



Making a Complaint

A simplified guide

As part of the work of the College Equalities Group, students have asked for a simple guide to how they can make a complaint on the grounds of some form of discrimination. But this guide is also intended to be helpful to any student or staff member who wishes to make a complaint on any matter covered by our Complaints Policy.

The process for making a complaint is the same for any member of staff (academic or non-academic) 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.

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.

The main principles

Like all other Colleges, and the University itself, Balliol College has a defined internal process under which students can make complaints. This is contained in our [Complaints Policy](#), to be found in the College Handbook. 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 by a senior person in the College;
- Stage 3 - A Review/Appeal - if the complainant is unhappy with the outcome of the formal proceedings, they can ask for a review which would be heard by a panel which includes a nominee from the JCR or MCR.

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.

Complaints by a student against other students fall under our [Non-Academic Disciplinary procedures](#) which are slightly different.

A complaint may well allege some form of harassment (see the description of various forms of harassment in the Annex).

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



How each stage works

Stage 1 - Informal Complaint

If a student (or group of students) wishes to make a complaint concerning a member of academic or non-academic staff, 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 a student decides they want to make a complaint, they should generally do so within three 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). Whoever is asked to look into the complaint has to deal with it “expeditiously”. 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 her office has access.

The Domestic Bursar should be approached in the first instance if the complaint is from a member of non-academic staff. Academic staff should approach the Master, the Senior Tutor or whichever College Officer they think appropriate.

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

- Master
- Vice Master (Academic)
- Vice Master (Executive)
- Domestic Bursar
- Welfare Lead
- Harassment Advisors
- Dean
- Junior Deans
- Praefectus

Names and contact details for all of the above are listed in the College Handbook.

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 she 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 they are likely to be Investigator in case they have an objection). An investigator will then be appointed (generally another Fellow of the College) to look into the complaint.

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 handling the complaint. The person who made the complaint gets the chance to comment on the report in draft stage, and the College Officer handling the complaint gets a copy of any comments that the student may want to make.

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

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 any student from making a formal complaint, which the College will take very seriously.

Stage 3 - Appeal/Review

If a complainant 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 her to review the decision or proposed action to be taken. The Master, together with another Senior Member of the College, will decide whether the request for a review is reasonable and if so, will set up a Complaints Panel to hear the appeal.

The Panel consists of two Senior Members/Fellows of the College (who have had no previous involvement in the case) and one student, nominated by the JCR or MCR as appropriate. The procedure here gets quite complicated, and there are important time limits on its various stages. In essence there is a hearing at which both the complainant and the person complained against can appear (and be accompanied by a “Friend” from within the College), they can both call and question witnesses and address the Panel. The Panel has access to all the relevant documentation. The decision of the panel (which can be by majority) brings an end to the College’s procedures.

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 here](#). It only applies to students.



A Step by Step Guide to the Complaints Process

Stage 1 : Informal complaint



Stage 2 : Formal complaint



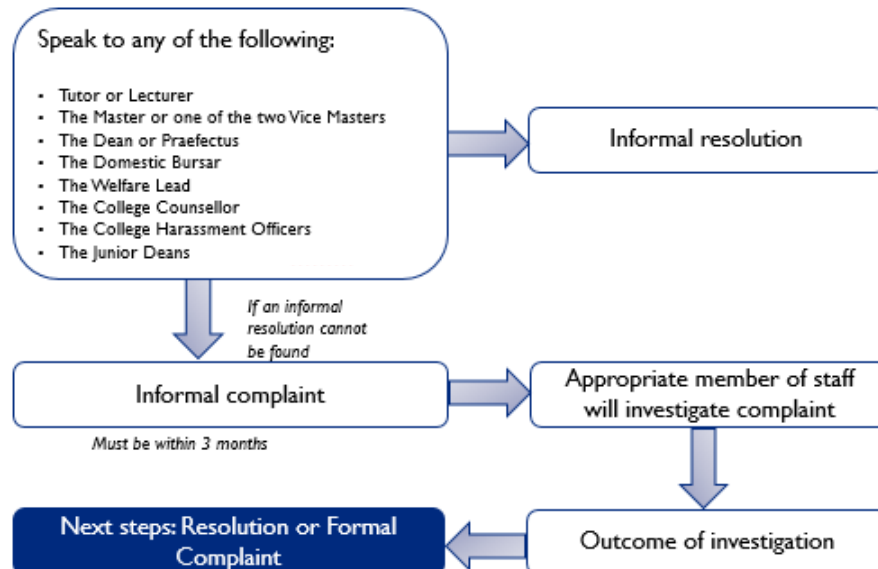
Stage 3 :Appeal/Review



**Stage 4 :The Office of the
Independent Adjudicator**

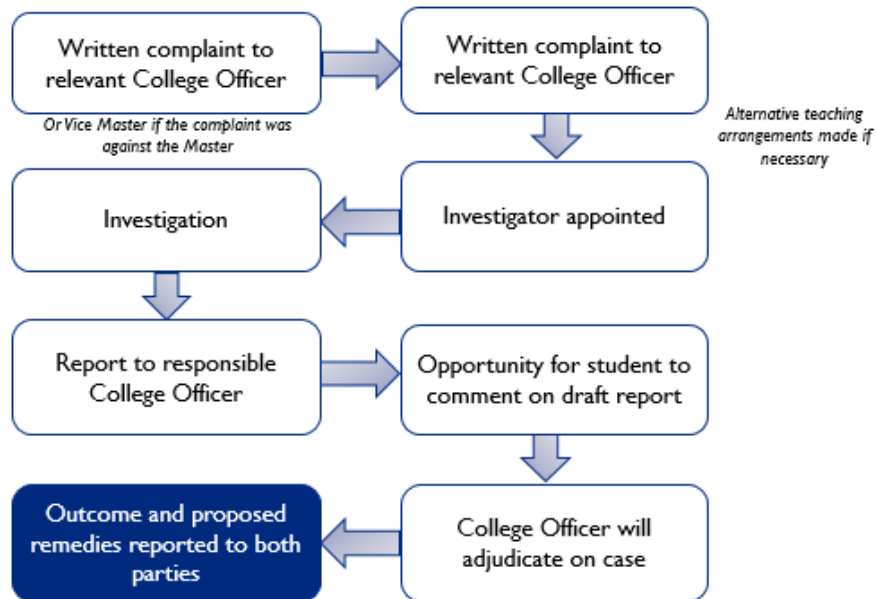
This guide should be read in conjunction with "A simplified guide for students wishing to make a complaint against a member of College staff" for comprehensive details of the processes.

Stage I: Informal Complaint

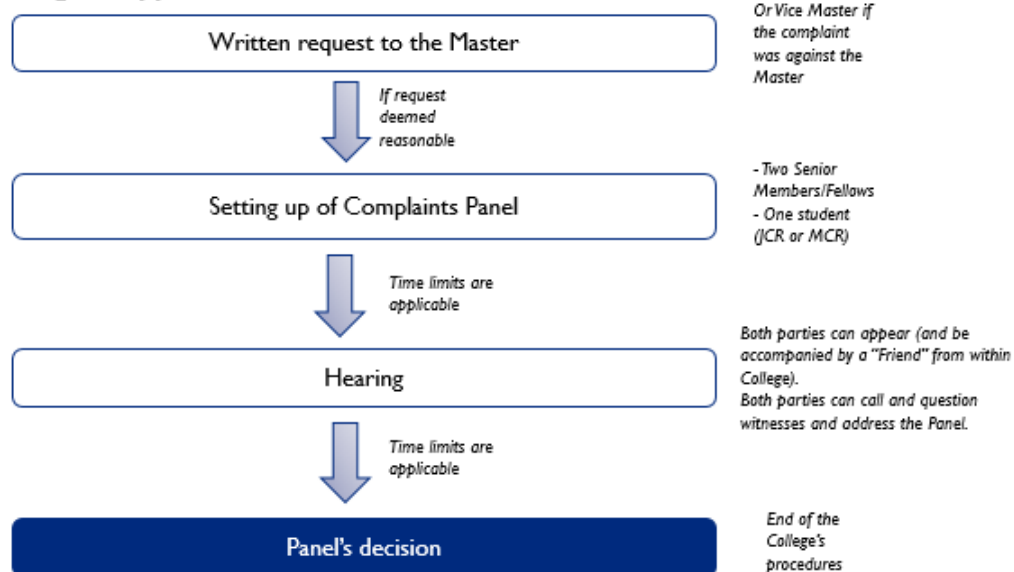




Stage 2: Formal Complaint



Stage 3: Appeal/Review



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

Annex

Definition of Harassment (from Balliol Staff Harassment Policies)

A person subjects another to harassment where they engage in unwanted and unwarranted conduct which has the purpose or effect of: violating that other's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that other

Harassment may involve repeated forms of unwanted and unwarranted behaviour, but a one-off incident can also amount to harassment.

Harassment on the ground of sex (including gender re-assignment), race, religion or belief, disability, sexual orientation or age may amount to unlawful discrimination. Harassment may also breach other legislation and may in some circumstances be a criminal offence, e.g. under the provision of Protection from Harassment Act 1997.

Examples of bullying and/or harassing behaviour

- Offensive comments or body language
- Verbal or physical threats
- Insulting, abusive, embarrassing or patronising behaviour or comments
- Humiliating, intimidating, and/or demeaning criticism
- Open hostility
- Deliberately undermining a competent person by overloading with work and constant criticism
- Isolation from normal work or study place, conversations, or social events
- Publishing, circulating or displaying pornographic, racist, homophobic, sexually suggestive or otherwise offensive pictures or other materials
- Unwanted physical contact, ranging from an invasion of space to a serious assault.

Reasonable and proper management instructions issued properly, or reasonable and proper review of a member of staff's or a student's work and/or performance will not constitute harassment or bullying.

Behaviour will not amount to harassment if the conduct complained of could not reasonably be perceived as offensive.