

## **L.1 Complaints Principles and Revision Limitations**

- (i) Preamble: That CUSU has a Complaints Procedure is, as of November 2008, a requirement of national law, namely the Education Act 1994. The Act requires that the University assent to the complaints procedure before it can go into effect. Therefore, changes to this Article (L) of the Standing Orders will not be enforceable by the CUSU until such time as a competent University body has approved them. Such changes should be marked as “pending” in this Article until such assent is granted.
- (ii) References are made in this section to the Junior Proctor of the University of Cambridge as an avenue of appeal regarding decisions made about complaints. This is because the Education Act 1994 requires that “an independent person [should be] appointed by the governing body [of the University] to investigate and report on complaints”; the Junior Proctor is designated by the University to be this independent person. Should the University designate another person for this role, then the part played by the Junior Proctor in this section should instead be played by whatever person is so designated.
- (iii) Principle of adjudication: CUSU Officers or Trustees should consider complaints first and foremost on the basis of fairness. While they must consider the health of the CUSU, financial and otherwise, in any decision, Officers and Trustees should seek to rule on the basis of fairness to the furthest extent that is reasonable and feasible. They should not simply seek to minimise the CUSU’s exposure to criticism or financial outlay.
- (iv) Transparency: CUSU complaints procedures should be made easy to locate and use. Any CUSU Officer or Trustee involved in advising on, processing, or adjudicating a complaint should not simply disclose required information but should also volunteer procedural information helpful to the making of a complaint. At each phase of any complaints process, the complainant and any other directly interested parties should be given full information about their potential avenues of appeal.
- (v) Merger and Severance: At any stage of a complaints process, relevant officers may rule that multiple complaints should be considered together or that a single complaint should be considered in separate parts or processes. Such officers have an obligation to ensure that the specifics of complaints being merged are still addressed or that the holistic merits of a complaint being separated are still considered.
- (vi) Formal and Informal Complaints
  - (i) The procedures outlined in this Article (L) apply to Formal Complaints unless otherwise noted. Anyone who contacts a CUSU officer with a query or statement that reasonably may be construed as a complaint or as leading to a complaint should be informed about their right to issue a Formal Complaint and directed to information about how to do so.
  - (ii) A formal complaint shall consist of a text submitted in any reasonable format noting all of the following:
    - The desire to make a complaint
    - The specifics of the issue about which they wish to complain
    - The details of any specific harms caused by the issue
    - A method by which the complainant can be reached for correspondence
  - (iii) Forms should be made readily available offering templates for making formal complaints

- (vii) Any person who is the subject of a complaint or has a personal interest in the outcome of a complaint must recuse him- or herself from any deliberations of any body or office involved in adjudicating the complaint
- (viii) Privacy: Specific contingencies should be built into complaints procedures allowing particularly sensitive complaints (or parts thereof) involving compelling issues of personal privacy to be dealt with by alternate means when the normal means would be inappropriately public. In instances where officers or a body adjudicating complaints find that a certain compelling issue of personal privacy cannot be adequately addressed, they should refer the matter to the CUSU Board of Trustees. When in doubt, reviewers of complaints should discuss with complainants and other concerned individuals their intentions regarding potentially sensitive information.