



Third party complaints policy and procedure

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Third Party Complaints Policy and Procedure

Introduction

1. The University is a large community engaged in many activities of both an academic and non-academic nature. This means that, in the course of its usual business, the University engages with third parties from outside the recognised University community. From time to time, an individual external to the University may feel dissatisfied with some aspect of their dealing with the University, with some harm having been experienced, and, when that happens, it is important that the issue is dealt with constructively and as quickly as possible without risk of disadvantage or recrimination. Each case will be considered on its own merit and in accordance with the evidence and circumstances presented.
2. Some examples of concerns and complaints may include:
 - misleading or incorrect information provided by the University in relation to events held at or by the University, on or off campus
 - concerns about the delivery of an activity that would be available to a member of the public or other interested third party, on or off campus
 - concerns from Visiting Speakers relating to the way in which they were able to exercise their freedom of speech at an event on the University campus to which they had been invited
 - poor quality facilities or services provided directly by the University for the use of members of the public or other interested third parties
3. This procedure does not cover complaints which are already managed under an alternative route. These include complaints directed to individual centres, departments and institutes, with existing complaints processes, and complaints relating to the admissions process or applications to join the University, either as a member of staff or a student. These latter complaints should be directed, respectively, to Admissions, via the [Complaints Policy for Applicants](#) (.pdf) or to the University's [Resourcing team](#).
4. This procedure is intended to provide a timely, simple and streamlined process with a strong focus on early resolution.

5. Members of the public or other interested third parties wishing to raise a complaint should follow this complaint procedure.

Roles and Responsibilities

6. The University's Communications Team coordinates the administration and delivery of this policy and procedure across all University campuses, drawing in relevant staff members as appropriate.
7. The Registrar and Secretary or their nominee arranges for the conduct of Internal Reviews. These reviews are undertaken by senior staff, who will review the complaint and the original outcome, to consider: whether any procedural irregularities occurred; the reasonableness of the outcome; and whether any further action or investigation is required.
8. The University's Council has responsibility for reviewing and approving this policy.

Procedural principles

The procedure which implements this policy will:

- be fair and impartial
- be transparent and easy to access
- be flexible and timely, ensuring that concerns and complaints are dealt with as quickly as possible
- clearly communicate processes, decisions and the reasons behind decisions
- ensure that decisions are taken without actual or perceived conflicts of interest
- ensure an appropriate level of confidentiality

Confidentiality

9. Complainants may expect concerns and complaints to be dealt with confidentially and that their privacy will be respected. However, any person who is the subject of a concern or a complaint will be advised, and an appropriately redacted copy of the concern or complaint and any associated evidence will normally be copied to them, in order that they are given the opportunity to respond.
10. It may also be necessary to disclose information to others within and outside the University in order to deal with the concern or complaint and, in these circumstances, the parties

concerned will be informed of such a disclosure. An appropriately redacted copy of the investigator's report may be provided to any person who is the subject of a concern or complaint.

Data protection

11. All complaints will be handled in line with the University's obligations as a data controller under the Data Protection Act 2018 and UK GDPR.
12. The provisions of the University's Privacy Notices¹ will be followed for the processing and/or sharing of any personal data.

Eligibility

13. This procedure is available to third parties who are not current students or members of staff of the University. Students who wish to make a complaint should do so under the terms of the Student Concerns and Complaints Procedure.² Members of staff who wish to make a complaint should do so under relevant employment policies and procedures.³ Alumni who wish to make a complaint should contact our Alumni team in the first instance.⁴ Complaints relating to freedom of speech should be made through the University's Freedom of Speech Complaints Policy (.pdf)
14. Complaints will usually be considered if they are lodged with the University within twelve months of the harm being identified.

Third party complaints procedure

15. All complaints from eligible third parties should be directed to the University's Communications team by email to communications@essex.ac.uk, who will triage the complaint and direct it to the relevant area of the University.

¹ <https://www.essex.ac.uk/disclaimer/privacy-statements>

² <https://www.essex.ac.uk/student/voice/complaints>

³ <https://www.essex.ac.uk/staff/employment-policies-and-procedures>

⁴ Email to: alumni@essex.ac.uk

16. All complaints must be made in writing.
17. Complaints will aim to be acknowledged within five working days of receipt.
18. The University will endeavour to complete the processing of a formal complaint within 40 working days. There will occasionally be circumstances when, for good reason, the University will need to extend the timeframe. Where this is the case, the University will notify the complainant and keep them regularly informed of progress. While every effort will be made to comply with these time limits, if a time limit is exceeded it shall not invalidate the outcome of the complaint.
19. A response to the Complaint will be delivered to the Complainant in writing.

Internal review

20. If a complainant believes their complaint has not been handled properly or fairly according to these procedures, they may request an Internal Review of the complaint within four weeks of the date of the letter containing the outcome of the complaint.
21. Internal reviews of the outcome of a complaint investigation may be made on the following grounds:
 - the University did not follow the Third Party Complaints Policy and Procedure (.pdf) properly which disadvantaged the complainant's case
 - consideration of whether the outcome was reasonable in all the circumstances, or
 - there is new evidence, which for good reason was not previously submitted as part of the complaint, which might have materially affected the outcome
22. The Internal Review will not usually consider the issues afresh or involve a further investigation. The complaint must have been considered as a complaint under this policy before it is eligible for Internal Review.
23. In order to request an Internal review of the complaint, the complainant must set out their complaint clearly and succinctly in writing to governance@essex.ac.uk and provide evidence to substantiate the issues raised where possible. Internal reviews will be undertaken by a senior member of staff unconnected to the original complaint.

Document Control Panel

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