

Code of Practice on Behaviour in Admissions Complaints

(1) **We are committed to dealing with complainants fairly and impartially and to providing a high quality service when investigating admissions complaints. However we do not expect Durham University staff to tolerate unacceptable behaviour. Therefore this Code of Practice sets out the University's approach to the relatively few complainants whose actions or behaviour we consider to be unacceptable.** Consequently, this code of practice should be read in conjunction with the University's Complaints Procedure for Applicants.

(2) For the purposes of this Code a **"complainant" is an applicant who makes a complaint in accordance with the University's Complaints Procedure for Applicants. The term complainant also includes anyone who has signed authorisation from a complainant to act on his or her behalf or anyone who contacts the University in connection with a complaint.**

(3) The principles set out in this code of practice also apply to our dealings with third parties who are not applicants but who seek to make an admissions complaint against the University, including those making an admissions complaint against the University on behalf of an applicant but without their signed authorisation. Third parties with or without signed authorisation therefore include, but are not restricted to, parents and family members, schools and colleges, agents, and friends of the applicant's family.

(4) Whilst complainants may explore their grievances through initial discussion with University staff, they are normally expected to submit their complaint in writing in accordance with the University's Complaints Procedure for Applicants to enable an investigation to be undertaken. We cannot respond to enquiries from anyone who is not named as a representative by the complainant.

(5) Where a complainant submits multiple complaints on substantially the same issue the University reserves its right to treat the matter as a single complaint and to decline to respond to each separate, subsequent complaint.

(6) Whilst the University understands that bringing a complaint can be a stressful experience we also recognise our duty to ensure the safety and welfare of our staff. Consequently the University has zero tolerance towards complainants whose behaviour is deemed to be unacceptable or unreasonable and we will take action to protect our staff as required.

(7) The University's **definition of "unacceptable or unreasonable behaviour"** might include but is not necessarily restricted to cases in which there is **clear evidence** that the complainant has behaved in the following inappropriate way(s):

(a) communicating with the University or its staff in an abusive, offensive, defamatory, distressing, aggressive, threatening, coercive or intimidating manner;

(b) engaging in communication which is unreasonably persistent or demanding in terms of its frequency or volume;

(c) submitting a complaint containing materially inaccurate or false information or evidence;

(d) knowingly making clearly unfounded or unevidenced allegations against a member of the University's staff.

(8) When we consider that the behaviour of a complainant is unacceptable, as a first step, the University will normally tell the complainant why we find their behaviour unacceptable and we will ask them to change it. If the unacceptable behaviour continues, we will take action to restrict their contact with the University.

(9) The decision to restrict contact with the University can be taken by one of the following members of staff or their nominees: the Pro-Vice-Chancellor (Education), the Chief Operating Officer (Registrar), Academic Registrar or Deputy Academic Registrar. Any restrictions imposed will be appropriate and proportionate. The options we are most likely to consider are:

- requesting contact in a particular form (for example letters only);
- requiring contact to take place with a named officer (complainants should normally write to only the member of University staff dealing with their complaint);
- restricting telephone calls or emails to specified days and times;
- asking the complainant to appoint a representative to correspond with us; and/or
- asking the complainant to enter into an agreement about their conduct.

(10) Normally we write to tell the complainant why we believe their behaviour is unacceptable, what action we are taking and the duration of that action.

(11) Where a complainant behaves unacceptably during a telephone conversation, we may as a last resort terminate the call and we may restrict future contact to email or written correspondence. This decision may be made by those staff named in paragraph 9, the Director of the Student Recruitment and Admissions Office or the Head of Admissions.

(12) Where a complainant continues to behave in a way which we consider to be unacceptable, **we may decide to seek advice from the University Officers listed in 9 above as to whether it is necessary to terminate contact with the complainant.** In exceptional circumstances this may mean that the University is unable to continue with the consideration of the complaint.

(13) Where the behaviour is so extreme that it threatens the immediate safety and welfare of the University's staff, we will consider other options, for example reporting the matter to the Police or taking legal action. In such cases, we may not give the complainant prior warning of that action.

(14) This Code of Practice and its use will be reviewed at least every three years.

(Last update and review on 6 October 2015)