



**September 2023 – September 2024  
Annual Report of the University of Twente  
Complaints Committee**

*Adopted on 30 October 2024*



## **University of Twente Complaints Committee**

The University of Twente strives to create a safe learning and working environment for all. An environment where everyone can feel at home and has equal opportunities to develop their full potential.

The University of Twente Complaints Committee (hereinafter referred to as ‘the Complaints Committee’) was set up to deal with complaints pursuant to Section 9:14 of the General Administrative Law Act. This committee advises the Executive Board on the way in which the board handles complaints. The complaints concern the way in which the University of Twente, a staff member or administrative or other body, whose work falls under the responsibility of the University of Twente, conducted themselves on a particular occasion. Students, employees and external parties may submit complaints.

There is an overview of the support structure on the UT website’s Service Portal. The confidential advisors, complaints procedure, Disputes Committee and integrity and security are listed in this overview: [Service Portal support structure](#).

With this annual report, the Complaints Committee accounts to the Executive Board for the university’s annual report.

### **Composition of the Complaints Committee**

The following members were on the Complaints Committee on 1 September 2023:

Mr R.G. Leether, external chair

Mr M.A.H. van Gessel, member nominated by the Consultative Body on Personnel Matters of the University of Twente (OPUT);

Ms J. Lubking, member nominated by OPUT;

Mr H.A. Akse, member nominated by the employer;

Mr J.F.C. Verberne, member nominated by the employer;

There were no changes to the composition of the Complaints Committee during the 2023/2024 academic year.

The secretary, Ms V. Trifunovic LLB supported the Complaints Committee in its official duties in 2023 and 2024, up until 15 May 2024.

Ms R.C. Klein Woolthuis has been officially supporting the Complaints Committee as the secretary since 15 May 2024.

### **Complaints procedure**

The Complaints Committee’s working method is regulated in the ‘University of Twente Complaints Procedure’, which is based on the laws and regulations of the Netherlands and came into force on 1 June 2017. The complaints procedure was revised once again in 2024 after previous adjustments in 2019 and 2021. The latest version of the Complaints Procedure applies as of 1 May 2024. There is a Dutch and an English version of the Complaints Procedure on the website.

The latest complaints procedure is an update of the existing one. The following are a few key changes:

- Members of staff must submit complaints to the secretary of the Complaints Committee rather than the Executive Board. The secretary will assist the complainant during the course of the procedure.

- A complaint may have a considerable impact on both the complainant and the person concerned. For this reason, the secretary of the Complaints Committee contacts both parties before the complaint is handled. She explains the process and explores whether an informal conversation between the complainant and the person concerned could possibly lead to a solution.

The latest complaints procedure is included in the employee handbook. The texts on the website have been changed and the new email address is [klachtencommissie-hr@utwente.nl](mailto:klachtencommissie-hr@utwente.nl) (or [complaintscommittee-hr@utwente.nl](mailto:complaintscommittee-hr@utwente.nl)).

The notification of the changes to the complaints procedure was posted in the Service Portal on 1 May 2024. <https://www.utwente.nl/en/service-portal/news-events/news/2024/5/1484043/klachtenregeling-per-1-mei-aangepast?lang=nl>.

## **Complaints handled in 2023/2024**

### **New complaints 2023/2024**

The Complaints Committee received seven complaints in the period from 1 September 2023 to 1 September 2024.

#### Background of those lodging complaints:

- three complaints were lodged by one student;
- one complaint by an external person;
- one complaint by a PhD candidate;
- two complaints by external PhD candidates.

#### Complaints:

- three complaints were handled and the Complaints Committee issued a recommendation regarding these complaints to the Executive Board;
- two complaints were withdrawn by the complainant during the procedure;
- one complaint was postponed because those concerned first wanted to have an informal conversation on the matter;
- one complaint was not dealt with because handling it was not within the competence of the Complaints Committee.

## **Recommendations issued in 2023/2024 and complaints handled by the Executive Board**

**Complaint 23/24-01** concerned a lecturer's treatment of a student. The complainant lodged a complaint about six aspects of the conduct of the person concerned during lectures, and claimed that the person concerned had not behaved towards him as a professional lecturer ought. Specifically, the complaint concerned disrespectful treatment and disparaging remarks aimed at the complainant. The Executive Board followed the recommendation of the Complaints Committee and ruled that two of the six aspects of the complaint were well founded. Against the Complaints Committee's recommendation, the Executive Board also asked the faculty board to discuss the matter with the person concerned, to hold him to account for his behaviour and to file a report of that discussion in his staff file. In addition, the person concerned was required to – once again – discuss the matter with the complainant.

**Complaint 23/24-02** concerned the behaviour of a lecturer towards a student in relation to a group assignment. The complaints concerned unfair treatment, prejudice and unequal treatment. After lodging her complaint, the complainant initially asked for the handling of it to be postponed because she intended to discuss the matter with the person concerned.

Because the complainant kept asking for the complaint procedure to be postponed, without giving any indication that it would at some point be continued, the Complaints Committee concluded after several months that either the complainant's interest or the gravity of the alleged behaviour of the person concerned (as referred to in Article 5(2) of the Complaints Procedure) was evidently insufficient. The Complaints Committee subsequently advised the Executive Board to set aside the complaint going forward; the Executive Board took this advice.

**Complaint 23/24-03** concerned the treatment of a PhD candidate by a UT member of staff. The complainant alleged that the person concerned had treated him inappropriately by bursting into his office at UT and screaming at him at the top of his voice that he should leave immediately. Among other things, the Complaints Committee was of the opinion that the person concerned was not authorised to ask the complainant to leave his room and advised the Executive Board to declare the complainant's grievance well founded for that reason. Subsequently, the Executive Board nevertheless decided to set aside the Complaints Committee's recommendation and to initiate a further investigation by a member of the Disputes Committee. Pursuant to the findings of the investigation, the Executive Board declared the complaint unfounded after all. At the request of the chair of the Complaints Committee, a meeting was subsequently held with the chair of the Executive Board in the presence of the members of the Complaints Committee involved in the handling of this complaint. In the process, the chair of the Complaints Committee expressed his objections, shared by both committee members, to the way in which the Complaints Committee's recommendation had been set aside, and emphasised that this could call into question the independence of its advice. It was subsequently agreed with the chair of the Executive Board that it should first liaise internally with the Complaints Committee if the Executive Board intends to deviate from the recommendation issued by the Complaints Committee, where there is an opportunity for an explanation of the recommendation. The Complaints Committee considers it very important that this is included in the Complaints Procedure in the event of a future amendment. The chair of the Executive Board has written to the chair of the Complaints Committee about this in a specific case "that it may indeed be good to include this in the Complaints Procedure in due course".

### **Complaints withdrawn**

**Complaint 23/24-04** involved the supervision, or rather the lack thereof, provided by a thesis supervisor to an external PhD candidate. The complainant found that she did not have adequate access to the thesis supervisor and that the feedback was unfounded. When the thesis supervisor withdrew, the complainant was unable to find another supervisor to be able to continue with her research. Before the hearing took place, the complainant decided to withdraw the complaint for her own reasons, and the procedure was discontinued.

**Complaint 23/24-05** concerned a statement made by a UT staff member during an incident that took place outside UT. The complainant was a PhD candidate at another university in the Netherlands. The person concerned was giving a lecture and the complainant took offence at statements, which she believed were discriminatory in nature, concerning a social group who were protesting on the university's grounds. Those involved stated that they would confer with each other and the complainant subsequently withdrew her complaint.

### **Complaints procedure ended**

**Complaint 23/24-06** concerned a complaint from an external PhD candidate about alleged unfair treatment on the part of the dean of a faculty. Given that the complaint apparently

concerned a decision that could be appealed, the Executive Board was not obliged to handle the complaint in view of the provisions of Article 5(1)(b) of the Complaints Procedure. The Executive Board accordingly took the Complaints Committee's advice and set the complaint aside.

### **Complaint in progress**

**Complaint 23/24-07** concerned a complaint from a student lodged against a lecturer concerning supervision, or rather the alleged lack thereof, during and after an examination. The procedure was postponed, because the complainant first wished to discuss the matter before continuing the procedure.

### **Summary of the Complaints Committee's activities**

The table below presents figures of the work carried out by the Complaints Committee during 2023/2024. For the sake of completeness, the figures for the past five years are also provided.

**Table:** *Quantitative overview of the Complaints Committee's activities*

	<b>2023/20 24</b>	<b>2022/20 23</b>	<b>2021/20 22</b>	<b>2020</b>	<b>2019</b>	<b>2018</b>
New complaints received	7	2	12*	5	4	4
Complaints handled and completed	3	1	5*	4	1	4
Withdrawal of complaints	2	2	5	3	0	2
After settling the dispute	0	1	0	1	0	0
Without settling the dispute	2	1	0	2	0	2
Complaints procedure ended (no recommendation/not withdrawn by complainant)	1**	0	2	0	1	0
In progress (expected to be handled next year)	1	0	1	1	4	2

\* Reporting applies for a longer period than the year before and the year after.

\*\* The Complaints Committee did not handle one of the complaints because it concerned a matter that does not fall under the purview of the Complaints Committee.

### **Other matters**

The number of new complaints was higher during the last academic year compared to previous years. This could be attributable to the increased priority placed on a safe social working environment and the additional attention given to the Complaints Committee within UT, including on the staff portal.

Based on the contacts that the Complaints Committee secretary has had with fellow Complaints Committee secretaries at five other universities in the Netherlands, it also became clear that the number of complaints received last year varied and there was no increase in the number of complaints at a national level.

Every six months a meeting is held for all officials working as part of the UT support structure. This is a broad consultation in which the officials get to know one another and one another's roles, and discuss developments/dilemmas. The secretary of the Complaints Committee attends these meetings to improve the link with the support structure.

During the first meeting with the complainant and the person concerned, the secretary points out the role of confidential advisors at UT and informs them that an internal confidential advisor can be called on for support (in accordance with Article 2(2) of the Complaints Procedure). This is also emphasised in the first written contact with the complainant and the person concerned.