding the conduct of any candidate or campaigner in an election from the close of nominations to an hour after the close of the voting period. This is managed under the [Election Rules](#). Complaints received after this time may be considered under the Complaints Procedure but will have no bearing on the outcome of the election.
- Whistleblowing concern by an employee. This is managed through the Whistleblowing Policy.
- a concern about the actions or services of a different organisation, where we have no involvement in the issue (**except** where the organisation is delivering services on our behalf)

The Students' Association will not treat these issues as complaints and will instead be dealt with under the alternative appropriate processes rather than the Complaint Procedure. It should be noted, however, that some situations can involve a combination of issues, some are complaints and others are not, and each case will be assessed on a case by case basis.

## **2.2 Who can make a complaint?**

The Complaints Procedure covers complaints from any current member. Membership of GCU Students' Association is defined in Schedule 1 of the Constitution. This includes:

- Ordinary Members (current registered GCU students)
- Associate Members
- Life Members
- Honorary Life Members
- Reciprocal Members
- Temporary Ordinary Members

Whilst Full Time Officers are members of the Students' Association, they are also employees and therefore any complaints from the Full Time Officers should be made using the Employee Grievance Policy.

## **2.3 Non-Member Feedback and Complaints**

Non-Members are welcome to submit feedback to the Students' Association at any time. This feedback will be considered and a decision taken by the Chief Executive on whether any corrective action is required. An acknowledgement of the feedback will be communicated to the complainant either face-face, by phone, in writing or by email. There is no requirement to send out further written communication to the non-member, although we may decide to do so.

## **2.4 Anonymous Complaints**

Generally, we will consider anonymous complaints if there is enough information in the complaint to enable us to make further enquiries. Any decision not to pursue an anonymous complaint will be taken by the Chief Executive.

If an anonymous complainant makes serious allegations, these should be dealt with in a timely manner under relevant procedures which may not be the complaints procedure.

## 2.5 **Complaints involving other organisations or contractors who provide a service on behalf of the Students' Association**

If an individual complains to the Students' Association about the service of another organisation, but the Students' Association has no involvement in the issue, the individual should be advised to contact the appropriate organisation directly.

If a complaint relates to our service and the service of another organisation, and we have a direct interest in the issue, we will handle the complaint about the Students' Association through our Complaints Procedure. If we need to contact an outside body about the complaint, we will be mindful of data protection.

Such complaints may include, for example:

- a complaint made in relation to provision of third-party services, for example externally provided IT systems and functions; or
- a complaint made about a service that is contracted out
- a complaint made about an organisation we have a partnership agreement with, eg Partner Bar or Nightclub

## 2.6 **Time limit for making complaints**

Complaints should be raised with the Students' Association as soon as problems arise to enable prompt investigation and swift resolution. This Complaints Procedures sets a time limit of six months to raise a complaint with the Students' Association, starting from when the complainant first became aware of the problem, unless there are special circumstances for requesting consideration of a complaint beyond this time (for example, where a member was not able to complain due to a serious illness or recent bereavement).

# 3 **The Complaints Procedure**

## 3.1 **Overview**

The Complaints Procedure is intended to provide a quick, simple and streamlined procedure with a strong focus on early resolution by empowered and well-trained staff. Where possible, we will **resolve** the complaint to the complainant's satisfaction. We will try to resolve complaints wherever possible, although we accept this will not be possible in all cases. It may be helpful to use alternative complaint resolution approaches when trying to resolve a complaint such as mediation.

The procedure involves up to two stages:

Stage 1 – Frontline Resolution seeks to resolve straightforward complaints swiftly and effectively at the point at which the complaint is made, or as close to that point as possible.

Stage 2 – Complaint Investigation is appropriate where a complainant is dissatisfied with the outcome of frontline resolution, or where frontline resolution is not possible or appropriate due to the complexity or seriousness of the case.

### **3.2 Stage 1: Frontline resolution**

Anyone who has a complaint is encouraged to raise it initially at the point of, or as close to the point of becoming aware of it, as possible and to raise it with a Students' Association member of staff or service area in which the issue arose. Complaints at this stage may be made orally or in writing, including face-to-face, by phone, letter or email.

Where a complaint issue is raised via a digital channel managed and controlled by the Students' Association (for example an official Twitter address or Facebook page):

- we will normally respond by explaining that we do not normally take complaints on social media and informing the individual how they can complain;
- in exceptional circumstances, we may respond to very simple complaints on social media. This will normally only be appropriate where an issue is likely to affect a large number of people, and we can provide a very simple response (for example, an apology for late cancellation of an event).

The purpose of frontline resolution is to attempt to resolve as quickly as possible complaints which are straightforward and require little or no investigation. Complaints at this stage of the process may be addressed by any relevant member of the Students' Association staff and may be handled by way of a face-to-face discussion with the complainant, or by asking an appropriate member of staff to deal with the complaint.

Members of staff to whom complaints are made will consider some key questions:

- Is this a complaint or should the individual be referred to another procedure?
- What specifically is the complaint/s about and which area/s of the Students' Association is/are involved?
- What outcome is the complainant hoping for and can it be achieved?
- Is the complaint straightforward and likely to be resolved with little or no investigation?



- Can the complaint be resolved on the spot by providing an apology, explanation or alternative solution?
- If I cannot help, can another member of staff assist in seeking a frontline resolution?
- What assistance can be provided to the complainant in taking this forward?

Resolution may be achieved by providing an on-the-spot apology and explanation if something has clearly gone wrong, or agreed action to resolve the complaint.

If responsibility for the issue being complained about lies in the staff member's area of work, every attempt will be made to resolve the problem at source. If responsibility lies elsewhere, the staff member receiving the complaint will liaise with the relevant area rather than simply passing the complainant on to another member of staff.

Where it is clear that a complex complaint justifies immediate consideration at stage 2 (investigation), it may be helpful to complete a [Request for Complaint Investigation Form](#) with the complainant's input to ensure full details of the complaint are documented together with desired outcome.

### **3.3 Frontline Resolution Timescales**

Frontline resolution should normally be completed within ten working days, though a resolution may be achieved more quickly. Day one is always the date of receipt of the complaint (or the next working day if the complaint is received on a weekend or Association/public holiday). Where the complaint is received after 4pm, the next working day will be considered as day one.

### **3.4 Extension to Frontline Resolution Timescales**

In exceptional circumstances a short extension of time may be necessary to increase the possibility of resolving the complaint at the frontline resolution stage (for example, by obtaining information from other areas where no single area of the Students' Association is responsible for the issue(s) being complained about). Where an extension is required this must be signed off by a Senior Manager. The complainant must be told the reasons for extending the deadline and advised of the new timescale for resolution. The maximum extension which can be granted is five working days (ie, not more than 15 working days in total from the date of receipt of the complaint).

### **3.5 Closing the complaint at the Frontline Resolution stage**

The outcome, including where the complaint was resolved, will be communicated to the complainant either face-face, by phone, in writing or by email. There is no requirement to

send out further written communication to the complainant, although we may decide to do so. The response to the complainant must address all topics for which Students' Association is responsible and explain the reasons for the decision.

### 3.6 **Stage 2: Complaint Investigation**

These complaints may already have been considered at the frontline resolution stage, or they may be complaints identified upon receipt as appropriate for immediate investigation.

A complaint will be moved to the investigation stage when:

- Frontline resolution was attempted, but the complainant remains dissatisfied. This may be after the case has been closed following the frontline resolution stage.
- The issues raised are complex and will require detailed investigation
- The complaint relates to issues that have been identified by the Students' Association as serious, high risk or high profile.

Special attention will be given to identifying complaints considered serious, high risk or high profile as these may require particular action or may raise crucial issues requiring direct input from senior management. Potential high risk/high profile complaints may:

- Involve a risk to life, death or terminal illness
- Involve serious service failure, for example major delays in service provision or repeated failures to provide a service
- Generate significant and ongoing press interest
- Pose a serious operational risk to the Students' Association
- Present issues of a highly sensitive nature

Where it is clear that a complaint will need to be considered at the investigation stage rather than through frontline resolution, the complainant will be asked to complete the [Request for Complaint Investigation Form](#) in order to provide full details of the complaint and the preferred resolution. Any other relevant documentation should also be appended to the Request for Complaint Investigation Form.

The purpose of conducting an investigation is to establish all of the facts relevant to the points made in the complaint. The aim is to resolve the complaint where possible or to provide a full, objective and proportionate response to the complainant that represents the Students' Association's definitive position.

### **3.7 What the Students' Association will do when it receives a Stage 2 Complaint for investigation**

Where the points of the complaint and expected outcomes are clear from the complaint, we will set this out in the acknowledgement and ask the complainant to get in touch with us immediately if they disagree. Where the points of complaint and expected outcomes are not clear, we will tell the complainant in the acknowledgement that we will contact them to discuss. The key point is that we need to be sure that we and the complainant have a shared understanding of the complaint, including the points of the complaint to be investigated, and will make every effort to agree the points of complaint with the complainant.

If the complaint is about the actions of a particular member of staff, then they will be notified and unless there are compelling reasons not to, the complaint information will be shared with the staff member/s and they will be asked to discuss their willingness to engage with alternative complaint resolution approaches (where applicable).

The Students' Association will allocate the complaint to a Complaint Investigator and they will be informed of the points of the complaint to be investigated and the outcome sought by the complainant. The Complaint Investigator has a responsibility to manage the complainant's expectations about the scope of the investigation. To investigate the complaint effectively, the Complaint Investigator is likely to arrange a meeting with the complainant. As a matter of good practice, a written record of the meeting should be completed and provided to the complainant. Alternatively, and by agreement with the person making the complaint, we may provide a record of the meeting in another format. The Complaint Investigator will produce an Investigation Report that includes findings and conclusions.

We will try to resolve complaints wherever possible, although we accept this will not be possible in all cases. A complaint is resolved when both the Students' Association and the complainant agree what action (if any) will be taken to provide full and final resolution for the complainant, without making a decision about whether the complaint or its individual elements is upheld or not upheld.

A complaint may be resolved at any point in the complaint handling process, including during the investigation stage, and indeed that should be the objective if the way to do so becomes clear. It is particularly important to try to resolve complaints where there is an ongoing relationship with the complainant or where the complaint relates to an ongoing issue that may give rise to future complaints if the matter is not fully resolved. It may be helpful to use alternative complaint resolution approaches when trying to resolve a

complaint such as mediation.

Where a complaint is resolved, we do not normally need to continue looking into it or provide a response on all points of complaint. There must be a clear record of how the complaint was resolved, what action was agreed, and the complainant's agreement to this as a final outcome. In some cases it may still be appropriate to continue looking into the issue, for example where there is evidence of a wider problem or potential for useful learning. The Students' Association will use professional judgment in deciding whether it is appropriate to continue looking into a complaint that is resolved.

If the complainant and the Students' Association are not able to agree a resolution, we must follow this Complaints Procedure to provide a clear and reasoned response to each of the issues raised.

Details of the Stage 2 Complaint will be recorded on the Students' Association's Complaints Record Management system. At the conclusion of the investigation, records will be updated to reflect the final outcome and any action in response to the complaint.

### **3.8 Complaint Investigation Timescale**

The following deadlines will be used for cases at the investigation stage of the Complaints Procedure:

- we will acknowledge receipt of the complaint within three working days
- the Students' Association will provide a full response to the complaint as soon as possible. Where we cannot resolve your complaint, we will give you a full response as soon as possible, normally within 20 working days. If our investigation will take longer than 20 working days, we will tell the complainant our revised time limits and keep them updated on progress.

Day one is always the date of receipt of the complaint (or the next working day if the complaint is received on a weekend or Association/public holiday). Where the complaint is received after 4pm, the next working day will be considered as day one.

### **3.9 Extension to the Complaint Investigation timescale**

Not all investigations will be able to meet the 20 working days timeline. For example, some complaints are so complex that they require careful consideration and detailed investigation beyond the 20 working day timeline. We will be realistic and clear with the complainant about timeframes, and to advise them early if we think it will not be possible to meet the 20 day timeframe, and why. Any extension at Stage 2 must be approved by the Chief Executive. We will keep the complainant and any member/s of staff complained

about updated on the reason for the delay and give them a revised timescale for completion. We will contact the complainant and any member/s of staff complained about at least once every 20 working days to update them on the progress of the investigation.

### **3.10 Investigation Report Approval**

The Investigation Report will be presented to the Investigation Panel for approval. The Investigation Panel will consist of the Chief Executive (or another Senior Manager), the Complaint Investigator and one Full Time Officer (or Student Trustee). The Investigation Panel will decide the definitive position on a complaint investigation.

### **3.11 Closing the complaint at the Complaint Investigation stage**

The outcome of the investigation will be communicated to the complainant in writing (whether it is resolved, upheld, partially upheld or not upheld). The decision, and details of how and when it was communicated to the complainant together with, if relevant, details of the resolution was offered, will be recorded on the Students' Association's Complaint Record system. Where a complaint has been resolved, the response does not need to provide a decision to all the points about the complaint, but should instead confirm the resolution agreed.

The decision will also advise the complainant about:

- Their right to ask the Independent Person to review the complaint
- The time limit for doing so
- How to contact the Independent Person

## **4 Independent Person**

### **4.1 Role of the Independent Person**

Once the investigation stage has been completed, the complainant is entitled to appeal and ask for a review to the Independent Person, who will be appointed by the University Court of GCU, and represents the final stage of the Students' Association Complaints Procedure. The Independent Person will undertake whatever investigations they consider necessary depending on the circumstances of the individual case. The decision of the Independent Person is not open to further appeal.

If you are dissatisfied with the outcome of the complaint, you can ask for the complaint to be reviewed by an independent person appointed by the University Secretary and VP Governance on behalf of University Court. The Independent Person cannot normally review

complaints:

- Where you have not progressed all the way through the Students' Associations Complaints Procedure
- More than 12 months after you become aware of the matter you want to complaint about
- The matter has been or is being considered in court

If you wish to request a review, please submit this in writing, including the grounds for the review and all supporting evidence, to the University Secretary and VP Governance at:

Ms Jan Hulme  
University Secretary and VP Governance  
Glasgow Caledonian University  
70 Cowcaddens Road  
Glasgow  
G4 0BA

## **5 Governance of the Complaints Procedure**

The **Trustee Board** provides overall leadership and direction to the Students' Association. This includes ensuring that there is an effective Complaints Procedure with a robust investigation process which demonstrates that organisational learning is in place. The Trustee Board receives assurance of complaints performance by way of annual reporting from the Chief Executive.

The Trustee Board delegates operational responsibility for the implementation, management, monitoring and review of the Complaints Procedure to the **Chief Executive**. The Chief Executive will ensure that complaints are used to identify service improvements that these improvements are implemented and that learning is fed back to the wider organisation as appropriate. The Chief Executive (or nominee) is responsible for signing off letters relating to outcomes reached at the end of the formal investigation stage thus ensuring a definitive response from the Students' Association and that the complainants concerns have been taken seriously.

All **employees** will be made aware of:

- the Complaints Procedure
- how to handle and discuss complaints at the frontline resolution stage
- who they can refer a complaint to, in case they are unable to handle the matter

- the need to try and resolve complaints early and as close to the point of service delivery as possible; and
- their clear authority to attempt to resolve any complaints they made be called upon to deal with.

The **Complaint Investigator** is responsible and accountable for undertaking stage 2 complaint investigations and will be involved in the investigation and in coordinating all aspects of the response to the complainant. This may include preparing a comprehensive written report, including details of any recommended procedural changes to service delivery and identifying wider opportunities for learning across the Students' Association. The complaint will normally be investigated by someone not involved in the complaint. The Chief Executive is responsible for the appointment of the Complaint Investigator.

## **6 Recording, Reporting, Publicising and Learning**

Valuable feedback is obtained through complaints. One of the objectives of the Complaints Procedure is to identify opportunities to improve provision of services across the Students' Association.

Staff should discuss frontline complaints that have been dealt with within their monthly one to one meetings with their line managers. Senior Managers will discuss re-occurring frontline complaints. All Stage 2 Complaints must be recorded. By recording and using complaints information in this way, the causes of complaints can be identified and addressed and, where appropriate, training opportunities can be identified and improvements introduced.

### **6.1 Recording Stage 2 Complaints**

To collect suitable data, it is essential that all Stage 2 Complaints are recorded in sufficient detail:

- Name and contact details of the complainant
- Student ID Number (if applicable)
- Date the complaint was received
- How the complaint was received
- The nature of the complaint
- Staff member responsible for handling the complaint
- Department to which the complaint relates
- Action taken and outcome at frontline resolution stage
- Date the complaint was closed at frontline resolution stage

- Date the investigation stage was initiated
- Action taken and outcome at investigation stage
- Date the complaint was closed at the investigation stage
- Underlying cause of the complaint and any remedial action taken
- The outcome of the Independent Person review (where applicable)

The Students' Association has structured systems for recording Stage 2 Complaints, their outcomes and any resulting action so that complaint data can be used for internal reporting as indicated below.

## **6.2 Reporting of complaints**

The Students' Association has a system for the internal reporting of complaints information. Regularly discussion and reporting of complaint information helps to inform the management of service improvements. The outcomes of Stage 2 Complaints will be reported annually to the Students' Association Trustee Board.

## **6.3 Learning from complaints**

Complaint investigators will always try to ensure that all parties involved understand the findings of the investigation and any decisions made. Managers will ensure that the Students' Association has procedures in place to act on issues that are identified. These procedures facilitate:

- Using complaints data to identify the root cause of complaints
- Taking action to reduce the chance of this happening again
- Recording the details of corrective action in the complaints file
- Systematically reviewing complaints performance reports to improve performance

# **7 Maintaining Confidentiality**

## **7.1 Confidentiality and data protection**

Complaints will be handled with discretion and access to information about individual investigations will only be shared with those who have a legitimate access requirement. In determining access requirements the Students' Association will take cognisance of legislative requirements, for example, data protection legislation and also any internal policies on confidentiality and the use of complainant information.

Complainants and other parties to the complaint are entitled to request access to



information about them gathered by complaint investigators. Such requests will be dealt with under the appropriate legislation.

## **7.2 Reporting outcomes**

When a complaint has been raised against a member or member of staff and has been upheld or partially upheld, the complainant will be advised of this. However, information about specific members or staff members will not normally be shared, particularly where disciplinary action is taken.

## **8 Supporting the Complainant**

### **8.1 Reasonable adjustments and accessibility**

The Students' Association will seek to make reasonable adjustments to enable complainants with specific needs to access the Complaints Procedure easily.

### **8.2 Support from the Advice Centre**

Members considering making a complaint can seek support from the Advice Centre within the Students' Association and is staffed by professional advisers with experience of supporting members with complaints. A Student Adviser can:

- Help students to decide whether making a complaint is the best course of action, or whether another procedure may be more appropriate
- Explain how the complaints procedure works and what the potential outcomes may be
- Read drafts of any correspondence students write (including the [Request for Complaint Investigation Form](#)) to help students make their case as clearly as possible
- Support students at any meetings they attend in relation to their complaint, if requested

Students can contact the Advice Centre in person, by phone or via email. Contact details are as follows:-

GCU Students' Association  
70 Cowcaddens Road  
Glasgow  
G4 0BA

**Telephone:** 0141 273 1650

**Email:** [advice@GCUstudents.co.uk](mailto:advice@GCUstudents.co.uk)

**Website:** [www.GCUstudents.co.uk/advice](http://www.GCUstudents.co.uk/advice).

## **9 Managing Unacceptable Behaviour**

### **9.1 Introduction**

Occasionally, the behaviour or actions of individuals using the Complaints Procedure makes it very difficult for the Students' Association to deal with their complaint. In a small number of cases the actions of individuals become unacceptable because they involve abuse of Students' Association staff and/or process. When this happens we have to take action to protect our staff. We also consider the impact of the behaviour on our ability to do our work and provide a service to others. This Policy explains how we will approach these situations.

### **9.2 What actions does the Students' Association consider to be unacceptable?**

People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a complaint being submitted. We do not view behaviour as unacceptable just because a complainant is forceful or determined. However, we do consider actions that result in unreasonable demands or unreasonable behaviour towards Students' Association staff to be unacceptable. It is these actions that we aim to manage under this Policy.

### **9.3 Aggressive or abusive behaviour**

We understand that complainants may feel angry about the issues they have raised in their complaint. If that anger escalates into aggression towards Students' Association staff, we consider that unacceptable. Any violence or abuse towards staff will not be accepted.

Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether verbal or written) that may cause staff to feel offended, afraid, harassed, threatened or abused. We will judge each situation individually, recognising that individuals who come to us may be upset. Language which is designed to insult or degrade, which is racist, sexist or homophobic or which makes serious allegations that individuals have displayed criminal, corrupt or perverse conduct without any evidence is unacceptable. We may also decide that comments made to us about third parties are unacceptable because of the effect that listening to or reading them may have on our staff.

#### **9.4 Unreasonable Demands**

A demand becomes unacceptable when it starts to, or when complying with the demand would, impact unreasonably on the work of staff investigating a complaint.

Examples of actions grouped under this heading include but are not restricted to:

- repeatedly demanding responses within an unreasonable timescale; and
- insisting on seeing or speaking to a particular member of staff when that is not possible;
- repeatedly changing the substance of a complaint or raising unrelated concerns; and
- the submission of vexatious complaints.

An example of such impact would be that the demand takes up an excessive amount of staff time and in so doing disadvantages other complainants and prevents the individual's own complaint from being dealt with quickly.

#### **9.5 Unreasonable level of contact**

Sometimes the concentrated volume and/or duration of contact made with Students' Association staff by an individual causes problem. Numerous calls or emails in one day or one hour would be examples of this. Equally, it may occur over the life-span of a complaint when a complainant repeatedly makes telephone calls, or sends correspondence or emails or posts comments on social media, to the Students' Association or inundates staff with information that has been sent already, been responded to or that is irrelevant to the complaint.

#### **9.6 Unreasonable refusal to co-operate**

When we are looking at a complaint, we will need to ask the individual who has complained to work with us. This can include agreeing with us the complaint we will look at; providing us with further information, evidence or comments on request; or helping us by summarising their concerns or completing a form for us.

Sometimes, an individual repeatedly refuses to cooperate and this makes it difficult for us to proceed. We will always seek to assist someone if they have a specific, genuine difficulty complying with a request. However, we consider it is unreasonable to bring a complaint to us and then not respond to reasonable requests. If a complainant refuses to co-operate, the Students' Association may be unable to proceed to investigate their complaint, either fully or in part, and will let the complainant know that their complaint is no longer being

considered.

### **9.7 Unreasonable use of the complaints process**

Individuals with complaints about the Students' Association have the right to pursue their concerns through a range of means. They also have the right to complain more than once if subsequent incidents occur. However, this contact becomes unreasonable when the effect of the repeated complaints is to harass, or to prevent the Students' Association from pursuing a legitimate aim or implementing a legitimate decision. We consider access to a complaints system to be important and it will be in only exceptional circumstances that we would consider such repeated use unacceptable – but we reserve the right to do so in such cases.

### **9.8 Examples of how we manage unacceptable behavior**

The threat or use of physical violence, verbal abuse or any other form of harassment towards Students' Association staff is likely to result in a termination of all direct contact with the complainant. We may report incidents to the police. This will always be the case if physical violence is used or threatened or the behaviour constitutes a hate crime.

Students' Association staff will end telephone calls if they consider the caller aggressive, abusive or offensive. Students' Association staff have the right to make this decision, to tell the caller that their behaviour is unacceptable and end the call if the behaviour persists.

We will not respond to correspondence (in any format) that contains statements that are abusive to staff. We will explain that we consider the language used to be offensive, unnecessary and unhelpful and ask the sender to stop using such language. We will state that we will not respond to their correspondence if the action or behaviour continues. In extreme situations, we will tell the complainant in writing that their name is on a 'no personal contact' list. This means that any further contact with the Students' Association would have to come through a third party whom the individual has identified as willing to act on their behalf and who is acceptable to the Students' Association.

### **9.9 Examples of how we deal with other categories of unreasonable behavior**

In circumstances where the Students' Association considers that unreasonable behaviour is having an adverse impact on the complaint investigation, action will be taken to address this behaviour. We aim to do this in a way that allows a complaint to progress through our process.

Actions we may take where a complainant repeatedly phones, visits the office, raises repeated issues, or sends emails or large numbers of documents where their relevance isn't clear, are as follows:

- limit contact to telephone calls from the complainant at set times on set days.
- restrict contact to a nominated member of Students' Association staff who will deal with future calls or correspondence from the complainant.
- see the complainant by appointment only.
- restrict contact from the complainant to writing only.
- return any documents to the complainant or, in extreme cases, advise the complainant that further irrelevant documents will be destroyed.
- take any other action that we consider appropriate.

Where we consider that a complainant has introduced unreasonable extraneous or irrelevant, or unrelated issues, we may tell the complainant that only a certain number of issues will be considered in a given period and we ask them to limit or focus their requests accordingly.

In exceptional cases, we reserve the right to refuse to consider a complaint or future complaints from an individual.

We will always tell the complainant what action we are taking and why.

Any member of Students' Association staff who directly experiences aggressive or abusive behaviour from a complainant has the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this Policy.

With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with the Students' Association are taken only after careful consideration of the situation by a more senior member of staff. Wherever possible, we will give a complainant the opportunity to change their behaviour or action before a decision is taken.

#### **9.10 How we let people know we have made this decision**

When a member of Students' Association staff makes an immediate decision in response to offensive, aggressive or abusive behaviour, the complainant will be advised at the time of the incident. When a decision has been made by senior management, a complainant will always be told in writing why the decision has been made to restrict future contact, or why there are restricted contact arrangements and, if relevant, the length of time that these restrictions will be in place. This ensures that the complainant has a record of the decision.

### **9.11 The process for appealing a decision to restrict contact**

It is important that a decision can be reconsidered. A complainant can appeal a decision to restrict contact. If they do this, we will consider only arguments that relate to the restriction and not to either the complaint made to us or to our decision to close a complaint. An appeal could include, for example, a complainant saying that: their actions were wrongly identified as unacceptable; the restrictions were disproportionate; or that they will have a disproportionate, adverse impact on the individual because of personal circumstances. Appeals should be sent to the Chief Executive (email [chief.executive@GCUstudents.co.uk](mailto:chief.executive@GCUstudents.co.uk)).

A senior member of staff who was not involved in the original decision will consider the appeal, normally this will be Vice Chair of the Trustee Board. The person considering the appeal will have discretion to maintain, quash or vary the restriction as they judge appropriate. They will make their decision based on the evidence available to them. They must advise the complainant in writing that either the restricted contact arrangements still apply or a different course of action has been agreed.

The Students' Association may review the restriction periodically or on further request from the complainant after a period of time has passed.

Each case is different. We will explain in the letter setting out the restriction what review process will be in place for that restriction and in what circumstances the complainant could request this be reconsidered.

### **9.12 How we record and review a decision to restrict contact**

We record all incidents of unacceptable actions by complainants. Where it is decided to restrict complainant contact, or drop a complaint because of the complainant's unacceptable behaviour, this will be recorded in line with data protection guidelines.

# Complaints Procedure Flowchart

