

Complaints Procedure for Oxford University Music Society

This document sets out the procedure for complaints (“Complaints”) by members of the Oxford University Music Society (hereafter referred to as the “Club”) against other members for breach of the Club’s [Code of Conduct](#) or the University of Oxford’s [Policy and Procedure on Harassment](#). For reference, a copy of the [Club’s Constitution can be found here](#).

1. Applicability of the procedure

- 1.1. This procedure applies where a Club member believes that another Club member has failed to act in accordance with the Club’s *Code of Conduct* or the University of Oxford’s *Policy and Procedure on Harassment*.

2. Definition of the “Committee”

- 2.1. If the subject(s) of a Complaint (the “Respondent(s)”) is one or more member(s) of the Committee, then the references to the “Committee” in this procedure are to the members of the Committee excluding the Respondent(s).
- 2.2. If the identity of the Respondents is such that it is impossible for a quorate Committee to consider the Complaint, the Complaint should be referred for consideration to the Senior Member, or, if the Senior Member is conflicted, to the Proctors.

3. General

- 3.1. Time limits in this procedure should usually be met by all parties. Time limits may only be extended by the Committee where it is necessary to do so in order to ensure a fair outcome (for example, where more time is needed because of a party’s illness, the timing of examinations or during the holidays).
- 3.2. Complaints will be dealt with confidentially by all parties involved, except where it is necessary to disclose information to carry out a fair investigation (e.g. the identity of the person making the Complaint will usually be disclosed to the Respondent).
- 3.3. The Committee may decline to consider malicious, vexatious or frivolous complaints.

4. Informal resolution

- 4.1. The person making the complaint should consider taking steps to resolve the matter informally before making a formal complaint. This might include discussing the matter with the Respondent, and/or seeking advice from the Senior Member or other Committee members.

5. Referring a Complaint

- 5.1. A formal Complaint should be made to the Committee by being given to any member of the Committee within 14 days of the conduct complained of (the “Complaint”).
- 5.2. The Complaint should be in writing and should include:
 - a) A detailed description of the event(s) complained of;

- b) The outcome that is sought;
 - c) Statements by any people who witnessed the event(s) or were affected by them; and
 - d) Any other documents or evidence relied upon in support of the Complaint;
- 5.3. If the Complaint includes an anonymous statement from a witness or refers to an individual without disclosing their identity, it must include the reasons why anonymity is requested in each case.
- 6. Interim measures
 - 6.1. If it is necessary to do so to protect either or both parties and/or other club members from a risk of harm and/or distress, the Committee may suspend the Respondent's Club membership and/or access to Club events or facilities for up to 42 days pending proceedings under this procedure.
- 7. Response to the Complaint
 - 7.1. Within 7 days of receipt of the Complaint, the Committee will write to the Respondent attaching the Complaint, all of the accompanying evidence and a copy of this procedure and stating that the Respondent has 10 days to provide written representations and any evidence in response to the Complaint (the "Response").
 - 7.2. If the Response includes an anonymous statement from a witness or refers to an individual without disclosing their identity, it must include the reasons why anonymity is requested in each case.
- 8. Further Enquiries
 - 8.1. Upon receipt of the Response, the Committee may make any further enquiries of any party that they consider necessary or desirable.
 - 8.2. If the Complaint is likely to result in removal of membership, the discussions of the Committee must involve consultation with the Senior Member under Paragraph 7 of the Club's constitution (the "Constitution").
- 9. Decision: Complaints against Club members who are not Committee members
 - 9.1. The Committee shall record its decision and the reasons for it in writing and shall send a copy of the reasoned decision to the parties within 10 days of the deadline for the Response.
- 10. Decision: Complaints against Committee members
 - 10.1. If the Committee considers that it is appropriate to remove the Respondent from office, they shall:
 - a) set out their recommendations and reasons in writing (the "Recommendations") and shall send a copy of the Recommendations to the parties within 10 days of the deadline for the Response;
 - b) invite the parties to submit comments on the Recommendations within 5 days;

- c) convene a General Meeting under Paragraph 8 or 10 of the Constitution as appropriate to be held within 21 days of the deadline for comments on the Recommendations;
 - d) submit the Complaint, the Response, the Recommendations and any comments on the Recommendations for consideration by the General Meeting, which shall then hold a vote on whether or not it is appropriate to remove the Respondent from office, in accordance with Paragraph 29 of the Constitution.
- 10.2. If the Committee considers that any other sanction is appropriate, it shall record its decision and the reasons for it in writing and shall send a copy of the reasoned decision to the parties within 10 days of the deadline for the Response.

11. Sanctions

- 11.1. The sanctions that may be imposed under this procedure include:
- a) Suspension of access to or use of the Club's events or facilities for a fixed period;
 - b) Suspension of membership of the Club for a fixed period;
 - c) Removal from office;
 - d) Removal of membership of the Club; and/or
 - e) A fine of up to £100 to be paid into Club funds.

12. Review

- 12.1. An Oxford University student (including students in the categories set out in Paragraphs 4, 6(a), 6(b) and 6(c) of the Constitution) whose membership of the Club is removed under this procedure has a right to ask the Proctors to review the Committee's decision under Paragraph 7 of the Constitution. Such a review request should be made within 1 month of notification of the Committee's decision.