BALLIOL COLLEGE
UNIVERSITY OF OXFORD

Making a Complaint

A simplified guide

This guide is intended to be helpful to any student or non-academic staff member who wishes to make a complaint on any matter covered by our Complaints Policy which can be found on the College website as the Student and Non-Academic Staff Complaints Policy.

The process for making a complaint is the same for any member of non-academic staff as it is for students. This guide was written at the request of students, but readers can substitute "staff member" for "student" in almost every case, other than where contact details are given.

There are two exclusions from this Complaints Policy. If a student is complaining about the behaviour of another student, this will be dealt with by the Dean under our Non-Academic Disciplinary Procedure. A complaint by a member of academic staff is covered by the Grievance Procedure set out in our Statutes.

At all stages the College will take any necessary steps to ensure the safety and security of anyone involved in the process.

The main principles

As you will see, the principle which underlies all of these processes is that both parties (the person complaining and the person complained against) should be able to make their case confident that they will be listened to and that all the relevant issues will be taken into account in reaching resolution. The College is committed to ensuring that everyone involved feels supported and is fairly treated through the process.

Like all other Colleges, and the University itself, Balliol College has a defined internal process under which people can make complaints. These processes are very similar across Oxford and always include three possible stages:

- Stage 1 - An Informal stage;
- Stage 2 - A Formal stage – where the complaint is made formally and is investigated either by a senior person in the College, or by an appropriate person from outside;
- Stage 3 – An Appeal – if the complainant or the person complained against is unhappy with the decision on the complaint, they can ask for it to be reviewed.

This guide is about a complaint on any matter other than something academic (for example, about poor teaching or failure to fulfil academic requirements) which would be a matter for academic disciplinary/complaint processes. The Senior Tutor, Dr Nicky Trott, is the person to approach on academic complaints.

A complaint may well allege some form of harassment. The descriptions of various forms of harassment can be found in our separate Anti-Harassment, Sexual Misconduct and Bullying Policy, and in an appendix to the Complaints Policy.

All of these stages include time limits for action by various people; only the most important are detailed here.

How each stage works

The Complaints Policy refers to the person brining the complaint as the "Referrer" and the person being complained against as the "Subject". This guide does not use that terminology.

Stage 1 – Informal Complaint.

If anyone wishes to make a complaint, we hope that they will start by making an informal complaint, as the quickest and most flexible way of resolving problems. They can approach any one of a range of people, who can give them advice. This might include advice on whether the issue can be resolved very informally, without making a complaint at all.

If they do decide they want to make a complaint, they should generally do so within six months of the event occurring (or if it is about a series of events, the date when things came to a head).

Depending on the nature of the complaint, the person they approach may either advise on the best person to deal with the informal complaint, or deal with it themselves (for example, by talking to the person against whom the informal complaint has been made). They will talk to both parties (and other potential witnesses) and reach a conclusion and suggest the steps to be taken to resolve the issue.

Confidentiality at the Informal Stage

At this Informal Stage, it can be possible to keep the name of an individual making the complaint confidential from the person being complained about. Of course, the more specific the complaint ("On such and such a date, you said this…..") the harder it is to avoid identifying the person making the complaint, and the person investigating the complaint may say that it's impossible to investigate without naming names. It goes without saying that we would expect anyone complained about to respond constructively, in line with the College's codes of behaviour.

It is much easier to keep names confidential when the complaint relates to a number of instances of similar behaviour ("a number of students have approached me about your habit of saying/doing X or Y") or can be framed in that way.

If a large number of students have the same concerns, affecting more than one or two students, the Complaints Policy suggests that it might better be raised through JCR and MCR Officers with the Master or other College Officers as part of their regular dealings, rather than by making an informal or formal complaint.

Who to approach with an informal complaint

Anyone can send a message to report a concern at any time to the confidential e-mail feedback@balliol.ox.ac.uk to which only the Master and their office has access.

The Domestic Bursar should be approached in the first instance if the complaint is from a member of non-academic staff.

Students can approach any of these people with an informal complaint, or simply to talk through a concern. They should pick whoever they would feel most comfortable talking to.

Any of their Tutors or Lecturers OR

The Master
Vice-Master (Academic)
Vice-Master (Executive)
Domestic Bursar
Welfare Lead
Harassment Advisers
College Counsellor
Dean
Junior Deans
Praefectus

Non-academic staff should approach their Line Manager or Head of Department as appropriate.

Name and contact details for all of the above are listed in the College Handbook or the College website.

Stage 2 – a Formal Complaint

If the complainant is not happy with the outcome of the Informal process, they can proceed to Stage 2, a Formal Complaint, by making the complaint in writing to a College Officer. It should normally be sent to the person responsible for that part of the College's work (for example, the Welfare Lead if it's about welfare, the Domestic Bursar if it's about a domestic issue, the Finance Bursar if it's about money). If it's about a member of Academic Staff, or about one of the College Officers themselves, then send it to the Master. If it is a complaint about the Master, send it to one of the two Vice Masters.

If a student is making an allegation of harassment about a member of the College's academic staff, then the Master will anyway be told straight away, so that they can decide whether it is appropriate for alternative teaching or supervision arrangements to be made for that student or other students, while the complaint is investigated. This is not a pre-judgment of the outcome of the complaint.

Whoever the complaint is sent to will make sure that it is handed on to the right person, usually another senior College Officer. The complainant will be told who is likely to be the Investigator in case they have an objection). An investigator will then be appointed. They may be a member of College staff or they may be an appropriately qualified outside person, including someone from the University's list of investigators.

The Investigator will then speak to the person making the complaint, speak to the person against whom the complaint is made, look at evidence, question witnesses and then make a report back to the College Officer who has been appointed as Decision Maker.

The Decision Maker will read the report and associated papers, and reach a decision on the case and appropriate remedies and communicate them to both parties.

Making a decision on the Complaint

The Decision Maker is responsible for deciding whether the complaint is justified. The standard of proof they will be taking into account is "the balance of probabilities". That means that they need to satisfy themselves that the event or events complained about must be, on the evidence, more likely than not to have occurred.

They will arrange meetings with the person making the complaint and the person complained about, both of whom may bring a "companion" to the meeting(s) in the form of a fellow student, employee of the College, or Trade Union representative, as appropriate.

Both parties can expect to see a copy of the Investigator's report and any other evidence on which the decision is to be based.

The decision maker will inform all parties of the outcome of the complaint as quickly as possible, usually within one week of the meeting(s). Their decision is likely to include proposals for remedies, as appropriate. If the outcome involves disciplinary issues, the relevant disciplinary policies would apply.

Confidentiality at the Formal Stage

At the Formal Stage, it is impossible to keep the name of the complainant or group of complainants confidential, since natural justice requires the person complained against to be able to defend themselves against specific allegations. For any complaint against academic as well as non-academic staff, the final sanction could be very serious, including an impact on their employment. But that should not discourage anyone from making a formal complaint, which the College will take very seriously.

Stage 3 – Appeal

If either the complainant or the person complained against is dissatisfied with the outcome of a Stage 2 Complaint, then they can write to the Master (or Vice Master if the complaint was against the Master) to ask for a review of the decision or proposed action to be taken. The Appeal needs to be lodged within a week of the decision.

The College will appoint an appropriate person or group of people, who have not been previously involved in the case to consider the appeal. They will hold meetings with both parties, who can again be accompanied.

In most cases, the Appeal with consider the process followed rather than re-hearing or re-opening factual findings. They may take into account new evidence if it is presented.

The Office of the Independent Adjudicator

If, having gone through all the stages for dealing with a complaint within the College, any student thinks that the College has failed to follow its procedures correctly, or that the outcome of the complaint is unreasonable, they can apply (within 12 months of the end of the College's procedures) to the Office of the Independent Adjudicator for a review of the case. You can find out more about that process on the OIA website. It only applies to students.

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A Step by Step Guide to the Complaints Process

Stage 1 : Informal complaint

Stage 2 : Formal complaint

Stage 3 : Appeal

Stage 4 : The Office of the Independent Adjudicator

This guide should be read in conjunction with any relevant College policies and procedures.

Stage 1: Informal Complaint

Speak to any of the following:

- Tutor or Lecturer
- The Master or one of the two Vice Masters
- The Dean
- The Domestic Bursar
- The Welfare Lead
- The College Counsellor
- The College Harassment Advisers
- The Praefectus
- The Junior Deans

→ Informal resolution

If an informal resolution cannot be found

Informal complaint

Must be within 6 months

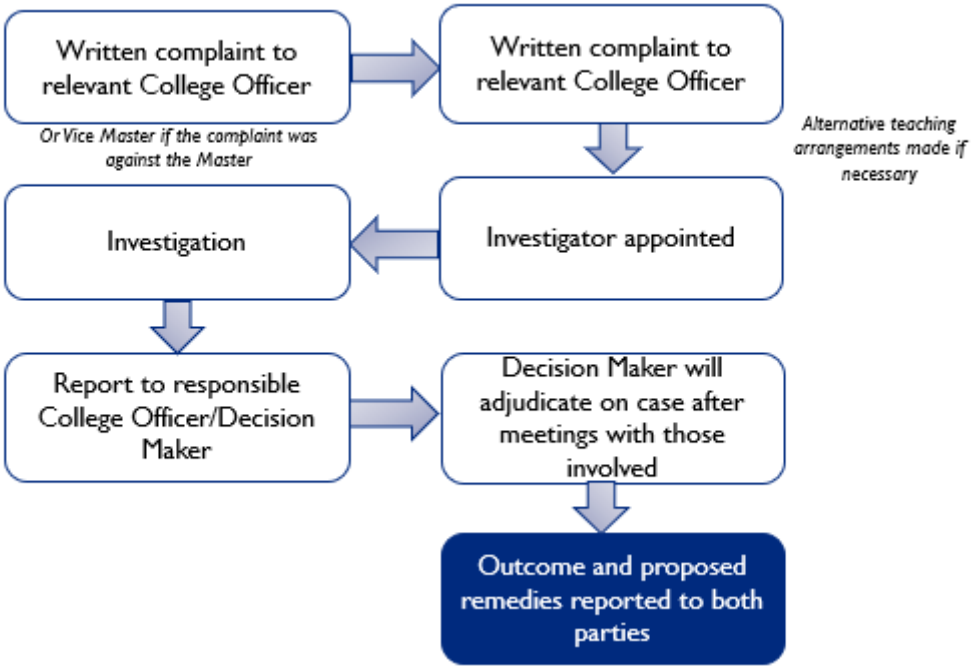
→ Appropriate member of staff will investigate complaint

→ Outcome of investigation

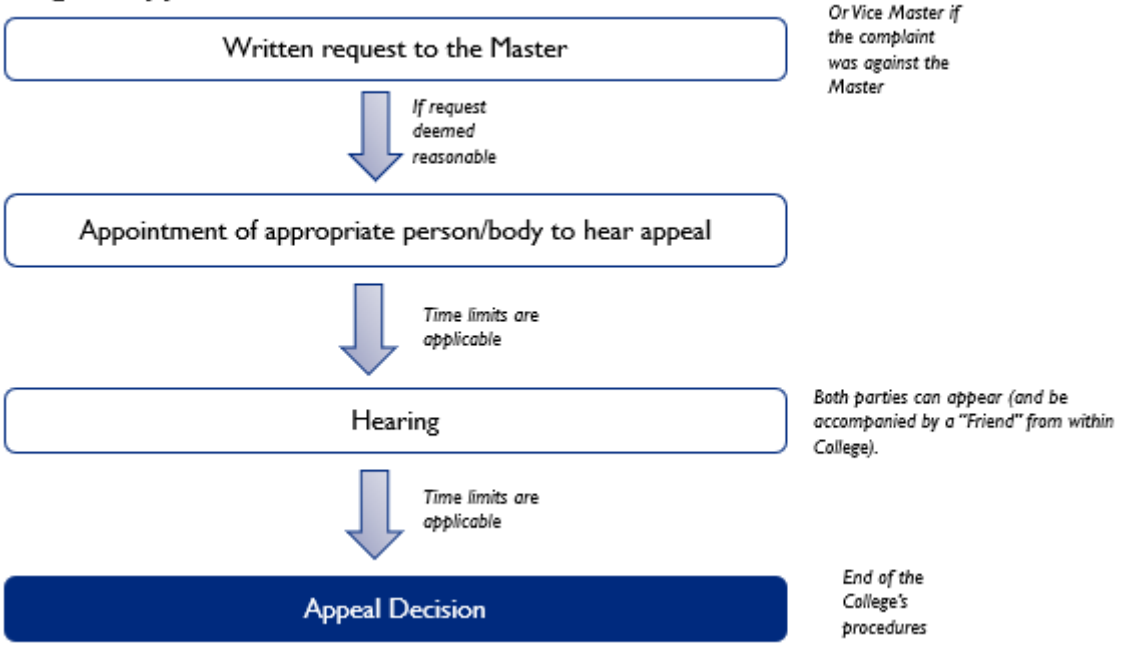
→ Next steps: Resolution or Formal Complaint

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Stage 2: Formal Complaint



Stage 3: Appeal



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Stage 4: Office of the Independent Adjudicator

A student may apply to the Office of the Independent Adjudicator if:

- They think the College has failed to follow its procedures correctly; or
- They believe outcome of the complaint is unreasonable

This must be within 12 months of the end of the College's procedures

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