

Societies Complaints Process

The **objective** of this procedure is:

- a. To provide an opportunity for a member or a group of members of a Society to raise an individual or group grievance (other than a complaint of bullying or harassment by a student or staff member of the University) on matters relevant to activities in Societies. The procedure applies to all members of University Societies.
- b. To provide an opportunity for members of one Society to raise a grievance against another Society.
- c. The USCG may also investigate matters of concern relating to Societies failure to comply with policies and procedures or in breach of their own Constitution.

The scope of the procedure:

If a complaint involves **bullying or harassment** by students or staff of the University other procedures apply. For information on what constitutes bullying and harassment and the procedures that apply, Society members should refer to the relevant Policies available at the Web addresses below:

Anti-bullying Policy:

<http://www.nuigalway.ie/equality/documents/AntiBullyStudents.pdf>

Harassment or Sexual Harassment:

http://www.nuigalway.ie/equality/documents/Harassment_SexualHarassmentPolicyProcedure.pdf

Note: NUI Galway is committed to equality of opportunity for all staff and students irrespective of sex, marital status, family status, sexual orientation, religious belief, age, disability, race, colour, nationality or ethnic or national origin, membership of the travelling community or perceived political belief or affiliation.

If the complaint relates to postering please refer to the University Postering Policy:

http://www.nuigalway.ie/student_services/documents/postering_policyenglish.pdf

Where a member or members of a Society have a complaint which is not related to bullying, harassment or [posters] then they should follow the procedure set out below.

Non-selection for a team/panel or participant in a competition is not admissible as a complaint.

Complaints process: Informal

Where possible a member or a group of members of a Society should try and resolve the problem first by raising the complaint with the other party/ies involved or with the Auditor of the Society. Documentation, advice and training on conflict resolution is available from the Societies Office. Advice can also be sought from the Societies office

and the USCG as part of the informal process. Most complaints can get resolved at this stage without having to go through a formal process. If the complaint is not resolved by this, please follow the procedure below.

Concerned individuals may also approach the Societies Officer, who will arrange to meet parties involved, either together or separately, with the Chairperson of the USCG or their nominee and they (Societies officer and USCG Chairperson) may also invite another staff member to the meeting, if deemed relevant, to see if the issues can be resolved amicably before any further process is implemented. People involved are welcome to bring a friend or Union¹ representative to the meeting. In this meeting due regard will be paid to the sensitivity of the information discussed.

In cases where the USCG wishes to investigate matters of concern relating to Societies failure to comply with policies and procedures or in breach of their own Constitution or any other issues as deemed relevant by the USCG. The alleged offending society/individual will be invited to attend a preliminary USCG meeting or an investigation committee selected for the purpose, with at least two weeks' notice. The preliminary meeting may resolve the matter at that stage or make a decision to proceed to a formal process. Failure to attend the meeting without an acceptable apology may be deemed as a refusal to participate in the investigation process and a formal investigation will commence in the Societies/individual members absence.

Complaints process: Formal

General Principles

Complaints will be dealt with under the following guiding principles:

- A full written account of the complaint must be submitted.
- Those being complained against will receive a copy of the complaint and will have the right to reply.
- The complainant has a right to be accompanied by friend or Union² representative to any meetings regarding the complaint.
- An individual who is the subject of a complaint is entitled to be accompanied by a friend or Union¹ representative to any meetings regarding the complaint.
- If the complaint relates to an individual Society member or Society Committee member, it will normally be dealt with by the Committee of the Society with an appeal to the University Societies Coordination Group (USCG) being possible.
- If the complaint is relating to actions or decisions of the Committee of the Society, it will normally be dealt with by USCG with an appeal to the Vice president for Student Experience being possible.
- Any individual who is the subject of a complaint cannot be a member of the

¹ The representative is from the Students' Union in the case of a student and from a recognised Trade Union in the case of a staff member.

² The representative is from the Students' Union in the case of a student and from a recognised Trade Union in the case of a staff member.

Investigating Committee.

- In the event of a conflict of interest or prior involvement by an individual in a complaint, they may not participate as a member of the Investigating Committee.

Complaints Process:

Where the complaint is in respect of an individual or individuals in the Society, then the member or members should make the complaint in writing to the Society Committee. The written complaint should be addressed to the Society Secretary.

Where the complaint is in respect of decisions or policies of the Society Committee, then the member or members should make the complaint in writing to the USCG. The written complaint should be addressed to the Secretary of the USCG and a copy sent to the Society Secretary. The complaint should be as complete and specific as possible. It should contain a full description of the complaint, the names of person or persons against whom the complaint is being made, the dates, times and locations of incidents where this is relevant, the names of any witnesses, the detail and dates of any attempts at resolution.

The person or persons against whom the complaint is made will receive a copy of the complaint and they will have a right of reply.

Where the matter is to be dealt with by the Society Committee, an Investigating Committee consisting of the Society Auditor, Society Secretary, two other members of the Society Committee and the constituent representative of USCG will be formed to investigate and rule on the complaint. The constituent representative of USCG will act as chairperson of the Investigating Committee. If the constituent representative of USCG is a member of the committee of the Society, then another student representative from USCG must be elected.

Where the matter is referred to the University Societies Coordination Group it will be dealt with by an Investigating Committee consisting of the Chairperson of the University Societies Coordination Group (who shall act as chair of the committee) the Societies Officer, a staff member, the Societies Chairperson and a student member of the University Societies Coordination Group (who shall act as secretary of the committee) and who is not connected to the Society.

The Investigating Committee will meet formally with the Complainant/s and the person or persons against whom the complaint is being made. The Investigating Committee will interview the Complainant/s, the person/s against whom the complaint is being made and any witnesses that are willing to come forward. All parties may be accompanied by a friend or Union representative at meetings.

The Investigating Committee will deliver its findings to both the Society and USCG in writing within one month of the submission of the complaint. Where it is not possible to meet this target, the complainant will be informed and the Secretary of the

Investigating Committee will contact the complainant on a regular basis to advise when the matter might be completed.

The Secretary of the Investigating Committee will communicate its findings to the parties involved. The findings may either uphold or reject the complaint in part or in full, and may impose sanctions where appropriate which might include:

Society Sanctions:

- A Warning as to future conduct.
- Suspension from active membership from the Society.
- Disbarment from active membership from the Society.
- Invocation of the University Disciplinary procedure

USCG Sanctions:

- A Warning as to future conduct.
- Suspension of an individual(s) from active membership from any/all Societies.
- Disbarment from active membership from any/all Societies.
- Invocation of the University Disciplinary procedure³
- Disbandment of the Society³

The Secretary of the Investigating Committee will ensure that all the documentary material and notes associated with the consideration of the complaint are safely retained until such time as the complainant(s) and the person(s) who are the subject of the complaint are no longer members of the Society.

Appeals

If the Complainant/s or the person/s against whom the complaint is being made is/are dissatisfied with the determination of the Society Committee, they may appeal to the University Societies Coordination Group. This appeal must be made in writing to the Secretary of University Societies Coordination Group, NUI Galway.

In the case of a complaint investigated in the first instance by the University Societies Coordination Group, an appeal may be lodged with the Vice President of Student experience, NUI Galway. The appeal must be submitted within 10 working days of the issue of the findings of the Investigating Committee. An appeal should detail the grounds on which the appeal is being sought, i.e. why the party/ies is/are dissatisfied with the determination of the Investigating Committee.

If the Appeal is to the University Societies Coordination Group the USCG will appoint an Appeal Committee of four persons comprising the Chairperson of the University Societies Coordination Group, the Societies Officer, a staff member and a student

³² Invoking a University Disciplinary Procedure.....³ The Disbanding of a Society can only be enacted by the USCG, an AGM of the Society or inactivity for two years or failure to comply with current requirements for retaining recognition.

member of the University Societies Coordination Group who is not connected to the Society, to consider the appeal and make a finding in relation to it.

If the appeal is to the Vice President of Student Services, an Appeal Committee consisting of the Vice President of Student Experience and three others who have not had any previous involvement in the case.

The Appeal Committee will determine whether there are grounds for appeal and in the event that it deems that there are grounds for appeal will be entitled to receive from the Investigating Committee a copy of all documentation and findings, and may interview the Complainant and the person/persons against whom the complaint is made together with any witnesses they deem appropriate. All parties may be accompanied by a friend or Union representative at meetings.

The Appeal Committee will review all documentation associated with the complaint and issue its findings. The findings may either uphold or reject the appeal in part or in full and may impose sanctions where appropriate which might include:

- A Warning as to future conduct.
- Suspension from active membership.
- Disbarment from active membership
- Invocation of the University Disciplinary procedure
- Disbandment of a Society

The Appeal Committee will deliver its findings within two months of the submission of the appeal. Where it is not possible to meet this target, the appellant will be informed and the Secretary of the Appeal Committee will contact the appellant on a regular basis to advise when the matter might be completed.

The findings of the Appeal Committee will be final.

The Secretary of the Appeal Committee will ensure that all the documentary material and notes associated with the consideration of the complaint are safely retained until such time as the complainant(s) and the person(s) who are the subject of the complaint are no longer members of the Society.