|  |
| --- |
| Student Concerns and Complaints: Formal Stage  **Complaints about other Students** |

A Student may submit this form to request their complaint under the University’s **Code of Practice on Student Concerns and Complaints. Use this form if:**

* You are a student of the University of Birmingham,
* You wish to complain about the conduct or behaviour of a current University of Birmingham Student or Students.

# Complaints about conduct or behaviour:

Types of behaviour that could be complained about using this form could include:

* + Harassment (including sexual harassment)
  + Violent, indecent, disorderly, threatening, intimidating or offensive behaviour or language by another student (including that of a sexualised nature)

If your report is about harassment, then it may be more appropriate to follow the procedures outlined in the Policy on Harassment and Bullying before submitting this form: [http://www.birmingham.ac.uk//Documents/university/legal/harassment-bullying.pdf](http://www.birmingham.ac.uk/Documents/university/legal/harassment-bullying.pdf)

The Student Conduct, Complaints and Appeals Team will receive the form and decide who should deal with the concern. In cases of alleged harassment, an Investigating Officer will consider whether the alleged behaviour or conduct may amount to harassment under the Policy on Harassment & Bullying, and/ or a breach of University Regulation 8: Student Conduct.

# Before completing this form, you may wish to:

* Read the information on the [Report + Support webpages](https://reportandsupport.birmingham.ac.uk/)
* Seek advice or support from your [Wellbeing Officer](https://intranet.birmingham.ac.uk/student/your-wellbeing/wellbeing-officers.aspx) or [Guild Advice](https://www.guildofstudents.com/support/guildadvice/)
* [Guidance for Students Making a Complaint about another Student(s) - Reporting Options](https://intranet.birmingham.ac.uk/as/registry/policy/documents/public/student-complaints/part-1-reporting-options-guidance-for-students.pdf)
* [Guidance for Students Making a Complaint about another Student(s) - The Formal Complaint and Investigation Process](https://intranet.birmingham.ac.uk/as/registry/policy/documents/public/student-complaints/part-2-guidance-on-the-formal-complaint-and-conduct-investigation-process.pdf)
* [Guidance for Students Making a Complaint about another Student(s) - Attending a College Misconduct and Fitness to Practise Committee](https://intranet.birmingham.ac.uk/as/registry/policy/documents/public/student-complaints/part-3-guidance-for-reporting-students-on-the-college-misconduct-and-fitness-to-practise-committee-process.pdf)
* [Read the Code of Practice on Student Concerns and Complaints](https://intranet.birmingham.ac.uk/as/registry/policy/complaint-appeal/complaints/index.aspx)

**Completing the form:**

* The information you provide should be clear and concise.
* If you are referring to more than one incident/event, please provide the details in date order and clearly indicate the timing of the incidents/events.
* You should complete this form only about your complaint. Please do not include complaints on behalf of others even if they wish to complain about the same person, as they need to submit their own complaint. It is their choice to submit their own complaint.
* It would be helpful to include details of any witnesses.
* Complaints should normally be submitted within one month of the incident. However, we will consider complaints received after the usual timeframes if there is good reason for submitting a late complaint, such as in exceptional circumstances. If you have submitted your form one month later than the incident, you can explain why in Section H.

**Things to remember when submitting the form:**

* The University cannot usually take any action on the basis of an anonymous complaint. If you submit an anonymous complaint, it is unlikely that the concern can be dealt with.
* The form should be submitted by the complainant themselves, rather than on behalf of someone else.
* Where two or more students submit a complaint about the same student, they would be considered as separate complaints as the evidence is individual to each reporting student and decisions will be based on the relevant evidence for each complaint.
* Information in this form may be shared with the student you are complaining about – if you have concerns about this, there may be measures that can be put in place.
* Your complaint may lead to formal disciplinary action being taken against the other Student(s) and may result in a sanction being imposed.
* Submit your form and any other documents to [student-complaints@contacts.bham.ac.uk.](mailto:student-complaints@contacts.bham.ac.uk)

**Complaint Form – Complete details below**

|  |  |
| --- | --- |
| **Section A: Your Details** | |
| Name |  |
| ID Number |  |
| Programme of Study |  |
| School or Department |  |
| E-Mail Address |  |

|  |  |
| --- | --- |
| **Section B: Details about the student(s) you are complaining about** | |
| Name(s) |  |
| Programme of Study |  |
| School or Department |  |

|  |
| --- |
| **Section C: Details of the Complaint** |
| We understand that it may be difficult to discuss what happened and that it may be difficult to remember everything, but where possible, please explain your complaint, including the following information, on the following page:   * + What happened (factual details)   + Who was involved   + When the events happened (give times/dates)   + Where the events happened |
|  |

(Please continue onto a separate sheet if you need to. Please number the pages clearly.)

|  |  |  |  |
| --- | --- | --- | --- |
| **Section D: Action Taken So Far** | | | |
| Have you raised your complaint with any other organisation? | Yes | No | Prefer not to say |
| If yes, who have you reported the matter to: | Police | Sexual Assault  Reporting Centre | Other (please state) |

|  |  |  |  |
| --- | --- | --- | --- |
| If the matter has been reported to the police, please give details of the Crime Number:  .................................................... | | | |
| Have the police concluded their investigation? | Yes | No | Don’t know |

|  |
| --- |
| **Section E: Supporting Documentation** |
| Please ensure that you have enclosed any relevant evidence to help the Investigating Officer consider your concerns fully. This should include the following:   * Evidence or other documentation relating to the concerns you are raising (e.g. screen shots or copies of social media messages or text messages).   Please be aware that any evidence you provide may be shared with the student that you are complaining about. If you have enclosed any other documentation, please indicate the nature of the documentation (e.g. photograph or message from social media): |
|  |

|  |
| --- |
| **Section F: Potential Witnesses** |
| If you have any potential witnesses who you think it may be helpful for the Investigating Officer to contact, please provide their details. Providing witness details will mean that you authorise the Investigating Officer to contact the witnesses about this matter if it is felt necessary for the investigation. Any information that the witnesses provide may be shared with the student you are complaining about. |
|  |

|  |
| --- |
| **Section G: Please specify what you would like the outcome of your complaint to be?** |
|  |

|  |
| --- |
| **Section H (if applicable): Delayed Complaints** |
| If you have submitted your complaint later than one month after the incident, please explain why you did not submit your complaint earlier (for instance, due to waiting for the outcome of a police investigation or obtaining advice from Student Support): |
|  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Section I: Further Information** | | | |
| Have you sought advice from Guild Advice when completing this form? | Yes | No | Prefer not to say |
| Do you have a health condition or disability, the effect of which may mean that we will need to consider making arrangements for support with this process? If so, please give details: | | | |
|  | | | |

|  |  |  |
| --- | --- | --- |
| Have you reported the matter through Report + Support? | Yes | No |
| And if so, have you been allocated a trained responder? | Yes | No |
| If you are already receiving support from the University and would like for us to keep your  Wellbeing Officer or assigned Responder updated, then please complete [this consent form](#_Personal_Data_Disclosure) with the relevant information to enable us to do this. | | |

|  |
| --- |
| How will the information in this form be used? |
| The information you have provided in this form will be used to determine whether a disciplinary investigation should be instigated, in accordance with University Regulations. The information in this form will be used as evidence in the investigation.  The information will be retained securely by the Student Conduct, Complaints and Appeals Team. The information will also be shared as necessary with those members of University staff involved in the investigation or who support the investigation process, for the purpose of deciding if there has been a breach of the University’s Regulation 8 – Student Conduct. If so, it may be necessary for the Student Conduct, Complaints and Appeals Team to disclose the information you have provided, or some of it as is necessary, to individuals involved in their investigation and the hearing or determination of any misconduct proceedings which may result from their investigation, and those who support the process.  It will also be necessary for your identity and the information you have provided to be disclosed to the person about whom you have complained, so they can understand the nature and details of the complaint made against them.  If the incident is referred to the Police for investigation, the Police may, as part of their investigation, ask the University to disclose to them any information the University holds about the incident which is likely to include the information you provide in this form.  More data protection information including details about how the University processes information about students is available on the University’s [Data Protection - Access to personal information webpage.](https://www.birmingham.ac.uk/university/leadership/governance/policies-regs/data-protection) |

|  |  |
| --- | --- |
| **Section J: Statement by Student** | |
| I declare that the information I have given on this form is accurate, true, and complete, to the best of my knowledge.  Please note that, by signing this form, you are authorising the Investigating Officer to consider this form and related information regarding your concerns. | Yes/No |

Signature:

Date:

Please submit your form and supporting documentation to: [student-](mailto:student-complaints@contacts.bham.ac.uk) complaints@contacts.bham.ac.uk

|  |
| --- |
| **Following submission of your complaint form:**   * You will receive a response, by email (normally within two working days), to acknowledge receipt of your complaint; * It may be necessary to discuss your complaint in person by attending a meeting with the Investigating Officer * If you withdraw your complaint, the University will not normally be able to continue any action against the other student(s).  Important information:  * The University investigation is an evidence-based process and decisions are made on the balance of probabilities * The University will not normally be able to disclose the outcome of the investigation to you and does not disclose to other students or other third parties, outcomes of misconduct hearings as these are considered to be confidential to the student(s) who were the subject of the investigation. |

## **Personal Data Disclosure Consent Form – SCCA and Responders**

We will need your consent to share information with your trained responder if you would like them to be updated. Only on receipt of your express written consent can we discuss any relevant progress with your responder. You have the right to withdraw your consent to share information at any point. Please contact your Investigating Officer or email [conduct@contacts.bham.ac.uk](mailto:conduct@contacts.bham.ac.uk) for further information or if you wish to withdraw your consent.

SCCA will keep a record of this form in accordance with the University’s Privacy Notice, details of which can be found on [Your Privacy - University of Birmingham](https://www.birmingham.ac.uk/privacy)

**Section A – Student details**

**Forenames:**

**Surname:**

**Student ID number:**

**Programme of Study:**

**Section B – Authorisation to disclose personal information**

I, the above-named student, authorise the relevant officers of The University of Birmingham to discuss the progress of my complaint/Student Conduct investigation (including updates on invites to meetings, or Committees and when the case has been concluded) with the following nominated University responder:

**Forename:**  
**Surname:**

**Email address:**

I agree that the sharing of information related to the progress of my case will end either when the investigation has been concluded, or at an agreed date, or if I choose to withdraw my consent at any point.

**Name:**

**Signature of Student:**

**Date:**