

Complaints Procedure

For complaints from members of the public, alumni and friends

1 Introduction

- 1.1 This Complaints Procedure covers handling of complaints from members of the public, alumni and friends. A complaint is normally an expression of dissatisfaction about certain action or lack of action taken by the Office of Philanthropic Partnerships and Alumni or about the standard of a service provided by or on behalf of this department.
- 1.2 Complaints from members of the public, alumni and friends are distinct from complaints from students, staff and organisations.
- 1.3 There are separate procedures for [student complaints](#).
- 1.4 There are separate procedures for [staff grievances](#).
- 1.5 Complaints from an organisation are dealt with using the procedures specified in the contracts and terms that govern the University's relationship with that organisation.
- 1.6 Where a separate complaints procedure exists within the University that covers the complaint, or the complaint primarily relates to another department or team within the University, the OPPA Complaints Procedure will not be applied and the complaint will instead be passed to the appropriate person at the University.
- 1.7 The Office of Philanthropic Partnerships and Alumni welcomes comments and suggestions from members of the public, alumni and friends. Those wishing to make a comment or suggestion are invited to do so informally by emailing alumni@york.ac.uk or by writing to Office of Philanthropic Partnerships and Alumni, University of York, York YO10 5DD, United Kingdom.

2 General principles

- 2.1 Complaints should be dealt with initially as close to their source and as informally as possible.
- 2.2 Frivolous, malicious and/or vexatious complaints (including within the legal sense of having no substantial chance of success) will not be accepted.
- 2.3 Exceptionally, if the Office of Philanthropic Partnerships and Alumni identifies that particular urgency should be shown with sufficient evidence in support, such as where an emergency situation may arise, then it may make efforts to take swift action to deal with such a complaint.
- 2.4 Suitable records should be kept at each stage of the complaint, including matters considered and any outcomes.

- 2.5 Individual privacy/confidentiality will be respected under the Data Protection Act. The University of York Data Protection Policy can be located on the [Data Protection webpages](#).
- 2.6 Complaints should be dealt with in accordance with the [University's equality policies](#).
- 2.7 Complaints should be dealt with within a reasonable time, avoiding any undue delay. The Formal Complaints procedure and review should normally be completed within 90 days of receipt of the formal complaint.
- 2.8 Where a complaint has been upheld, appropriate reasonable responsive action should be offered.
- 2.9 It is expected that all parties involved will act reasonably, fairly and courteously towards each other and respect the processes.

3 Submission of a complaint

- 3.1 Complainants can bring their complaint to the attention of the Office of Philanthropic Partnerships and Alumni in person, by emailing alumni@york.ac.uk or by writing to Office of Philanthropic Partnerships and Alumni, University of York, York YO10 5DD, United Kingdom.
- 3.2 Complainants should seek to bring their complaint to the attention of OPPA as soon as possible following the occurrence of events.
- 3.3 Complainants should expect their complaint to be acknowledged in the same method as it was received, where appropriate.
- 3.4 Anonymous complaints will be considered, where appropriate and responded to where possible.
- 3.5 If a member of the general public, alumni or friend is unsure about any aspect of the complaints procedure, advice may be sought by emailing alumni@york.ac.uk or by writing to Office of Philanthropic Partnerships and Alumni, University of York, York YO10 5DD, United Kingdom.
- 3.6 Complaints will normally be dealt with under the **Informal Complaints Procedure** in the first instance.

4 Stage 1: Informal Complaints Procedure

- 4.1 Members of the public, alumni and friends who experience a problem with an OPPA service or other matter in the control of the department should normally first raise this with the person delivering the service.
- 4.2 If the matter cannot be resolved immediately, the complaint will be dealt with as soon as reasonably practicable, with a response normally provided within three working days.
- 4.3 In the case that the complaint does not first come to the service provider, the individual's complaint should be directed to the service provider internally.
- 4.4 As the matter is considered, it may involve discussions, meetings, giving of more information, explanations, suggested solutions and/or giving an apology where appropriate.
- 4.5 A response and resolution should be found and, where appropriate, given through the same medium in which the complaint came through.
- 4.6 If the matter cannot be resolved after informal investigation and consideration, the service provider or individual should raise it with the Director of Philanthropic Partnerships and Alumni as a semi-formal complaint.

5 Stage 2: Semi-Formal Complaints Procedure

- 5.1 The Semi-Formal Complaints Procedure should be used only where the complainant is dissatisfied with the outcome of the Informal Complaints Procedure or where the nature of the complaint is too serious for the Informal Complaints Procedure.
- 5.2 The service provider from OPPA should provide the Director with suitable records of the complaint and how it may have been investigated and considered prior to it being raised as a semi-formal complaint.
- 5.3 The Director will ensure the matter is considered as soon as reasonably practicable, with written acknowledgement of the complaint normally sent within seven days of receipt.
- 5.4 If the Director is unable or becomes unable to act (e.g. due to illness or annual leave), the Director of External Relations or another member of the OPPA Senior Management Team will act in their place.
- 5.5 The Director will investigate and consider the complaint as they deem appropriate.
- 5.6 The Director may appoint one or more members of OPPA staff to investigate the complaint on their behalf and to report back, as the basis for a response. These staff member(s) should normally not have had significant previous involvement in responding to this complaint.
- 5.7 As the matter is considered, it may involve discussions, meetings, giving of more information, explanations, suggested solutions and/or giving an apology where appropriate.

- 5.8 If the complaint relates to the Director, then the semi-formal complaint should be submitted to the Director of External Relations, who will act in place of the Director.
- 5.9 The investigation of a semi-formal complaint should be completed within 15 working days under normal circumstances. Such timescale may vary where complexities arise in the complaint or other factors. Where the timescale becomes extended, the complainant will be kept updated as to progress.
- 5.10 After the completion of an investigation, the Director will send a written response to the complainant, giving reasons for any decision made and brief details of how it was arrived at, together with a statement of the outcome.
- 5.11 If a complainant remains dissatisfied following the investigation, or if the Director deems the complaint to be too serious for the Semi-Formal Complaints Procedure, the Director (on behalf of the complainant) or the complainant may submit a formal complaint in writing to the Registrar & Secretary following the procedure set out in section 6 below.

6 Stage 3: Formal Complaints Procedure

- 6.1 The Formal Complaints Procedure should be used only where the complainant is dissatisfied with the outcome of the Semi-Formal Complaints Procedure or where the Director deems the nature of the complaint is too serious for the Semi-Formal Complaints Procedure.
- 6.2 A completed **formal complaint form** should be sent to the Academic Registrar in sufficient detail to enable it to be properly investigated, providing any relevant evidence and indicating any remedy sought.
- 6.3 The Academic Registrar will ensure the matter is considered as soon as reasonably practicable, with written acknowledgement of the complaint normally sent within seven days of receipt.
- 6.4 If the Academic Registrar is unable or becomes unable to act (e.g. due to illness, annual leave or being abroad due to work commitments), another senior member of staff may be appointed to act in their place.
- 6.5 The Academic Registrar will decide whether the complaint should be investigated under the Formal Complaints Procedure or whether it would be more appropriately investigated under another procedure, notifying the complainant accordingly.
- 6.6 The Academic Registrar may appoint one or more members of staff to investigate the complaint on his/her behalf and to report back, as the basis for a response. The investigator(s) should normally not have had significant previous involvement.
- 6.7 If the complaint relates to the Academic Registrar, then the formal complaint should be submitted to the Deputy Vice Chancellor and Provost, who will act in place of the Academic Registrar.

- 6.8 The investigator(s) may seek information from and/or interview the complainant and any other parties identified by the investigator(s) at their discretion. They may consider use of mediation or conciliation where they deem appropriate.
- 6.9 If a complainant is asked to attend in person at any time as part of the investigation, they are entitled to be accompanied by a registered student, alumni, or employee of the University.
- 6.10 Where a complainant or the subject of a complaint is accompanied, the companion is present to provide support and not to represent the complainant or subject of the complaint.
- 6.11 The investigation of a formal complaint should be completed within 5-6 weeks under normal circumstances. Such timescale may vary where complexities arise in the complaint or other factors. Where the timescale becomes extended, the individual will be kept updated as to progress.
- 6.12 After completion of an investigation, the Academic Registrar will send a written response to the complainant, giving reasons for any decision made and brief details of how it was arrived at, together with a statement of the outcome. The response should point out the details of the next steps available to the complainant and timescale at 6.14 below.
- 6.13 Any proposed response accepted by the complainant shall be in full and final settlement to resolve the complaint and should be implemented as soon as reasonably practicable.
- 6.14 If a complainant remains dissatisfied following the investigation, they may write to the Registrar & Secretary's Office, requesting a review of the decision. **Such requests must be submitted within 15 working days of the date of the response.**

7 Stage 4: Review of Formal Complaint

- 7.1 Upon receipt of any request for review (see 6.14 above), a senior member of staff shall undertake a review of the formal complaint, focusing on whether appropriate procedures were followed in the investigation and whether the decision was reasonable.
- 7.2 The reviewer may consider further comments and information submitted by the complainant, along with any other new material or evidence produced by the subject of the complaint or identified in the course of the review.
- 7.3 The reviewer can, if felt justifiable, overturn the earlier outcome and substitute a new one.
- 7.4 On completion of the review, the Registrar & Secretary's Office will issue a separate *Completion of Procedures* letter to the complainant (see 8.2 below).
- 7.5 The University will make efforts normally to complete the formal complaints procedure and review within 90 days. With this in mind, it will try to complete the Formal Complaints Procedure normally within 6 weeks, and any Review of a Formal Complaint normally within 6 weeks (allowing also for the individual to request any review within 15 days as stated at 6.14 above). Such timescales may vary where complexities arise in the complaint or other factors. Where the timescale becomes extended, the University will keep the individual updated as to progress.

8 Next steps

- 8.1 Following a review, if the complainant remains dissatisfied they may apply to the Office of the Independent Adjudicator for Higher Education (OIA) or the Information Commissioner's Office (ICO) to investigate the complaint, subject to its eligibility rules.
- 8.2 Information about submitting a complaint to the OIA is available at www.oiahe.org.uk and is also detailed in a *Completion of Procedures* letter (see 7.4 above) as required by the OIA. Any complaint must be lodged with the OIA **within 12 months** of the date of the *Completion of Procedures* letter.
- 8.3 Information about submitting a complaint to the ICO is available at <https://ico.org.uk/concerns/>.

Document status

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