

TO: Assembly

FROM: SU President

RE: Group Complaint: UCU Industrial Action

DATE: 7 March 2024

Assembly notes:

The Durham University Complaints Procedure for Students is clear that *'This Procedure may be used by Groups of students who wish to complain about the same matter and who jointly submit a complaint'* and that *'Complaints may be about the University's Action (or lack of Action) in relation to a matter concerning the student'*.

Industrial action, or at least the threat of industrial action, by the University and College Union is now an annual occurrence. Durham SU has long supported the right of academic and professional staff to exercise their lawful right to take industrial action but, whether an individual student supports the general right, or a specific example of industrial action, this *is* the reality of higher education in the UK.

Durham University, therefore, has a responsibility to protect our academic and consumer rights *in anticipation* of future industrial action. We shouldn't be expected to seek individual enforcement of our rights through the complaints procedure as if there was no opportunity to reduce the likelihood or impact of industrial action in advance. We are entitled, collectively, to know what will happen to us if we don't have the academic or consumer experience we have been promised.

Durham University, in response to representation by Durham SU, has been developing its academic policies in advance of any future industrial action to ensure that our academic rights are protected. We welcome this work. This is an example of how representation and partnership work can be effective in the academic interest of students.

Durham University hasn't set out how it will respect our consumer rights in advance of any future industrial action. It suggests that it is only able to assess the impact of industrial action on our consumer rights post hoc, on an individual basis.

We do not accept that this is the case. Very many other organisations across the UK have a published policy which says 'If your experience is disrupted or reduced or other than we promised, then this is what we will return to you, without you needing to go through a complex and burdensome complaints process'. Durham University could do the same if it wanted to.

Assembly believes:

We believe that nothing prevents Durham University from having a policy position on student consumer rights, and not having such a policy -whether by active decision or otherwise – is a lack of Action on behalf of Durham University. A Group Complaint is possible, and desirable, to seek enforcement of students' consumer rights.

We believe that a Group Complaint is not opposite to, or instead of student representation, and we hope that continued dialogue and negotiation with Durham University by the Durham SU Officers results in a constructive consumer rights policy statement without any enforcement action being made because of a complaint. If such a statement were produced, a Group Complaint wouldn't be necessary, or viable, and wouldn't be upheld.

Assembly resolves:

But, in the likelihood that no University in the UK has yet wanted to respect student consumer rights enough to publish such a statement, we ask Durham SU to coordinate a Group Complaint on behalf of Durham students, to be submitted if industrial action is called before the end of the academic year.