

# Procedures for managing unacceptable behavior when dealing with student complaints and appeals of results

*Approved by the University Board for Teaching and Learning on 14 July 2015, with effect from the 2015-16 academic session. Subsequent revisions were approved by the Board on 4 January 2017.*

## Preamble

1. The University is committed to investigating complaints and hearing appeals of results and learning from these processes to improve the student experience.
2. However, in exceptional circumstances, if the University reasonably decides that the student's behaviour in the pursuance of their complaint or their appeal of a result is unacceptable the University reserves the right to terminate the consideration of the complaint or appeal of a result at any stage of the Student Complaints Procedures and the Procedures for considering appeals of results.
3. The University is mindful of its obligations to make reasonable adjustments under the Equality Act 2010 and will seek advice from the Disability Advisory Service where appropriate. The student should inform the person investigating their complaint or appeal of a result if they require any reasonable adjustments to allow them to fully engage with the procedures, and staff implementing the procedures should be mindful of the University's obligations to make reasonable adjustments.
4. If the behaviour of the student is effectively managed through this process and the University does not terminate the consideration of the complaint or appeal of a result, the outcome of the complaint or appeal of a result will not be affected by reason of the instigation of this process.
5. Students are strongly encouraged to seek advice from the Advice Service in Reading University Students' Union.
6. If the student is communicating with a number of different staff members, it is good practice to limit direct communication with the student to one member of staff at the different stages of the procedures.

## Examples of unacceptable behaviour

7. Unacceptable behaviour can include but is not limited to:
  - Behaviour, including the language used or the manner or frequency of communications, which is aggressive, offensive, rude, harassing or abusive;
  - Insistence on pursuing complaints or appeals of results within the University which are non-meritorious or demanding unreasonable outcomes when the merits or reasonable outcomes have been explained to the student and/or complaints or appeals of results have not been upheld;
  - Behaviour which is intended to cause disruption or annoyance;

- Behaviour which is frivolous or vexatious.

## Procedure for dealing with unacceptable behaviour

### Informal stage

8. If a member of staff communicating with the student about a complaint or an appeal of a result considers that the student's behaviour is unacceptable the staff member may implement immediate action. Examples of this include but are not limited to:
  - terminating a phone call;
  - discontinuing a meeting;
  - seeking the assistance of the University's Security Services or the Police.
9. Following the unacceptable behaviour, the relevant staff member should email the student to identify the unacceptable behaviour, and where appropriate set out the behaviour expected of the student in the future. The email should inform the student that the University reserves the right to terminate the consideration of the complaint or appeal of a result under this procedure. The Student Complaints and Discipline Officer must be copied in the email.
10. The student may be referred to the Regulations for Student Conduct.
11. Exceptionally, the University reserves the right to immediately terminate the consideration of a complaint or an appeal of a result if the unacceptable behaviour is of a serious nature. This must be approved by a member of the University Executive Board.

### Initiating the formal process

12. If the unacceptable behaviour continues, the relevant staff member will inform the Head of Governance who will evaluate whether the student's behaviour is unacceptable. If the Head of Governance concludes that the student's behaviour needs to be managed under this procedure to allow a fair and reasonable consideration of the complaint or appeal of a result, the Head of Governance will email a written formal warning to the student. The written warning will identify the unacceptable behaviour.
13. In the written warning, the Head of Governance will normally implement one or more intermediate actions which the student must adhere to. Failure to adhere to the intermediate actions will result in the termination of the consideration of the complaint or appeal of a result.
14. Examples of intermediate actions:
  - Limit communication with the student to a particular format e.g. email only;
  - Limit communication with the student to a particular staff member at a particular time e.g. the student may only call one member of staff for a maximum time on a particular day;
  - Inform the student that they must nominate a representative to act on their behalf. The University reserves the right to terminate communication with a student's representative in accordance with this procedure if his or her behaviour is unacceptable;
  - Suspend the consideration of the complaint or appeal of a result for a specified period of time or until a specified action has been carried out by the student.

### **Final warning**

15. If the student does not adhere to the intermediate actions, and/or displays further unacceptable behaviour, a member of the University Executive Board will issue a final written warning to the student.

### **The termination of the consideration of the complaint**

16. In exceptional circumstances, if the unacceptable behaviour continues after the final warning or if the student's behaviour is of a serious nature, a member of the University Executive Board will write to the student and inform them that the University has terminated the consideration of their complaint or appeal of a result. The student will be provided with clear reasons for this decision.

### **Student's right to appeal**

17. The student will have seven days from the date of the termination letter to submit an appeal. Appeals of the decision to terminate the consideration of the complaint or appeal of a result will be heard by the Student Appeals Committee.
18. When the Student Appeals Committee meets to consider a case under this process, the University Secretary or their nominee will act as Secretary to the Committee.
19. If the decision to terminate the consideration of the complaint or appeal of a result is upheld, the student will be issued with a Completion of Procedures letter.
20. If the decision to terminate the consideration of the complaint or appeal of a result is not upheld, the University will continue to consider the merits of the complaint or appeal of the result. The student must adhere to any conditions which are set by the Committee.
21. Following the outcome of the Committee, if the student demonstrates further unacceptable behaviour, the student will be referred immediately to the final warning stage of this procedure.
22. The outcome of the complaint or appeal of a result will be determined by individuals who have not had involvement in the procedures set out herein.