

# COMPLAINTS REGULATIONS<sup>1</sup>

## *for HAN University of Applied Sciences*

<i>Subject</i>	<i>Complaints Regulations</i>
<i>Executive Board decision no.</i>	2020/1699
<i>Participation Council consent</i>	10-7-2020
<i>Adopted on</i>	10-7-2020

### Article 1

1. These regulations pertain only to complaints that are not covered by the Regulations for Complaints about Unacceptable Behaviour, the Regulations for the Legal Protection of Decisions concerning Education, or the Regulations for the Disputes Advisory Committee.
2. A complaint can be submitted by current, prospective or former students, and by current, prospective or former external students.

### Article 2

1. The complaint should be submitted orally or in writing (by letter or by email) to the Complaints and Disputes Office. PO Box 6960, 6503 GL Nijmegen, or preferably by email to [Bureau.klachtengeschil@han.nl](mailto:Bureau.klachtengeschil@han.nl)
2. The Complaints and Disputes Office sends an acknowledgement of receipt and forwards the complaint to the competent body.

### Article 3

In principle, the complaint is handled by the dean. If the complaint concerns the dean personally, the complaint is handled by the Executive Board. In the case of a complaint relating to the Personal Data Protection Act, the complaint is handled by the data protection officer.

### Article 4

1. In the case that a written complaint relates to conduct towards the complainant and meets the provisions of paragraph 2, then articles 5-10 apply.
2. The complaint must be signed and contain at least:
  - a. the name, address and telephone number of the complainant;
  - b. the date; and
  - c. a description of the behaviour that gave rise to the complaint.
3. If the complaint has been submitted orally or if the complaint does not concern conduct towards the complainant, it is up to the person handling the complaint to decide whether the complaint is dealt with on the basis of articles 5-10.

### Article 5

The person to whose conduct the complaint relates is sent a copy of the complaint as well as the accompanying documents.

### Article 6

1. The person handling the complaint gives the complainant and the person whose behaviour is the subject of the complaint the opportunity to be heard.
2. The hearing of the complainant may be waived if:
  - a. the complaint is evidently unfounded;
  - b. the complainant has declared that they do not wish to exercise their right to be heard;
  - or
  - c. the complainant does not declare, within a reasonable period set by the administrative body, that they wish to exercise their right to be heard.
3. A report is made of the hearing.

<sup>1</sup> Students with a complaint or dispute should contact the Complaints and Disputes Office: email address: [Bureau.klachtengeschil@han.nl](mailto:Bureau.klachtengeschil@han.nl).

**Article 7**

1. The complaint is processed within six weeks of receipt of the letter of complaint.
2. The person handling the complaint may postpone the handling for a maximum of four weeks. The complainant and the person whose behaviour is the subject of the complaint will be notified of the postponement in writing.

**Article 8**

1. The person handling the complaint gives the complainant a reasoned, written account of the findings of the investigation into the complaint, their verdict and any potential consequences this may have.
2. A copy of the message dealing with the complaint is be sent to the Complaints and Disputes Office at [bureau.klachtengesbil@han.nl](mailto:bureau.klachtengesbil@han.nl)

**Article 9**

1. If it transpires that the handling of the complaint is not to the student's satisfaction, the student or group of students may write to the Executive Board. The Executive Board may review the complaint both in terms of content and procedure. Although the student may ask the student counsellor for help and advice when submitting the complaint, the counsellor will not act as the student's legal representative in the proceedings.
2. No appeal may be lodged against a decision on the handling of a complaint concerning a body's conduct.

**Article 10**

1. The person handling the complaint is not obliged to take up the complaint if it relates to conduct:
  - a. about which a complaint has already been submitted and handled;
  - b. that occurred more than a year prior to the submission of the complaint;
  - c. against which the complainant can or could have objected; or
  - d. against which the complainant can file or could have filed an appeal.
2. The person handling the complaint is not obliged to take up the complaint if the interest of the complainant or the gravity of the conduct is evidently insufficient.
3. In the case that the complaint is not taken up, the complainant will be notified of this in writing as soon as possible, and no later than four weeks of receipt of the complaint. A copy of this notification is sent to the Complaints and Disputes Office. Should the complainant disagree with the opinion of the person handling the complaint, they may contact the Executive Board in writing.

**Article 11**

The person handling the complaint is responsible for registering the written complaints they receive. The registered complaints are published on an annual basis.