



Making a complaint about another student

Southampton Solent University is a community and you will encounter other students in a variety of circumstances and places during your course. We expect all students to treat others with respect but as with life outside of University, you may experience behaviour that affects you negatively. In those situations, you can raise this with the University and we will investigate under the Student Disciplinary Procedure.

We understand that making a complaint about another student may be distressing. This guide is to help you through that process and tells you who you can talk to before making a complaint, what happens during the process, and what support and safeguarding is in place to support you both during and after the incident.

What issues can you raise?

The Student Disciplinary Procedure [<https://students.solent.ac.uk/official-documents/policy-governance-and-information/student-disciplinary-procedure.pdf>] lists the types of behaviours that would constitute misconduct. These include bullying, violence and harassment, sexual misconduct, inappropriate, abusive or threatening behaviour, including on social media, and theft or damage to your property.

Free speech

The University supports and protects the right of the freedom of speech. This means everyone has the right to express lawful views and opinions freely, in speech or in writing, even if you disagree with those views. This does not mean anyone can say what they want. Incitement to harassment, unlawful discrimination, racial or religious hatred is not free speech and where this is directed at you, we can consider this.

Making a complaint

- Where another student's behaviour affects you directly you can submit a complaint to the University, and this will be considered under the Student Disciplinary Procedure. You cannot make a complaint on behalf of another student.
- The reported incident(s) does not need to have occurred on university premises for you to report it. The Student Disciplinary Procedure can consider any incident where another student's behaviour directly affects you, including during weekends and evenings, and outside of academic semesters.
- The Student Disciplinary Procedure doesn't seek to resolve disputes between students but investigates any misconduct by a student.
- When making a complaint, you should be aware that if you think a criminal offence has taken place, you have the option to report it to the police instead of, or in addition to, reporting to the University. If a matter is reported to the police, the University may have to pause its investigation until the police investigation is completed.
- We won't normally consider an anonymous complaint. You can make an anonymous disclosure of misconduct via the University's Report and Support online reporting tool (<https://www.solent.ac.uk/student-support/report-and-support>). However, no formal action under these Regulations against a particular student will be taken about any matter that has been reported anonymously unless it is possible to verify the matter reported. Anonymous information may be used to identify trends and shape our prevention and support provision.

Safeguarding and support

- Where appropriate, the University will advise the student against whom the complaint is made that they should not contact you or take any action that may be detrimental to you.
- Where the University receives a serious allegation, we may decide to suspend the student who you have made a complaint about.
- During all stages of the procedure, you can be accompanied to all meetings by a friend or an advisor from the Students' Union.
- As formal processes can sometimes be worrying, students are encouraged to speak to the Student Hub who can offer their wellbeing support.

Confidentiality

- Where you make a complaint about another student and this is considered under the Student Disciplinary Procedure, the University is limited under data protection legislation in what we can tell you about the outcome of the disciplinary investigation but we will share what we are able to.
- Any complaint raised by you will be treated confidentially but the University will need to disclose certain information to inform students of any allegation made against them and give them an opportunity to respond.

The complaint process

- The University is committed to conducting a fair and transparent process when considering student disciplinary issues and will act fairly and reasonably towards all parties.
- Decisions are made on “the balance of probability”, meaning that based on the evidence, the decision maker(s) reasonably consider that it is more likely than not that the alleged misconduct took place.
- As part of the Student Disciplinary Procedure, the investigating manager will want to speak to you to gather further information and evidence. During any meeting you will not normally have to encounter the person you have made a complaint about or speak to them directly.
- You can always bring someone with you to any meeting for support. This can be a friend or support from the Student Union.
- We try and complete any disciplinary process as soon as possible but need to give those against whom a complaint is made time to respond and seek support. We normally aim to have completed the stage 1 disciplinary investigation process within 2 weeks of you making the complaint.
- Where your complaint is upheld, the University will apply a penalty in line with our procedure and also make recommendations that affect you directly, for example requiring that an apology is made or placing restrictions on a student's contact with you.
- If an allegation is not upheld, this does not mean the University does not believe you but will usually be due to insufficient evidence supporting the allegation.

Contacts

Student Hub – student.hub@solent.ac.uk 023 8201 5200

Safeguarding – safeguarding@solent.ac.uk

Student Complaints and Appeals – appeals.complaints@solent.ac.uk 023 8201 3808

Solent Student' Union Advice & Wellbeing Coordinator – suadvice@solent.ac.uk