

## UNIVERSITY OF YORK

### Policy on communications in relation to academic appeals and formal complaints

#### 1. Introduction

This policy describes how University of York staff will address issues relating to communication with students or their representatives, when dealing with ongoing student<sup>1</sup> appeals and complaints. This policy only applies to academic appeals and formal complaints, and applies only to the University staff employed to handle those cases.

The University is committed to providing a fair, consistent and accessible service for all students. However, we must also provide a safe working environment for our staff, and ensure that our work is undertaken in an efficient and effective manner. We believe that everyone who approaches us has the right to be heard, understood and respected. We also consider that our staff have the same rights. We must also ensure that students do not suffer disadvantage as a result of the behaviour or communications of other individuals. This policy sets out the approach which will be taken in circumstances where the actions or behaviour of an individual are considered to be unacceptable, or where communications become persistent or vexatious. This policy also outlines our position in relation to communicating with people other than the student concerned (e.g. family members, other representatives etc.).

#### 2 Communication with third parties

- 2.1 In relation to appeals and complaints, we believe that it is the responsibility of the student to communicate directly with the University, rather than through third parties, to ensure fairness and parity of treatment. Moreover, complaints and appeals often involve highly sensitive and confidential issues. Therefore, unless in exceptional circumstances (see below), University staff will not enter into communication or correspondence with third parties in relation to the specifics of any individual appeal or complaint. This means that family members or other representatives who wish to communicate in place of, or on behalf of, the student will not normally be permitted to do so, even if the student has given consent.
- 2.2 It is permissible for third parties to enquire, in general terms, about process and procedure, but not to make representation in specific cases. The exception to this is staff in YUSU and the GSA, who can accompany students attending appeal hearings, and can make supporting statements during those hearings. Indeed, students are encouraged to approach YUSU or GSA for guidance and support during the appeals process whether or not they are required to attend a hearing in person.
- 2.3 In exceptional circumstances where a student is prevented from being able to communicate directly for themselves, or where they cannot do so due to a disability or serious illness, communication with a nominated third party will be allowed, as long as evidence is provided to demonstrate that the student is not able to act on their own behalf at the time and in the near future. A decision as to whether or not the evidence provided demonstrates that the student is not

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<sup>1</sup> The term 'student' in this document refers to current and former students who submit appeals or complaints.

able to act on their own behalf will be taken by the Chair or Deputy Chair of Special Cases Committee in the case of appeals, or by the Registrar in the case of complaints. In such cases, the person taking the decision will not have access to the details of the appeal or complaint, but only to the evidence regarding the student's ability to communicate. This is in order to avoid any conflict of interest should they later need to consider the appeal or complaint itself.

- 2.4 In the rare cases where it is agreed that a third party may communicate on behalf of a student, the University has the right to apply the procedures outlined in Sections 3 and 4 of this document to the third party.
- 2.5 Communication from multiple individuals acting on the student's behalf will not be permitted.

### **3. Unacceptable behaviour in communications with our staff**

3.1 We understand that lodging a complaint or appeal can be a stressful experience. People may act out of character in times of frustration or distress. Our staff recognise this and, as such, would not necessarily view a student's actions or behaviour to be unacceptable solely because they appear to be assertive or determined.

3.2 However, the actions of students who are angry, demanding, or persistent may result in unreasonable demands, or pressure, on our staff. It is these actions or behaviour that we consider unacceptable and aim to manage under this policy. We have grouped these actions or behaviour under the two following categories:

#### **3.2.1 Aggressive or abusive behaviour**

All of our staff have the right not to be subjected to aggressive, offensive or abusive actions, language or behaviour, regardless of the circumstances. This refers to any behaviour that may have the potential to cause staff to feel intimidated, threatened or offended. This includes, but is not limited to: verbal abuse, derogatory remarks, rudeness, inflammatory statements, unsubstantiated allegations, or any behaviour or language, whether oral or written, that may cause staff to feel afraid, threatened or abused.

#### **3.2.2 Persistent or vexatious communications.**

The University has a responsibility to ensure that our work is undertaken in an efficient and effective manner. Occasionally, students may make what we consider to be unreasonable demands on staff through the amount of information they seek or provide, the nature and scale of service they expect, or the frequency of requests for contact.

The following are examples of persistent or vexatious communication that we consider to be unacceptable:

- Complaints or appeals which are obsessive, harassing or repetitive. E.g. students may persist in disagreeing with the action or decision taken in relation to their case or contact us persistently about the same issue.
- Insistence on pursuing non-meritorious complaints or appeals and/or unrealistic, unreasonable responses and outcomes. Examples may include: requesting responses within an unreasonable timescale;

insisting on seeing or speaking to a member of staff; continual phone calls, emails, or letters; repeatedly changing the substance of the complaint, or raising unrelated concerns; petitioning or contacting a range of staff across the University in relation to the appeal or complaint.

- Insistence on pursuing what may be meritorious complaints or academic appeals in an unreasonable manner. Examples include levels of contact where the amount of time spent talking to the student on the telephone, dealing with written correspondence, or dealing with internal correspondence as a result of the student contacting multiple staff across the University, negatively impacts on our ability to deal with that case, or with other cases.

#### **4. Our approach to handling unacceptable communications**

4.1 In the rare circumstance that we consider that the actions or behaviour of a student is unacceptable we will tell them why we find it unacceptable and we will give the student the opportunity to modify their behaviour. If the issue continues, we will take appropriate measures, as follows:

- Our staff have the right to either place callers on hold or end telephone calls if they believe communications do not adhere to this policy. Staff are accountable for their actions and are required to log all instances when calls have been terminated, noting the reason(s) for ending the call.
- Our staff have the right to apply restrictions to the student's communication with the relevant office or its staff, citing this policy as the justification. This includes the possibility of ceasing one or more forms of communication for a period of time (e.g. until a case has been considered).
- Our staff will ensure that a line of communication with the University is retained at all times so that new information (e.g. new evidence or change of circumstances) affecting an appeal or complaint can be submitted.

4.2 If any of the above measures are enacted, we will write to tell the student why we believe their behaviour is unacceptable, what action we are taking and the duration of that action. In addition, the student will be given the contact details of a senior member of staff (e.g. such as the head of section or service) who the student may contact if they are unhappy with the way in which this policy has been implemented.

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Chair, Special Cases Committee  
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