

Public Complaints Policy

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<i>Note: All policies must be read in conjunction with all other SOAS policy, procedure and guidance documents. Printed copies of policies may not be the most up to date, therefore please refer to the policy pages on the SOAS external website or intranet for the latest version.</i>			

1. Introduction

- 1.1. SOAS University of London is committed to providing the highest level of service in the delivery of its academic programmes, services and facilities but recognises that occasionally things can go wrong. This policy below sets out the steps that should be followed should a person consider that there has been a failure to maintain those standards of a kind which would make it appropriate to make a complaint.
- 1.2. The institution takes complaints very seriously and acknowledges that lessons can be learnt from them, enabling the University to continue to improve and enhance the quality and effectiveness of its services.
- 1.3. The University defines a complaint as 'an expression of dissatisfaction about the University's action or lack of action, or about the standards of service by or on behalf of the University'.
- 1.4. The University is committed to ensuring that people have the opportunity to raise complaints without risk of disadvantage or recrimination. Each case will be considered on its own merit and in accordance with the evidence and circumstances presented.
- 1.5. Every reasonable effort will be made to deal promptly and efficiently with all complaints, to investigate them thoroughly and objectively and to seek to resolve them satisfactorily. Complaints will be dealt with positively and constructively and to avoid any conflict of interest.
- 1.6. All complaints will be treated seriously, and the University will respect the rights of both the complainant and those complained against. All parties shall be treated with dignity and respect. No one should expect to suffer any disadvantage, recrimination, or reprisals for either making a complaint or being the subject of a complaint.

- 1.7. The University will consider complaints which are made in good faith and reserves the right to decline to consider any complaints which are merely frivolous, vexatious, defamatory, abusive and/or motivated by malice, or to enter into continuing correspondence about such complaints and reserves its rights to take any further action which it regards as appropriate in respect of such complaints. Where a complaint or evidence submitted during the investigation of the complaint is shown to be frivolous, vexatious, based on fraudulent or false evidence or motivated by malice, it shall be dismissed by the Director of Governance.

2. Scope of Policy

- 2.1. This policy broadly covers all matters that do not concern a staff member or student, and may include matters relating to general University activities, freedom of speech concerns, or health and safety matters. This list is not exhaustive.
- 2.2. Some matters cannot be handled under the procedure set out in this policy, and the table below sets out other University procedures which should be applied:

Issue	SOAS Policy
Human resource issues (individual) or complaints about another staff member	Contact HR Department] for individual HR issues SOAS Grievance Policy SOAS Dignity and Respect Policy
Whistleblowing	SOAS Whistleblowing Policy
Reports of fraud, bribery or corruption	SOAS Fraud, Bribery and Corruption Policy and Procedure
Complaints by registered students of the University, including those registered at other partner institutions	SOAS Student Complaints Policy
Complaints about student assessment, progression or award	SOAS Academic Appeal
Complaints about compliance with data protection laws	SOAS Data Protection Complaints Procedure
Legal Action / Letter before Claim	Correspondence to be submitted to SOAS legal team: legal@soas.ac.uk
Complaints about the Students' Union or its procedures.	Contact SOAS Student Union

- 2.3. The University reserves its rights not to investigate or take any action in relation to any public complaints received anonymously or received on behalf of an anonymous complainant through a third party. Until a complainant's identity is verified only information regarding University process and procedures will be provided.
- 2.4. In the event that the University receives a group complaint, or a complaint from a member of a group, then the University requires that one person be appointed to act as correspondent and spokesperson for that group for the purposes of the procedure set out in this policy. Each member of the group must also demonstrate that they are affected by the issues which are the subject of the complaint and agree in writing to be represented by the appointed spokesperson.
- 2.5. Personal views expressed on social media by members of staff who identify themselves as an employee of SOAS may not be statements on behalf of SOAS and do not necessarily reflect the views of the University. Complaints relating to views published by staff on social media will only be taken forward where it is clear that individuals who identify themselves on personal social media as SOAS members of staff and they are representing a view on behalf of the University. Private use of social media which does not refer to SOAS or purport to represent SOAS falls outside of this policy.

3. Confidentiality

- 3.1. All information obtained within the process of the complaint will be held in accordance with Data Protection legislation.
- 3.2. Information about members of the public making complaints, and individuals against whom complaints are made, will be dealt with sensitively and will be kept confidential, except where the disclosure is necessary to progress the complaint or implement a decision on the complaint, or where it is required by law or in the public interest.
- 3.3. In submitting a complaint, the complainant understands that their complaint will be shared with the staff member responsible for conducting the investigation into the matters raised, and that the content of their complaint may need to be disclosed to relevant staff in order for the complaint to be investigated and/or resolution sought. Also, it must be understood that an individual against whom a complaint is made has the right to be made aware of any allegations and evidence against them. If there are elements of a complaint which are particularly sensitive and the complainant has concerns about their confidentiality, they are welcome to raise this with the Director of Governance, who will discuss if / how disclosure can be minimised.
- 3.4. Complainants should avoid disclosing unnecessary personal information (e.g. medical conditions etc.) in their complaint unless they feel that it is relevant to the issues raised. Complainants must also avoid disclosing personal data of another

person/s in their complaint unless they have been given permission by them to do so.

4. Lodging a Formal Complaint

4.1. To lodge a formal complaint, you must:

- i) First attempted to resolve the issue through approaching the person(s) directly responsible for your area of concern if possible and have good reason to consider that the matter has not been satisfactorily resolved.
- ii) Following that you must submit a complaint via the Governance Directorate at governance@soas.ac.uk.
- iii) Your complaints must be submitted within 3 months of the last incident relating to the problem occurring (unless special circumstances can be claimed), and where possible as much information that can be provided, including the grounds of your complaint, salient information such as details of what happened and key dates, any relevant evidence or documentation in support of your complaint, and desired outcomes.
- iv) If a third party is representing you, this should be disclosed as part of the complaint and authority may be sought from the complainant to confirm authority for SOAS to liaise with the named individual.
- v) Your contact details must be provided.

4.2. Upon receiving your complaint, the Governance Directorate will acknowledge receipt normally within 5 working days, and arrangements will be made for your complaint to be investigated.

5. Complaint Investigations

5.1. Investigators

- 5.1.1. Where a complaint has been received in relation to a member of the Board of Trustees or Vice Chancellor, this will be referred to one of the Vice-Chair of the Board of Trustees via the Clerk of the Board.
- 5.1.2. Where a complaint relates to concerns about Freedom of Speech, this will be referred to the Director of Governance.
- 5.1.3. Where a complaint relates to concerns about Health and Safety, this will be referred to the Safety, Health, Environmental and Quality (SHEQ) Manager.
- 5.1.4. All other complaints received will be assessed and will be referred to the most appropriate member of the University to investigate.

5.2. Investigations

5.2.1. The appropriate investigator appointed may:

- contact you to validate or seek further information in relation to your complaint .
- organise conciliation through joint or individual meetings.
- seek accounts from any witnesses.
- decide on actions needed to bring the complaint to a satisfactory conclusion and make arrangements for these to be undertaken.

5.2.2. The investigator will attempt to send a formal written response to the complaint within 20 working days. The University will endeavour to adhere to the indicative timescales outlined within this policy wherever possible. Should it not be possible to adhere to these timescales, all parties to the complaint will be advised accordingly.

5.3. Representation and the Right to be Accompanied at Meetings

5.3.1. Where a meeting is proposed with the person making the complaint (the complainant), they are entitled to be accompanied by one other person, such as a peer, family member or friend – but not a legal representative – at any meeting that is held in relation to the complaint.

5.3.2. Legal representation is not permitted, and the University will correspond only with the complainant and not with any legal representatives. The University reserves the right to terminate proceedings if a complainant threatens legal action. Commencement of any formal legal action should be redirected to the SOAS legal team.

6. Possible Complaint Outcomes

6.1. Once a formal complaint has been submitted and considered through the procedure under this policy, possible outcomes include:

- a) The complaint is upheld in whole or part.
- b) The complaint is dismissed in whole or in part.
- c) The complaint is dismissed and, if judged to be trivial, frivolous, vexatious, based on fraudulent or false evidence or motivated by malice, action against the complainant may be taken.
- d) The matter is referred for consideration under another University policy or procedure.
- e) The matter is referred to an external agency (e.g. the Police).
- f) Any combination of the above.

7. Monitoring Complaints and Record Management

- 7.1. The Governance Directorate will maintain a register of all complaints received and ensure timescales for responses are adhered to.
- 7.2. All correspondence and evidence relating to a complaint investigation will be uploaded into a secure site hosted by the Governance Directorate. Only those involved in the complaint investigation will have access to the files.
- 7.3. The University will keep and dispose of records relating to public complaints in accordance with its Data Protection Policy and Records Retention Schedule.
- 7.4. Reports on complaints received, outcomes and lessons learned will be provided to the Executive Board each semester.