



THE UNIVERSITY *of* EDINBURGH

Student Complaints relating to Staff Conduct Procedure

1. Scope

This procedure applies to all University employees and matriculated students when a student raises concerns about staff behaviour towards students.

If the student is also employed by the University, and the behaviour occurs during their employment with the University, the [Grievance policy](#) will apply.

2. Definitions

Investigating Officer is the person appointed to investigate the student complaint

Precautionary Action is a measure imposed on a staff member if a risk assessment identifies a potential risk. Measures can include: partial or full suspension, restricted access (campus or facilities), contact with individuals or changes to duties. Action taken during the investigation process does not mean a decision has been taken about the alleged conduct.

The action may apply beyond cases of bullying, harassment, assault or criminal offences

Responsible Manager is the person appointed to review, oversee and decide how to handle a student complaint about staff conduct. If required, they also act as Chair of the Staff Disciplinary Panel

Student Liaison Officer is the person appointed to support the student with the complaints process

Staff Liaison Officer is the person appointed to support the staff member with the complaints process

3. Principles

The Procedure is underpinned by the following principles:

- 3.1 Individuals will be treated fairly, consistently and with respect, acknowledging the inherent value and dignity of each individual, irrespective of differing views or opinions
- 3.2 Complaints will be investigated promptly with sensitivity and objectivity while supporting lawful freedom of expression and respecting others
- 3.3 Appropriate support will be put in place to ensure individuals' wellbeing
- 3.4 Information disclosed will be treated as confidential and, so far as the University is able, will be shared on a limited basis
- 3.5 Students and staff will be advised with whom information needs to be shared and why
- 3.6 If necessary, risk-based precautionary actions will be taken to protect individuals during and after the complaint investigation
- 3.7 Students and staff have the right to be accompanied to complaint related meetings
- 3.8 Students and staff will be kept updated throughout the investigation

The [Dignity and Respect Policy](#) outlines the core values and standards of behaviour expected of all University members. The University's zero-tolerance approach means that all reports of bullying, harassment, victimisation and discrimination will be taken seriously. The University is committed to upholding the values of its community.

4. Resolution

If a student experiences unacceptable behaviour relating to a staff member(s), they should consider using one or more of the methods set out below as soon as possible. The student should choose the option they feel is safest and most appropriate for their situation.

4.1 Individual Action and Assistance

If a student is considering making a complaint about a staff member's conduct and, if they feel able to, they may first try resolving the issue directly with the staff member. Often this is sufficient to stop the behaviour. Students should speak with their Student Adviser or seek support from [The Advice Place](#).

5. Raising a Complaint

If the staff behaviour does not improve, is serious, or the student doesn't feel they can address it directly, they should submit a complaint through the [Complaint Handling Procedure](#).

5.1 Complaint Handling Procedure

The Complaint Handling Procedure outlines routes for raising a complaint. A complaint should be made at the earliest stage possible, and within 6 months of the event occurring or the student discovering they have a reason to complain. In exceptional circumstances, this timeframe may be extended e.g. circumstances prevented the student from raising their concerns earlier.

Upon receipt of a complaint, a member of the Complaint Handling Team will:

- Review the complaint to determine if it falls within the scope of the Complaint Handling Procedure
- Contact the relevant Head of HR for the College or Professional Services Group to confirm how the complaint will be addressed through University procedures
- Promptly and sensitively acknowledge the student's complaint, outlining how it will be taken forward

5.2 Responsible Manager Role

The Head of HR will consult with the Head of School or Professional Service Group, to appoint the 'Responsible Manager' for handling the complaint. The Responsible Manager must remain impartial, as they may need to chair a staff disciplinary hearing. An HR Representative will also be appointed to provide procedural support.

The Responsible Manager will assess the complaint to determine whether it falls within the procedure's scope. Based on this evaluation, they will decide the appropriate next steps, which may include exploring alternative resolutions or referring the concerns to a more suitable University policy or process such as the Staff Disciplinary Policy. The student will be

informed of the review outcome, any next steps and available support. If appropriate, the Responsible Manager may meet with the student(s) to discuss the way forward.

5.3 Alleged Harassment or Assault

If a student's complaint involves alleged harassment or assault by a staff member, the Responsible Manager will urgently consult internally to assess the situation and determine appropriate actions. This includes conducting a risk assessment and considering precautionary measures as well as any requests from the student regarding interaction with the staff member.

5.4 Alleged Criminal Offence

If a staff member is alleged to have committed a criminal offence, the Responsible Manager will consult internally to assess the risk and take necessary precautions. This could involve suspending or altering the scope of the complaint investigation pending the outcome of criminal proceedings. Any suspension of the investigation will be clearly communicated to both the student and the staff member.

5.5 Witnessing Unacceptable Behaviour

Students who witness, rather than experience, unacceptable behaviour by a staff member, are encouraged to engage in active bystander behaviours if safe and appropriate. A student should report by contacting their Student Adviser, [The Advice Place](#) or using [Report + Support](#). This may lead to an investigation where the student could be interviewed as a witness. Further information is available on [Respect at Edinburgh](#).

5.6 Malicious Complaints

The University expects complaints to be made honestly and in good faith. However, if the complaint is found to be false, misleading or intended to cause harm or disruption, the Responsible Manager may discontinue its consideration. Examples include attempts to damage a staff member's reputation, deliberately interfere with another process or to demand unreasonable outcomes.

These types of complaints may lead to disciplinary action under the [Code of Student Conduct](#).

If the complaint is discontinued for any of these reasons, both the staff member and the student will receive a clear explanation from the Responsible Manager. The Responsible Manager will also explain that if the student disagrees with this decision, they can contact the University's [Complaint Handling Team](#).

6. Confidentiality and Information Sharing

The University will handle complaints with sensitivity and respect for everyone's privacy. All individuals in the complaints process must share information responsibly and only when appropriate. Misuse of shared information that breaches University policies may result in disciplinary action. The University will take reasonable steps to maintain confidentiality throughout the process.

Decisions about what information can be shared with students, staff or other parties will be made by the Investigating Officer, Responsible Manager or Chair of the Disciplinary Panel as appropriate. These decisions aim to strike a fair balance between transparency and confidentiality.

The University will comply with legal obligations, including data protection, and safeguard the rights of all individuals involved. It will also consider its legitimate interests, such as protecting its reputation and maintaining confidence in its complaints process. The type and amount of information shared will depend on the nature of the complaint, the outcome of any investigation or hearing, and any ongoing support or precautionary measures.

7. Support for Students and Staff

Students should seek advice and support from a staff member or from services including; [The Advice Place](#), [Counselling](#), [The Equally Safe Team](#) and other [student support services](#).

The Advice Place will outline the different ways of addressing the matter such as speaking with an appropriate staff member e.g. a Student Adviser, Cohort Lead, Programme Director, Supervisor or Residence Life staff. While The Advice Place offers impartial advice, it is the

student's responsibility to decide how to proceed. The Equally Safe Team can provide specialist advice and support to students on gender-based violence.

If a student or staff member has experienced any form of bullying, harassment, discrimination, or gender-based violence, they can report it anonymously or speak to a specialist staff member through [Report +Support](#).

Staff can seek advice and support from a manager, HR Representative or Trade Union representative. The [Employee Assistance Programme](#) and other Wellbeing Services can be found on the [Staff Health and Wellbeing Hub](#).

Student and Staff Liaison Officers will be appointed to support the student and staff member during the investigation.

Students and staff may share complaint details confidentially with chosen individuals or University support services for guidance throughout and after the process.

8. Right to be Accompanied

The student may be accompanied to all meetings by a member of the University community, including a member of [Edinburgh University Students' Association \(EUSA\)](#) or another student or a staff member. The staff member has the right to be accompanied at meetings by a trade union representative or workplace colleague.

The student or staff member may also ask to be accompanied if they have specific needs. For example, if English is not their first language or they require practical support, such as assistance from a specialist health and wellbeing provider (including reasonable adjustments). This support person may be in addition to a Trade Union representative, colleague or student. Requests should be made to the Investigating Officer in advance, as they may be unaware of the individual's circumstances. Reasonable requests will not be refused.

9. Timescales

The procedure's timeframes will normally be followed, but delays may occur due to the complexity or nature of the complaint. The student and staff member will be kept informed of progress and any changes to timescales will be communicated in advance by the Responsible Manager or Investigating Officer.

To ensure compliance with the Complaint Handling Procedure, the Responsible Manager will provide the Complaint Handling Team with relevant updates throughout the course of the investigation, as necessary.

10. Case Conference

If the Responsible Manager has decided that some or all the complaint will be handled in accordance with this procedure, they will organise a case conference to consult internally for example, with colleagues from Human Resources and, Academic Quality and Standards to agree the following:

- the appointment of the Investigating Officer
- how the investigation will be carried out, especially in complex cases, for example, matters of an academic and personal nature
- the appointment of the Liaison Officers to act as the primary point of contact and support for both the student and staff member during the investigation
- how best to communicate with the student and staff member, taking into account the nature of the complaint and their availability
- who will carry out a risk assessment and decide on any precautionary or additional action needed to protect individuals or the wider University community.

The University will make every reasonable effort to hold the case conference and complete the risk assessment within two calendar weeks of receiving of the student's complaint.

11. Pre Investigation

11.1 Communication with Student

Before meeting with the student, the Responsible Manager will liaise with the Student Liaison Officer to agree how and by whom the relevant information will be communicated to the student.

Within one week of the case conference, the Responsible Manager will arrange to meet with the student to confirm:

- the name of the Investigating Officer
- contact details of the Student Liaison Officer and other support options (see Section 7)
- next steps in the investigation including, what to expect during the investigation and indicative timescales. Should the complaint be complex, the Responsible Manager will explain how each aspect will be investigated
- availability of the student and their Liaison Officer for meetings
- the student's right to be accompanied and by whom
- any precautionary measures being put in place
- when the staff member will be informed of the complaint against them, and
- who else has been informed and why – on a strict need to know basis, such as for precautionary measures.

The Responsible Manager will confirm all details in writing to the student and their Student Liaison Officer within four calendar weeks of receiving the complaint. If the student prefers not to share this information with the Liaison Officer, they must inform the Responsible Manager.

11.2 Communication with Staff Member

Within one week of the case conference, the Responsible Manager will meet with the staff member and where appropriate, their line manager to confirm:

- the nature of the complaint and who raised it
- the name of the Investigating Officer
- contact details for the Staff Liaison Officer and other available support (see Section 7)

- next steps in the investigation including, what to expect during the investigation and indicative timescales. Should the complaint be complex, the Responsible Manager will explain how each aspect will be investigated
- availability of the staff member and their Liaison Officer for meetings
- any precautionary measures being put in place
- the staff member's right to be accompanied and by whom
- who else has been informed and why - on a strict need to know basis, such as for precautionary measures.

The Responsible Manager will confirm all details in writing to the staff member and their Staff Liaison Officer within four calendar weeks of receiving the complaint. If the staff member prefers not to share the information with the Liaison Officer, they must inform the Responsible Manager.

12. Investigation

12.1 Investigation Meetings

The Investigating Officer will arrange to meet with the student. They will aim to structure the investigation so that only one meeting is needed and the student is not required to repeat the details of their complaint.

However, if the complaint is complex, the Investigating Officer may hold multiple meetings to clarify matters, including those raised by witnesses. Both the student and staff member will have the opportunity to respond to any points raised but they will not attend each other's meetings.

The Investigating Officer may question the staff member or student directly. Those accompanying the student or staff member may contribute when invited and may also be asked to provide a statement.

Meetings will be supported by a note-taker and may include an HR representative in an advisory role.

To ensure the complaint is investigated promptly and without undue delay, if the student does not engage with the investigation despite reasonable attempts, the Investigating Officer may decide to proceed with the investigating without meeting the student.

Once the interview stage is complete, the Investigating Officer will notify the student, the staff member and their Liaison Officers and provide an estimated date for submitting the investigation report to the Responsible Manager.

12.2 Summary Meeting Notes

Following each investigation meeting, the Investigating Officer will prepare summary notes. These are not verbatim transcripts but will summarise the key points and may be presented as a personalised account where appropriate.

Each investigation participant - student, staff member or witness - will be asked to review their own summary notes and confirm its accurately reflects what they said during the meeting. If they disagree with any part, they may annotate the notes. Revisions will generally be accepted, if the Investigating Officer agrees they reflect the meeting.

To comply with data protection regulations, some content may be redacted such as references to individuals whose personal data cannot be shared. If anyone has concerns about their interview notes being shared under the procedure, they must inform the Investigating Officer, providing reasons for their concerns.

The Investigating Officer will consider these concerns when preparing the investigation report. However, the decision on what to include in the report rests solely with the Investigating Officer.

13. Investigation Report and Outcome

Once all the investigations meetings have concluded and any necessary documentation has been gathered, the Investigating Officer will prepare a report outlining their findings. The report and findings will be submitted to the Responsible Manager within two calendar weeks of completing the investigation.

13.1 Investigation Outcomes

Based on interviews with the student, the responding staff member, any witnesses and consideration of any supporting documentation, the Investigating Officer will conclude whether there is:

- sufficient evidence to suggest that the staff member has a case to answer at a disciplinary hearing; or
- insufficient evidence or the issues do not warrant proceeding to a disciplinary hearing

If there is insufficient evidence to support the complaint, the Responsible Manager will notify the Complaint Handling Team within three working days of completing the investigation.

13.2 Communication with Student

Within one calendar week of completing the investigation report, the Investigating Officer will notify the Student Liaison Officer of the outcome and agree how best way to communicate it to the student. This decision will take into account:

- the nature of the complaint
- the investigation outcome
- whether or not there is a case to answer
- any ongoing support or precautionary measures
- whether any matters should be referred to another University process

If there is no evidence of a case to answer, the student will receive an explanation of the decision and the reasons behind it.

Information sharing decisions will be made in accordance with Section 6.

If the student has ongoing concerns about precautionary action or support, they can speak with their Student Liaison Officer or another designated contact listed in Section 7.

13.3 Communication with Staff Member

Within one calendar week of completing the investigation report, the Investigating Officer will notify the Staff Liaison Officer and write to the staff member to confirm:

- the investigation outcome and reasons for the decision
- next steps if there is a case to answer e.g. under the Disciplinary Policy
- any ongoing support or precautionary measures
- whether any issues will be referred to another University process
- if there is no case to answer, what the student will be told about the decision

Information sharing decisions will be made in accordance with Section 6.

If the staff member has concerns about ongoing precautionary measure, they can speak with their Staff Liaison Officer or another designated contact listed in Section 7.

14. Outcome of Staff Disciplinary Procedure

14.1 Staff Disciplinary Hearing

If the Investigating Officer concludes there is sufficient evidence for a case to answer, the Responsible Manager will arrange for a disciplinary panel to consider the staff member's conduct. The Investigating Officer's report will be shared in advance with both the Panel and the Staff Member.

The Hearing will be conducted in line with the [Staff Disciplinary Policy](#). During the Hearing, Panel members may ask questions of the Investigating Officer and the staff member to inform their decision-making.

In accordance with the Staff Disciplinary Policy, neither the student nor any witnesses will attend the Hearing.

14.2 Staff Disciplinary Hearing Outcome

Once the Panel reaches a decision, the Chair will inform the staff member of the outcome, providing a detailed explanation of the decision and its rationale. The Chair, in collaboration with the Student Liaison Officer, will convey the Panel's decision and outcome to the student.

The Chair will decide how much information, if anything, can be appropriately shared with the student. Information sharing decisions will be made in accordance with Section 6. The Chair will also confirm any ongoing precautionary measures.

If there are concerns regarding ongoing precautionary action, the student or staff member should raise these with their Liaison Officer or another appointed individual.

The Chair will notify the Complaint Handling Team that the complaint is concluded and may share relevant outcomes if pertinent to the Complaint Handling Procedure.

15. Review of Complaint Handling

If a student is dissatisfied with the way the Student Complaints relating to Staff Conduct Procedure has been followed, they should refer to the [Complaint Handling Procedure](#).

16. Other Relevant Procedures, Policies and Guidance

- [Complaint Handling Procedure](#)
- [Code of Student Conduct](#)
- [Respect at Edinburgh](#)
- [Dignity and Respect Policy](#)
- [Staff Disciplinary Policy](#)
- [Staff Grievance Policy](#)
- [Reasonable Adjustments Policy](#)
- [Expected Behaviour Policy](#)
- [Personal Relationships Policy](#)

17. Document History and Review

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