

Procedure for Students raising Allegations of Unacceptable Behaviour by a Student or a Member of Staff

This Procedure sets out what to do if you feel that any member of the University has behaved in an unacceptable manner, whether on or off University premises.

Students who have a complaint relating to any form of sexual violence should please contact the Head of the Student Resolution Service direct, for help and advice (tam.milner@bristol.ac.uk).

1. Informal action

There are several informal options available to you when you experience behaviour that you find unacceptable. You could consider taking any of the following steps to try and address the behaviour if you feel it would be helpful;

- ✓ Discuss the matter with family and friends. Do they agree that the behaviour is unacceptable?
- ✓ Discuss the matter with a Student Wellbeing Advisor in your School or Residential Life Advisor. Some forms of behaviour can be very subtle, and it can often help to talk through your experiences with a third party. These Teams can also make referrals to the University Mediation Service which helps people to communicate with each other when a dispute has arisen.
- ✓ Talk to the advisors in your Students' Union. The [Just Ask Team](#) in the Students' Union building offers independent advice and support to students on these issues and can advise on process and procedure.
- ✓ Talk about the issue with your Personal Tutor, Supervisor, Senior Tutor, or any other member of staff who you feel comfortable with, to discuss ways in which the situation can be resolved with their support and/or involvement.
- ✓ Try to speak directly to the person responsible for the behaviour – they may genuinely not know that they are acting in a way that's unacceptable to you. (Only try this if you feel comfortable taking this step and if you feel that it could resolve the situation).

If you have tried any of the above steps and the situation remains unresolved, or if you consider that informal action is not possible or would not be helpful, then you may submit a formal complaint (see Section 2 below).

2. Making a formal complaint

2.1 To help you provide all the information that the University needs in order to address your complaint please complete and submit the [Student Complaint Form: Allegation of Unacceptable Behaviour](#) (Annex A), and send it by email to the Student Complaints and Mediation Manager (SCMM), student-complaints@bristol.ac.uk. If you would like to discuss your complaint with the SCMM before any action is taken, please make this known to the SCMM in your email. The SCMM is based in the University Secretary's Office and will decide

on any further action, they will contact you as soon as possible, normally within ten working days of receiving your complaint.

2.2 University services such as the Student Wellbeing Service can provide advice and support to students experiencing difficulties as a result of unacceptable behaviour and who wish to make a complaint. Independent advice can be sought from Just Ask in the Students' Union.

2.3 It may not be possible to deal with allegations against third parties who are not students or staff at the University under this policy, as they are not subject to the University's internal procedures. In these circumstances, you will be advised of other possible ways to pursue a complaint.

3. Confidentiality

3.1 Whether your complaint is being dealt with informally or formally, if you want information about your concerns to be kept confidential, you must make this clear to the person you talk to. The information that you provide in relation to your complaint will be treated with discretion and will only be shared when necessary, with sensitivity and with your consent so that your complaint can be investigated. An exception to this would be if the University has a legal obligation to report the information that you disclose or if there are concerns about your safety. You will be notified before action is taken and offered support. It will not be possible to investigate anonymous complaints as the person you report will need to be informed of the complaint and who made it. (For information on submitting anonymous complaints see 6).

3.2 The University recommends that allegations of criminal acts, such as physical assault, rape or sexual assault, are reported to the police immediately. The University may report allegations of criminal activity to the police in cases where there is a legal obligation to report and where there are serious safeguarding concerns and risk to others. The University may not be able to investigate allegations of serious criminal offences; action taken under the Student Disciplinary Regulations can be restricted pending the outcome of a criminal investigation. Students who have reported or experienced sexual misconduct are advised to contact the Head of the Student Resolution Service (tam.milner@bristol.ac.uk).

4. What happens if you have complained about the behaviour of a student?

4.1 The SCMM will determine whether a complaint is sufficiently serious to be dealt with under this policy. The University is limited in what action can be taken in relation to moderate disputes in private sector student houses.

4.2 The SCMM will consider if reasonable steps have been taken to resolve the issue informally. In some cases, the SCMM might suggest a way to resolve the complaint through informal means that have not yet been explored. The SCMM may offer [mediation](#) where appropriate to you and the other person (see flowchart Annex B)

4.3 Should you need wellbeing support in relation to your complaint, the SCMM will refer you to the [Student Wellbeing Service](#).

4.4 If your complaint is about behaviour in an academic setting, the SCMM may refer the complaint to the Faculty. The SCMM will work with Senior Tutors and Wellbeing Advisors in your School or Faculty to ensure that the matter is dealt with sensitively.

4.5 If the complaint is about behaviour within the University Halls of Residence, the SCMM may refer the complaint to the Head of Residential Life.

4.6 If the complaint is about behaviour within a Students' Union (SU) Society or Club then the complaint will be sent to the Chief Executive of the SU to be investigated under the SU

Complaints Procedure. If the investigation finds evidence of serious misconduct on the part of individual students, then those students will be referred to the University to be dealt with under the Student Disciplinary Regulations.

4.7 Where informal resolution is not possible or where the matter is deemed more serious, the complaint will be referred for consideration under the [Student Disciplinary Regulations](#).

5. What happens if you have complained about the behaviour of a member of staff?

5.1 The SCMM will refer allegations made against members of staff to the relevant HR Team where the complaint will be considered under the [Conduct Procedure for Members of Staff \(Ordinance 28\)](#), see flowchart Annex B. The HR team will explore whether the matter can be resolved by informal means, such as mediation, before taking formal action. Any action taken under Ordinance 28 is confidential however, if the complaint is upheld, the SCMM and HR will consider what measures may be put in place to resolve the complaint.

5.2 Should you need wellbeing support in relation to your complaint, the SCMM will refer you to the [Student Wellbeing Service](#).

5.3 You should be aware that legitimate and constructive criticism of a student's performance or behaviour, or reasonable requests made of students by members of staff will not constitute unacceptable behaviour under this policy. You can find out more about staff misconduct at the following links:

<http://www.bristol.ac.uk/hr/policies/ord28index.html>

6. Anonymous Reporting

The Report and Support facility enables students and members of staff to submit online reports and seek advice and support for incidents of harassment, assault and discrimination. This facility also gives students and staff the opportunity to report experiences anonymously. Anonymous reports cannot be investigated but will be monitored for emerging trends.

<https://www.bristol.ac.uk/students/wellbeing/services/student-wellbeing-service/>

ANNEX A

**STUDENT COMPLAINT FORM:
ALLEGATION OF UNACCEPTABLE BEHAVIOUR**

Please note – this form will be available to download from the student forms web page:

www.bristol.ac.uk/currentstudents/forms

And on the web as an Annex to this Guidance.

Students who have a complaint relating to any form of sexual violence should please contact the Head of the Student Resolution Service direct, for help and advice, (tam.milner@bristol.ac.uk).

You can also submit details of your complaint by email to the Student Complaints and Mediation Manager

Student-Complaints@bristol.ac.uk

1. PERSONAL DETAILS

Full Name:

Student ID No:

Programme and Year of Study:

Address for correspondence in connection with the complaint*:

Postcode:

Telephone number:

Email address:

**In the case of a Group Complaint, please attach a list of complainants and their details on a separate sheet of paper*

The University will communicate with you about your complaint by email (current students will normally be contacted through their University email address only) or by post to the address you have given above. It is important that you keep your contact details up to date and notify the Student Complaints and Mediation Manager of any changes.

2. NATURE OF COMPLAINT

Are your allegations being made against:

- A member of staff
- A student
- Other (please state)

3. DETAILS **

3.1 Please provide details of your complaint (e.g. racism, bullying, harassment – including onlinebullying and harassment). Provide as much information as possible relating to the allegations you are making in terms of dates, specific incidents, and any supporting evidence, including the names of any witnesses who are willing to come forward. As far as possible, present the events leading up to the incident(s) in chronological order. This will help the person reading your complaint to understand the history and context of the issue.

3.2 Please set out the steps you have taken to address the matter through informal means, including who you have approached to resolve your complaint. If you have been unable to take steps to address the matter please say why this has not been possible.

3.3 Please suggest any outcome or further action you are seeking.

4. DECLARATION

I declare that the information provided in this form is to the best of my knowledge true, and that I would be willing to answer further questions relating to it if necessary.

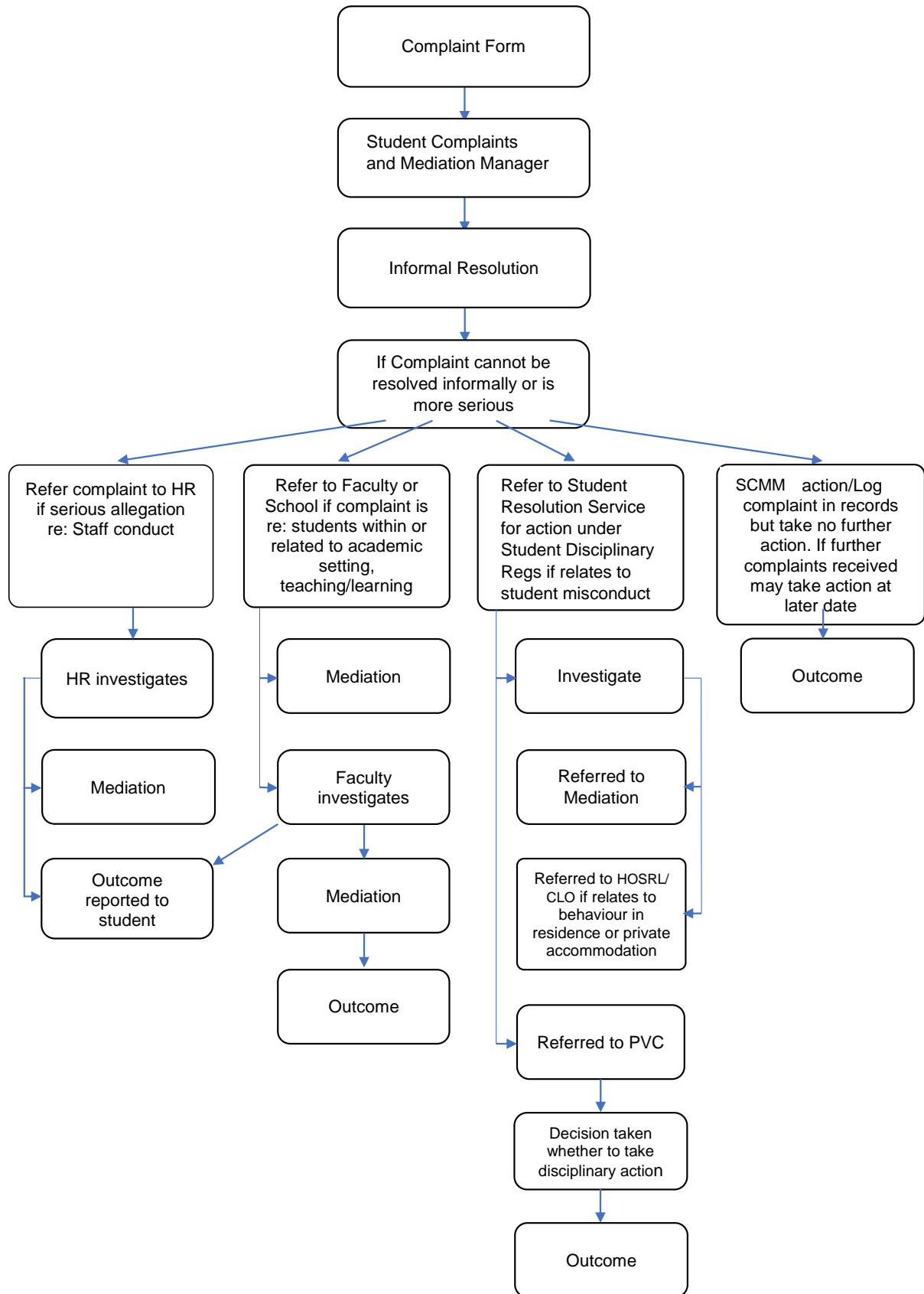
Signed:

Date:

**** Factors to consider when providing details under Section 3:**

- ✓ *Do not assume that the reader of the complaint will be familiar with the situation you are describing, or the people involved. Make sure that somebody reading it for the first time can immediately understand the issues and when and where they arose. For example, instead of saying 'my tutor', name the individual you are referring to.*
- ✓ *Be specific: if an incident has occurred, try and detail the exact date(s) on which it happened. If an incident has arisen that made you feel uncomfortable or harassed, you should try and describe exactly what happened and why it made you feel that way. It's important to spell out as clearly as possible how you have been affected by the incident(s).*
- ✓ *Provide documentary evidence wherever possible. This can be in the form of copies of emails, written correspondence you have received, screen shots or print outs of comments/messages posted on social media – basically anything that supports the allegations you are making.*
- ✓ *Provide details of any action you have taken to try to resolve the situation yourself through personal action – for example, making the person aware of the impact their behaviour is having on you – and why this was unsuccessful. If you have been unable to take steps yourself to resolve the situation, ensure that you provide details as to why this is the case.*

Annex B – Formal Complaint



Frequently Asked Questions

Can I talk to the SCMM about my complaint?

Yes, you can discuss your complaint with the SCMM by email, phone or in person. [Email student-complaints@bristol.ac.uk](mailto:student-complaints@bristol.ac.uk), Tel. 0117 3941820

How long will it take for me to get an outcome?

This will depend on the nature of the allegations. Complaints about unacceptable behaviour are picked up quickly and dealt with on a case by case basis. In some cases, swift action can be taken to ease a situation, in other cases allegations will require a full investigation following a formal procedure which can take longer. You will have the opportunity to talk to the SCMM about your individual case. You can also contact Just Ask in the SU to get independent advice on your complaint and on the process.

If I make a complaint about someone will they get to see the complaint?

The person that you complain about has a right to know what the complaint is about and who has made it. They will not necessarily be shown the complaint form; each complaint is dealt with on a case by case basis and if you have concerns you can discuss these with the SCMM or the person considering your complaint.

If I make a complaint about my supervisor will they still get to mark my work?

Complaints of this nature will be dealt with on a case by case basis and will very much depend on the nature of the complaint. Marking is generally anonymous and moderated or double marked. Additional scrutiny may be added where the supervision of a dissertation is concerned. If the complaint relates to a specialised area (e.g. PhD), then the Faculty will work with you on how best to proceed.

What is mediation and is it compulsory?

Mediation is a free, confidential and independent process that allows people to have their dispute heard and to be recognised. Mediation supports people in a 'dispute' to try and find their own resolution to the problem. It is a voluntary process so it will never be compulsory. Mediation can take place with you and the other person in different rooms for the entire process if you wish, so that the mediator moves between the rooms and you don't have to speak to the other person face to face. <http://www.bristol.ac.uk/secretary/mediation/>

What action might be taken following my complaint about another student?

This very much depends on the nature of the complaint. Complaints will be dealt with carefully; it may be that the person you have complained about is unwell and needs some help. In these cases, support will be put in place for them and for you and steps will be taken to sort out any problems that the behaviour is causing.

In other cases, investigation of the complaint may lead to a letter being sent to the student by the SCMM or a Senior University Lawyer. In cases where investigation of the complaint finds serious misconduct then the student will be dealt with under the Student Disciplinary Regulations and may be referred either to the Vice-Chancellor or to a person nominated by them to act on their behalf.

<https://www.bristol.ac.uk/media-library/sites/secretary/documents/student-rules-and-regs/student-disciplinary-regulations.pdf>

What is a Non-Contact Order and can I get one?

A Non-Contact Order is a limited order of suspension issued under the Student Disciplinary Regulations by the Pro Vice-Chancellor (PVC) responsible for student discipline. The order will impose specific terms on a student, such as not contacting named students, either in person or by electronic means. Non-Contact Orders are not something that can be

requested, they are issued by the PVC as a last resort when there is a serious threat to the wellbeing of a member of the University community and where the situation cannot be managed in any other way <https://www.bristol.ac.uk/media-library/sites/secretary/documents/student-rules-and-regs/student-disciplinary-regulations.pdf>.

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Document control

Summary			
This provides guidance on how to raise allegations of unacceptable behaviour by staff or students and what steps should be taken to deal with this.			
Scope - This document applies to:			
All students.			
For applicants entering in:	2021-2022	Applies to academic year:	2021-2022
Document Control			
Owner	University Secretary's Office		
Division	University Secretary's Office		
Lead contact	Philippa Guereca		
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Asset number		Version	V3.0
Approved by	Senate	Date current version approved	
Date current version published		Date first published	
Revision schedule	2 years	Next review date	TBC
Superseded documents	n/a		
Related documents	Rules and regulations for students Student Complaints Procedure Student Disciplinary Regulations Conduct Procedure		