

# Formal Complaints Procedure

This procedure aims to:

- Support students and University Advisers with a straightforward, appropriate and effective process for resolving complaints raised against Enactus UK staff (Note all competition related complaints are dealt with in accordance with a separate procedure).
- Take complaints seriously, but also to deal with them in a way that is appropriate to the issue complained about
- Guarantee that complaints are dealt with on the basis of evidence and proper investigation.
- Ensure that every issue raised in a complaint receives an appropriate review.
- Ensure that all people directly involved in a complaint have the opportunity for a fair hearing and understand each step of the process.
- Be operated in a respectful and sensitive way, value people's point of view, having due respect for confidentiality.
- Provide appropriate remedies when a complaint is upheld.
- Help us to keep on improving the quality of what we do.

## Enactus UK Student's and University Adviser's Responsibilities

In order that Enactus UK can deal with a formal complaint properly and in a timely manner, we ask that students and UA's engage with the complaints process and undertake the following responsibilities:

- Raise concerns at the earliest opportunity.
- Observe their own University, SU and Student Code of Conduct.
- Follow informal routes to resolve your concerns before raising a formal complaint.
- Engage with the investigator.
- When submitting a complaint provide full detail in a concise manner and provide documentary support for points made.
- Make considered and reasonable suggestions for remedy should the complaint be upheld and include this in your complaint submission.
- Be aware of sensitivities where issues involve other students or university staff.
- Raise a complaint only where a genuine issue has arisen, since repeated unfounded complaints may cause distress and could amount to harassment.

## How will complaints be dealt with?

- Whenever possible a complaint will be dealt with swiftly and informally. It is important that any issues or concerns are first resolved through discussion. If a resolution is not agreed by

the complainant then they have the opportunity to ask for a formal independent review which will be based on the evidence provided.

- When formal investigation is needed, the approach will still aim to avoid confrontation and blame, but it will nonetheless be rigorous and impartial.
- When a complaint needs to be handled confidentially, an opportunity will be made available to do so.
- People involved in operating the complaints procedure will make known anything that would prevent them from acting impartially and step aside if that is agreed to be the right course of action.
- Complaints need to be decided in accordance with Enactus UK and appropriate university and SU academic standards, the University's legal duties and our published policies and procedures.
- Enactus UK will make appropriate adjustments in the context of individual circumstances where those circumstances are evidenced, for example, in relation to a disability or third party carer arrangement.
- Enactus UK will need to keep records of complaints and their investigation and will monitor the information relating to complaints to allow us to improve our services. Complaints will be logged and monitored.
- If upheld, Enactus UK staff or another party will wish to give an apology in recognition of disappointment or hurt feelings, but that will not, in itself, constitute an acceptance of legal or moral responsibility.

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

- A complaint arises when it is felt that an experience at an Enactus UK event (except Competition complaints procedure) or engagement with staff is unsatisfactory and should be investigated.
- To the extent reasonably possible, Enactus UK and the University will be responsible for ensuring that the Complaints Procedure operates without fear of recrimination or retribution against the complainant. The complainant is obligated to maintain confidentiality of the complaint to support this until the review is concluded.
- Complaints (other than competition complaints) should be raised within 3 calendar months of an issue occurring. Complaints submitted outside of this time period will only be considered in exceptional circumstances.

### **Who may complain?**

A complaint may be made by a student who is a registered member of an Enactus UK society through their University Adviser to Enactus UK. Complaints and evidence submitted by a third party or representative will not normally be formally investigated. A complaint made by a third party will however be passed on internally as informal feedback.

A response with appropriate explanations in relation to all matters and evidence submitted to which the student has requested a response, will be made within 30 working days of the complaint being lodged. If it is not possible to make a full response at this time, an update will be sent detailing the revised timescales for response.

The investigator (who will be the CEO or the COO unless implicated in the complaint themselves) will conduct an investigation as follows:

### **Fact-finding stage**

The aim of a formal investigation is first to arrive at as true and fair a picture of the factual circumstances surrounding the complaint as is possible, bearing in mind:

- the available evidence and timeline of events.
- the time and resources that can be reasonably afforded to investigating the matter.
- the impact of the complaint on the person complaining and others who may be affected if it is found to be valid.
- the relevance of the circumstances to the issue complained of.
- information provided by the person making the complaint.

If the circumstances are significantly different from those alleged in the complaint the investigator may require additional evidence with the person/s making the complaint to clarify the facts before being in a position to proceed with the investigation. This will be requested by email.

### **Process review stage**

On the basis of an appreciation of the facts surrounding the complaint, the second aim of the investigation is to determine whether the dispute or allegation is well-founded. When undertaking this investigation, the considerations should include.

- Whether the Enactus UK and relevant SU and University's policies and procedures have been followed.
- Whether the decision complained about was arrived at fairly and in accordance with published procedures and policies, applied in a fairway.
- Whether the decision complained about was logically linked to the circumstances within which it was made.
- Whether the decision taken while permissible within regulation or procedure was disproportionate to the circumstances under which it was made.
- Whether the decision was one that the person was entitled to make and could have reasonably come to on the evidence before them.

Due regard will be given to Enactus UK and the University's values and legal duties, particularly in respect of Equality and Diversity and legal rights. The investigation will proceed on the assumption

that the complainant's case is fully contained in the information provided in the form and any accompanying documentation supplied.

The person undertaking the investigation will work to investigate complaints speedily, fairly and transparently. To the extent that it is practicable and proportionate, the investigation should be tracked by written notes or documentation.

A written response with appropriate explanations in relation to all matters to which the student has requested a response, will normally be sent within 30 working days of the complaint being logged. If it is not possible to make a full response in this time, an update will be sent detailing the revised timescales for response. Other than the initial meeting and the feedback, it is envisaged that most effective investigations can be conducted without further face to face meetings and a formal complaint hearing. Responses resulting from a formal investigation will be final.

## **Remedies**

- Enactus UK is committed to providing the highest standards of support and maintaining good relationships between staff, University Advisers, SU and students.
- Remedies available in response to complaints therefore reflect our desire for customer satisfaction and to maintain quality.
- An offer of a remedy should not to be taken as admission of legal responsibility, nor should a particular remedy or offer of a remedy be regarded as a legal entitlement.
- Often remedies in response to complaints, such as apologies, will be wholly, or partially, gestures of good will and may be given with or without conditions.
- When deciding what outcome is best to resolve a complaint, Enactus UK aims to provide the response it feels is most appropriate to help a person benefit .

## **Before submitting a complaint, check that you have:**

- Read and understood this Complaints Procedure fully.
- Spoken directly to a member of your Enactus UK Team Committee or University Adviser to inform them that you intent to lodge a formal complaint.
- Thought about what you'd like to happen as a result of your complaint.
- Asked for advice on how to make the complaint if necessary.

## **To submit a complaint, check that you have:**

- Fully completed a complaint form (Word document).

- Included any evidence to support your complaint.

**Privacy notice**

The information that you supply on this complaints form will be held and processed in line with the Data Protection Act 1998 and GDPR. The investigator in turn may request additional information from you and/or other areas within the University or SU in order to more fully understand your situation. This will include details relating to use of support services, a disability and use of disability support where relevant. It will not be used for any other purpose. We retain this data for a period of 6 years after completion of the complaint investigation; after that time it is deleted securely.