

DECISION

Reg. no STYR 2023/1355

Date 22 June 2023

Vice-Chancellor

## **Guidelines on Handling Complaints from Students Concerning First, Second and Third-Cycle Studies at Lund University**

### **Background**

According to the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG) (adopted at the Ministers' Conference in Jerevan, May 2015), in the conducting of student-centred learning and teaching there are to be appropriate procedures for handling complaints from students.

The Swedish Higher Education Authority (UKÄ) has written a report on *Student unions' views on higher education institutions' complaints procedures* (report 2014:17). The report states that several student unions are calling for guidelines on the handling of complaints and clearer information on where students are to turn in the case of problems or complaints. According to the view put forward by the UKÄ in the report, the point raised by the student unions indicates that several higher education institutions may need to consider measures to improve the handling of complaints from students.

The first version of the Guidelines on Handling Complaints from Students Concerning First, Second and Third-Cycle Studies was approved by Lund University on 12 March 2015, reg. no STYR 2014/169. Since the Guidelines entered into force, the UKÄ has clarified on its website that the UKÄ will not investigate a complaint from a student if the student has not first attempted to resolve the problem in dialogue with the higher education institution in question up to the level of Vice-Chancellor. Due to this and other factors, the Guidelines have been revised to further clarify the procedure when a student wants to lodge a complaint against the University regarding an

issue relating to education. Another reason for the revision is the need to update the references relating to other rules and regulations.

## The legal framework for decisions

The Higher Education Act (1992:1434) and Higher Education Ordinance (1993:100) contain regulations relating to first, second and third-cycle studies. Regarding the University's processing of matters, regulations in the Administrative Procedure Act (2017:900) are also to be applied. In addition to the above, the University's Rules of Procedure<sup>1</sup> and Rules on the Allocation of Decision-Making Powers<sup>2</sup> apply for the overall organisation and for the delegation of decision-making powers. In accordance with these documents, the faculty boards have an overall responsibility for education within the respective faculties. This also means that the faculty boards have decision-making powers regarding such matters that are not to be decided by another body or function. The faculty boards can delegate decision-making powers unless this is specifically prohibited. In addition, there are a number of internal rules and regulations of various types that regulate the handling of issues concerning first, second and third-cycle studies.

The handling of matters at Lund University is to be carried out in accordance with the regulations in superordinate legislation, the University's Rules of Procedure and other policy documents. Decisions on issues concerning education are to be made by the bodies or functions that have been designated for this purpose in accordance with the University's rules and regulations.

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<sup>1</sup> Rules of Procedure for Lund University, reg. no STYR 2022/1481. The present Guidelines refer to the Rules of Procedure applicable at any given time, provided that the Rules of Procedure are not changed with regard to the faculty boards' responsibilities, meaning that the present Guidelines for that reason must be revised.

<sup>2</sup> Rules on the Allocation of Decision-Making Powers at Lund University, reg. no STYR 2023/662. The present Guidelines refer to the Rules on the Allocation of Decision-Making Powers applicable at any given time, provided that the Rules on the Allocation of Decision-Making Powers are not changed with regard to decisions on issues concerning studies in the different cycles, meaning that the present Guidelines for that reason must be revised.

## Organisational support resources

The Legal Division provides legal support to the faculties, departments and other units within Lund University. Another unit at university-wide level may be appropriate instead if it is more suitable considering the nature of the matter. The student ombudsman and doctoral student ombudsman are available as support resources for students. Furthermore, students can turn to the student unions for assistance in the handling of student matters.

## Guidelines

The Guidelines aim to clarify how a student<sup>3</sup> who has a complaint against the University concerning first, second or third-cycle studies, and who considers that the University has violated applicable regulations, may take action and how such a complaint is to be handled within the University.

A student who considers that the University has handled something in contravention of applicable regulations should firstly turn to the member of teaching staff with responsibility, and thereafter the director of studies, head of department or equivalent in order to try to find a solution. If the student considers that the issue has not been resolved at the department level, the student can raise the matter with the relevant faculty management (via the dean or deputy dean), which according to Lund University's Rules of Procedure leads the faculty's work and has an overall responsibility for education at the faculty. If the student considers that the problem remains unresolved, despite being handled in accordance with the procedures at department and faculty levels, the student may address their complaint to the Vice-Chancellor. For the Vice-Chancellor to review a complaint there is a requirement that in the opinion of the student the problem remains unresolved despite attempts to resolve the problem firstly at department level and secondly at faculty level.

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<sup>3</sup> Student refers to a person who is admitted to and undertaking first or second-cycle studies and a person who is admitted to and undertaking third-cycle studies, i.e. a doctoral student.

Requests for a review by the Vice-Chancellor should be made to the Vice-Chancellor in writing but are to be submitted or handed in to the Registrar (at [registrator@lu.se](mailto:registrator@lu.se), or Lund University, Registrar's Office, Box 117, 221 00 LUND). In the submission, the student should:

- describe in brief the circumstances that are the basis for the complaint
- describe what they think the department has done wrong and why they think that
- outline the attempts that have been made to resolve the problem in dialogue with the department and faculty and
- state the names of the people with whom the student has been in contact in connection with this matter at department and faculty levels.

A further precondition for a review of the issue by the Vice-Chancellor is that the matter, according to some other regulation, is not to be handled according to another procedure.

The Vice-Chancellor will investigate the matter with the assistance of the Legal Division, or of another unit at university-wide level, if this is more appropriate regarding the nature of the matter. Thereafter, the Vice-Chancellor makes a decision. In cases where the Vice-Chancellor finds that there are deficiencies in the handling of the matter in lower instances, the Vice-Chancellor can, as part of the decision, express criticism of the handling and at the same time request documentation on planned measures to rectify the fault and a timetable for their execution. Alternatively, the Vice-Chancellor can withdraw the delegated decision-making powers and change the decision of the unit concerned, provided that the decision is not changed to the detriment of the individual party.

In cases where the Vice-Chancellor finds that lower instances have handled a matter correctly, the Vice-Chancellor makes the decision to dismiss the matter without further action.

The Guidelines do not prevent a student from appealing against a decision in accordance with Chapter 12 of the Higher Education

Ordinance or turning to another public authority that exercises a supervisory role regarding the University. However, note that the UKÄ does not investigate submissions from a student if the student has not first attempted to resolve the problem in dialogue with the higher education institution up to the level of Vice-Chancellor.

### Matters not covered by the Guidelines

The Guidelines do not apply to matters that are to be handled by:

- the Vice-Chancellor/Disciplinary Board in accordance with Chapter 10, Section 3 of the Higher Education Ordinance
- the National Board for Assessment of Research Misconduct in accordance with Section 7 of the Act on Responsibility for Good Research Practice and the Examination of Research Misconduct (2019:504)
- the Deviations from Good Research Practice Review Board in accordance with the decision of 23 September 2021, reg. no STYR 2021/1059
- the Admissions Board in accordance with the decision of 16 December 2021 reg. no STYR 2021/2816 and the Rules on the Allocation Decision-Making Powers and the Right to Sign Agreements at Lund University, reg. no STYR 2023/662 or
- the Staff Disciplinary Board in accordance with the decision of 25 October 1993, reg. no A 9 13996/93.

In addition, the Guidelines do not apply to

- discrimination or harassment in accordance with the Discrimination Act (2008:567) and the Work Environment Act (1977:1160) or
- withdrawal of supervision and other resources for a doctoral student in accordance with Chapter 6, Section 30 of the Higher Education Ordinance.

### Decision

The University decides to approve the Guidelines above and at the same time rescind the Guidelines on Handling Complaints from

Students Concerning First, Second and Third-Cycle Studies at Lund University, approved on 12 March 2015, reg. no STYR 2014/169.

The decision on this matter was made by the undersigned Vice-Chancellor in the presence of University Director Susanne Kristensson after consultation with a representative of Lund University Student Unions and a presentation by legal counsel Johanna Alhem, Legal Services and Records Management Division. Legal counsel Hanna Stam, Legal Services and Records Management Division, also participated in the final processing of the matter.

Erik Renström

#### Copies sent to:

- Lund University Student Unions
- Doctoral student ombudsman
- Student ombudsman
- Faculties/equivalent
- Administrative divisions/equivalent
- Internal Audit Office
- LU Rules and Regulations