

THIRD PARTY COMPLAINTS PROCEDURE			
Department	Vice Chancellor's Office/Legal		
Author	University Solicitor		
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1. PURPOSE OF THE PROCEDURE

- 1.1 This procedure has been prepared to clarify how a "third party" might raise a complaint with the University and outlines how it will be dealt with.
- 1.2 The University is committed to ensuring that individuals who may have contact with the organisation, and are dissatisfied with that interaction, have the opportunity to have their complaint dealt with as close to the initial point of contact as possible through fair investigations so that, as appropriate, evidence-based decisions on the facts of each individual case can be made. . Where the University finds a complaint justified this mechanism also provides the opportunity for the University to respond and, where possible, offer a resolution.

2. SCOPE OF THE PROCEDURE

- 2.1 A "third party" is defined for the purposes of this procedure as an individual who is not a paid employee, not a registered student, nor a person or company contracted to undertake work on behalf of the University.
 - 2.1.1 – This procedure is not applicable to past employees or past students who wish to raise a complaint in relation to their term of employment or period of study.
- 2.2 Examples of instances where an individual might use this procedure include:

- a) where a person has applied for a post within the University and not been content with the way the application was treated;
- b) where a person may have a suspicion of unlawful or unethical employment practices being undertaken within the University;
- c) where a person has a complaint about the conduct of the University in relation to a Welsh Language Standard that the University is required to comply with.
- d) where a person has reason to believe that the University or a member of staff within the University has breached the general data protection regulations.

2.3 The complainant, or a person acting on behalf of the complainant, is expected to submit their complaint to the University within six months of becoming aware of the alleged issue.

3. Stage One Procedure: Informal Resolution

- 3.1 Third parties who wish to make a complaint are asked to write formally to the University's Vice Chancellor's Office. All individuals are asked to state concisely and precisely in writing the basis for complaint and the remedy sought.
- 3.2 Most complaints are straightforward and can be resolved amicably and to the full satisfaction of those involved if they are raised at an early stage.
- 3.3 The University has a responsibility to safeguard individuals in its care and to ensure that personal information is protected in compliance with the Data Protection and the General Data Protection Regulations. Staff therefore may be unable to discuss details relating to specific individuals with complainants.
- 3.4 Complaints should be submitted in writing (by using the Complaints Form in Appendix 1). The person completing the form should provide details relevant to the complaint. In order for investigations to be thorough and for outcomes to be communicated, the University will ordinarily expect complainants to identify themselves.
- 3.5 Upon receipt of a complaint, the complainant will normally be sent an acknowledgment within 5 working days and a response within 10 working days of their written complaint being received.
- 3.6 Upon receipt of the complaint by the Vice-Chancellor's Office, the complaint will be sent directly to the appropriate University department or Faculty whereby an investigation will be undertaken and a response provided in accordance with 3.5 above.
- 3.7 The majority of cases can normally be resolved by an explanation, apology or immediate remedial action within the ten working day turnaround from the date of the complaint being raised. The details of the complaint, the outcome and action taken may be recorded and used for service improvement.
- 3.8 If a complaint cannot be resolved at this stage it will be escalated to Stage Two: Formal Investigation and the complainant informed.

4 STAGE 2 – FORMAL INVESTIGATION DISSATISFACTION WITH THE RESPONSE

Stage 2 is used for;

- Complaints which cannot be resolved informally at stage 1
 - Those complaints deemed by the University to be serious, complex or about matters that are high risk i.e. relating to illegal or illicit activities
 - Safety and wellbeing matters which may have significant financial or reputational ramifications.
- 4.1 The University will investigate and respond normally within 30 working days. Complainants will receive notification in writing of the University's decision and the underpinning rationale, as well as any right to appeal (normally only permitted where there is additional evidence against the decision that was not available when the complaint was made).
- 4.2 Full investigations will normally be led by the appropriate department (with input from other services as needed); complaints deemed to be high risk or relating to staff at a Head of Department or Dean of Faculty level will normally be handled by the University Executive or senior colleague. The investigator should normally have had no prior involvement in the complaints.

Stage Two: Formal Investigation Senior Management/Executive Team

- 4.3 Where the complaint matter relates to the Vice Chancellor, the matter shall be referred to the Clerk to the Board of Governors ('the Board') who shall ask the Chair of the Board to nominate an independent member of the Board to investigate the matter and provide a response in accordance with the procedure outlined in 4.1 - 4.2

Stage Two: Formal Investigation Trustee/Governor of the Board

- 4.4 Where the complaint matter relates to a member of the Board, the matter shall be referred to the Clerk to the Board of Governors who shall ask the Chair or Vice Chair as appropriate, to investigate the matter and provide a response in accordance with the procedure at 4.1 – 4.2 .

5 APPEALS

- 5.1 Complainants who are dissatisfied with the University's response to a stage two complaint may make an appeal asking the University to review its decision.

The Complainant should write to the Vice-Chancellor's Office and state the grounds on which they wish to appeal the decision and enclose any other information that may be useful in considering the matter further.

Appeals will normally only be permitted where additional, materially relevant information is supplied that was not available when the complaint was made. Where any appeal is granted, consideration will normally be led by a senior member of the University who has had no prior involvement in the formal investigation.

The University's decision at the appeal stage is final.

Appeals regarding a complaint about the Vice Chancellor

- 5.2 Where the complaint relates to the Vice Chancellor and the third party remains dissatisfied with the response they have received from the independent member of the Board appointed by the Chair to investigate the matter, the complainant may make an appeal asking the University to review its decision internally by writing to

The Clerk to the Governor's Office
Glyndwr University
Mold Road
Wrexham
LL11 2AW

Email: charityandgovernance@glyndwr.ac.uk

- 5.3 The Clerk to the Board of Governors shall refer the matter to the Chair of the Board and either the Chair or a member of the Board not previously involved shall be asked to review the case. The decision of the Chair or their nominee is final.

Appeals regarding a complaint about a Trustee/Governor of the Board

- 5.4 Where the complaint relates to a member of the Board (including the Chair or the Vice Chair) and the third party remains dissatisfied with the response they have received from the independent member of the Board appointed by the Chair or Vice Chair to investigate the matter, the complainant may make an appeal asking the University to review its decision internally by writing to.

The Clerk to the Governor's Office
Glyndwr University
Mold Road
Wrexham
LL11 2AW

Email: charityandgovernance@glyndwr.ac.uk

- 5.5 The Clerk to the Board shall refer the matter to the Chair or Vice Chair (providing the complaint is not related to either) and either the Chair or Vice Chair or an independent member of the Board not previously involved shall be asked to review the case. The decision of the Chair or their nominee is final.

6 ROLES AND RESPONSIBILITIES

6.1 Complainant

The complainant is responsible for:

- Providing full, clear and accurate information about the issue and engaging with the University to find an effective resolution; and
- Behaving in a reasonable manner. Unreasonable behaviour includes: making vexatious complaints, harassing or otherwise behaving inappropriately towards University staff, failing to cooperate with the investigation, making unreasonable levels of contact or

being unreasonably persistent. Unreasonable behaviour may lead to the complaint investigation being suspended or terminated.

6.2 The University

The University is responsible for:

- Investigating the complaint in a comprehensive and open minded manner;
- Treating all those involved in the investigation fairly;
- Ensuring that any personal information is handled appropriately
- Keeping all those involved appropriately apprised of the investigations progress and outcome
- Proactively using the upheld complaints to improve its working practices; and
- Acting on any areas of gross misconduct through its internal policies and processes

7 COMPLIANCE

The University monitors the numbers and outcomes of complaints sent to it; key information is then sent to relevant committees and University management to enable them to improve working and service practices and identify trends and areas for improvement. This will be the responsibility of the Vice-Chancellor's Office.

8 SIGNPOSTING TO OTHER POLICIES AND PROCEDURES

8.1 This procedure relates to individuals who have no other recourse within existing policies and procedures to settle any concern that they have following their involvement with the University.

8.2 There are already procedures in place for:

- applicants for a place on a programme of study to appeal, if grounds exist, via the procedure operated by the Admissions Office;
- students (and those who have graduated not more than 40 days prior to submitting their complaint) to seek recourse through the Student Complaints Procedure;
- staff to seek resolution of issues through the relevant grievance procedure operated by the Human Resources Department;
- staff, students or anyone contracted to work for the University who have recourse to the Public Interest Disclosure (Whistleblowing) Policy (details available from the University website) in the event that there is reason to suspect that the University or any of its staff or students are engaged in inappropriate or illegal activities.
- individuals who have concerns about members of staff or students who are vulnerable to the risk of being drawn into violent extremism, based on the information they have received or behaviour they or another individual have observed, where concerns can be raised through the University's Vulnerable People Information Sharing Protocol within the University's Prevent Policy (available on the University's website or the Prevent Co-ordinator).

9 CONTACT INFORMATION

Vice-Chancellor's Office, Wrexham Glyndŵr University, Plas Coch, Mold Road, Wrexham LL11 2AW. E-mail: compliance@glyndwr.ac.uk

APPENDIX 1

Personal Details

Please be aware that the University may contact you for additional information

Given name	
Surname	
Address	
Email	
Telephone Number	

Complaint Details

Nature of Complaint	
Date Occurred (single or range)	
University member(s) or department involved (if known)	
Please include a summary of your complaint, including details of the issue or any incidents	
Please identify any actions you have taken to resolve the complaint to date.	
What would the ideal resolution to the complaint be?	