



rijksuniversiteit groningen

Complaints, objections and appeals
University of Groningen

2018 Annual Report

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List of abbreviations used in this document

- ABJZ: *Algemeen Bestuurlijke en Juridische Zaken*, Legal Affairs Office
- Office: Office of the University
- CF: Campus Fryslân
- CBE: *College van Beroep voor de Examens*, Board of Appeal for Examinations
- CBHO: *College van Beroep voor het Hoger Onderwijs*, Higher Education Appeals Tribunal
- CIT: Donald Smits Center for Information Technology
- FEB: Faculty of Economics and Business
- BSS: Faculty of Behavioural and Social Sciences
- GGW: *Godgeleerdheid en Godsdienstwetenschap*, Faculty of Theology and Religious Studies
- LET: *Letteren*, Faculty of Arts
- FMW: *Faculteit Medische Wetenschappen*, Faculty of Medical Sciences
- FRG: *Faculteit Rechtsgeleerdheid*, Faculty of Law
- FRW: *Faculteit Ruimtelijke Wetenschappen*, Faculty of Spatial Sciences
- FWB: *Faculteit Wijsbegeerte*, Faculty of Philosophy
- FSE: Faculty of Science and Engineering
- FB: *Facilitair Bedrijf*, University Services Department
- GAC: *Geschillenadviescommissie*, Disputes Committee
- HC: Honours College
- LO: *Lerarenopleiding*, teacher-training programme
- UOCG: *Universitair Onderwijs Centrum Groningen*, Centre for Academic Learning and Teaching Groningen
- UB: *Universiteitsbibliotheek*, University Library
- UCG: University College Groningen

1. General

1.1 Background

Article 7.59a of the Higher Education and Research Act (WHW: *Wet op het hoger onderwijs en wetenschappelijk onderzoek*) states that universities must install a single facility where students and former and prospective students can lodge complaints, objections and appeals in a simple fashion. This is a digital facility. In addition, complaints, objections and appeals may also be submitted by post. The University of Groningen has been running the Central Portal for the Legal Protection of Student Rights (CLRS: *Centraal Loket Rechtsbescherming Studenten*) for this purpose since 1 October 2010. The CLRS is explicitly *not* intended for staff.

The UG Student Charter discusses the CLRS in the chapter ‘Safeguarding of legal rights’, referring to the website, the University of Groningen General Complaints Procedure, the Board of Appeal for Examinations (CBE: *College van Beroep voor de Examen*), the Disputes Committee (GAC: *Geschillenadviescommissie*) and the General Administrative Law Act.

This Annual Report covers complaints, objections and appeals. Decisions made by the CBE are published on the UG website in an anonymized form.

1.2 Complaint, objection or appeal

The following can be lodged with the Central Portal for the Legal Protection of Student Rights:

- Complaints: complaints about the behaviour of the institution and anyone working under its responsibility (Article 9.2 Awb) must be lodged both orally and in writing in accordance with the Explanatory Memorandum.
- Objections: objections must be submitted in writing (Article 6.5 Awb).
- Appeals: appeals must also be submitted in writing (Article 6.5 Awb).

Students can also submit their complaints related to sexual harassment, aggression, violence and discrimination to the digital CLRS desk. However, students are advised to discuss their complaints with the UG Confidential Advisor first. The secretariat of the SIAGD Complaints Committee is part of the HR-Experts department.

1.3 Structure of the Annual Report

Chapter 2 of this document will briefly explain the procedure for submitting and processing complaints, objections and appeals via the CLRS. The subsequent chapters will provide overviews of complaints submitted (Chapter 3), administrative and other appeals submitted (Chapter 4), objections submitted (Chapter 5) and objections submitted to the CBHO (Chapter 6) during the calendar year 2018. A brief explanation is given for each overview. Finally, the report will provide conclusions and prognoses for the current calendar year (Chapter 7).

2. Procedure

2.1 Submission

Complaints, objections and appeals are usually submitted digitally to the CLRS via the website: <http://www.rug.nl/clrs>.

This website also provides detailed information about the submission procedure for complaints, objections and appeals. Students can use the information on the website to send an email to the complaints coordinator if they have a complaint, to the secretary of the GAC for objections or to the secretary of the CBE for appeals.

The website also includes a knowledge base and a question form that students can complete if they want to ask a question. It informs students of the two ways in which complaints can be resolved: the informal and the formal way.

If a student is not sure whether to submit their complaint, or if they would like to discuss it with a confidential advisor, they can make an appointment with a student counsellor.

2.2 Processing

Each UG faculty or service unit has its own complaints coordinator to deal with complaints. As soon as a student submits a complaint via the CLRS, it is automatically forwarded to the complaints coordinator of the relevant faculty or service unit, who is responsible for coordinating, processing and archiving the complaint.

The CLRS will automatically forward any objections and appeals submitted against decisions within the meaning of the Awb to the registrars of the GAC or the CBE, who will register it and forward it to the person who will act as the defence on behalf of the Board of the University or to the secretary of the CBE. When an objection is submitted against a decision made by or on behalf of the Board of the University, the defence will first examine whether a settlement is possible and/or contact the claimant to explain the decision. If, having heard the explanation, the claimant wishes to uphold their objection, the Board of the University will consult the GAC before taking a decision in response to the objection.

Appeals against individual decisions made by examiners, boards of examiners or the Board of the University related to admission to a degree programme or the issuing of binding (negative) study advice are dealt with by the CBE. All appeals will first be presented to the defence in order to evaluate whether settlement is possible. The defence will then report to the CBE about its settlement attempt. If no settlement is reached, the appeal will be dealt with by the CBE in a hearing.

2.3 Conclusion

Once a complaint, objection or appeal has been processed, the complaints coordinator or registrar will be expected to indicate the results in what is known as a 'conclusion screen'.

Possible results include:

1. **Founded.** This means that the student's appeal or objection is upheld by the CBE or the Board of the University upon the advice of the GAC, and that a revised decision has been taken on the basis of this procedure.
2. **Unfounded.** This means that the student's appeal or objection is not upheld by the CBE or the Board of the University upon the advice of the GAC, and that the primary decision stands.
3. **Non-admissible.** This means that the student has not satisfied the legal requirements for submitting an appeal or objection – for example, the submission deadline has been exceeded, there is no decision that is open to appeal or the appellant, or there is no interest in bringing proceedings.
4. **Withdrawn.** This means that the student withdraws their appeal or objection before completing the procedure.
5. **Settled.** This means that the student's wishes are met as far as possible before completing the procedure. This usually involves a new primary decision being taken.
6. **Closed.** A case is closed when the appellant does not respond to a request to submit a decision or to indicate whether they wish to uphold or withdraw their appeal. In addition, appeals or objections sometimes turn out in fact to be complaints. Such complaints are forwarded to the faculty in question, upon which the case is closed.

3. Complaints

The tables below provide an overview of the numbers of complaints submitted to and dealt with by the CLRS in 2018 and in previous years.

Table 3.1: number of complaints dealt with in 2018

Subject	Complaints
No subject selected	9
Other*	43
Costs of the degree programme	3
Quality of the degree programme	6
UG staff member	17
Marking period for examinations	20
Level of the examination	21
Other teaching-related subjects	6
Organization of the degree programme	25
Planning & organization of examinations	15
Information	
Provisions	23
Total	188

*Students are asked to indicate the subject of their complaint on the complaint form, or, if their subject is not in the list, to indicate the option 'other'. Sometimes students forget to select a subject. In such cases, the complaint will be registered under the option 'no subject selected'.

Table 3.2: total number of complaints in the period 2014-2017

2017 total	104
2016 total	117
2015 total	109
2014 total	130

Table 3.3: number of complaints dealt with by each service unit in 2018 (i.e. the number of complaints processed by the complaints coordinator of each service unit in 2018, categorized by subject)

Subject	Office	FB	CIT	UB	SIAGD	Total
No subject selected					2	2
Other*	3			2		5
Costs of the degree programme	1					1
Quality of the degree programme						0
UG staff member	1			1		2
Marking period for examinations						0
Level of the examination						0
Other teaching-related subjects						0
Organization of the degree programme	2					2
Planning & organization of examinations						0
Information						0
Provisions		2		4		6
Total	7	2	0	7	2	18

*Students are asked to indicate the subject of their complaint on the complaint form, or, if their subject is not in the list, to indicate the option 'other'. Sometimes students forget to select a subject. In such cases, the complaint will be registered under the option 'no subject selected'.

Table 3.4: total number of complaints dealt with by each service unit in the period 2014-2017

	Office	FB	CIT	UB	SIAGD	Total
2017 total	13		1	8		22
2016 total	15	3		14		35
2015 total	10	1		12	1	24
2014 total	13		1	1		15

Table 3.5: number of complaints dealt with by each faculty in 2018

Subject	FEB	BSS	GGW	LET	FMW	FRG	FRW	FWB	FSE	UCG	CF	Total
No subject selected	1	1		1	2			1	1			7
Other	6	9		5	7	4		1	6			38
Costs of the degree programme	1				1							2
Quality of the degree programme				2	2	1			1			6
UG staff member	2			4	1	3		1	4			15
Marking period for examinations	3	1		5	4				7			20
Level of the examination	4				10	4			3			21
Other teaching-related subjects	2			2	1				1			6
Organization of the degree programme		1		5	14	1	1		1			23
Planning & organization of examinations	2	1			8	3			1			15
Information												0
Provisions	4	2		4	4				3			17
Total	25	15	0	28	54	16	1	3	28	0	0	170

The table above indicates the numbers of complaints that the complaints coordinators of each faculty processed via the CLRS in 2018, categorized by subject. Students are asked to indicate the subject of their complaint, or, if their subject is not in the list, to indicate the option 'other'.

Table 3.6: total number of complaints dealt with by each faculty in the period 2014-2017

	FEB	BSS	GGW	LET	FMW	FRG	FRW	FWB	FSE	UCG	CF	Total
2017 total	12	7		23	1	24	3		8	4		78
2016 total	13	18		10		30	1		10			82
2015 total	50	4	1	11	1	14		1	3			85
2014 total	16	7		17		73	1		2			115

Conclusion

A total of 188 complaints were processed in 2018. This is a significant increase compared to previous years, which is due to an increase in the numbers of complaints submitted at the faculties, particularly at FMW. The increase in the number of complaints at FMW is mainly related to the cut-off score in Bachelor's examinations, which was raised from 50% to 55% real knowledge. Upon receipt of many identical complaints, the Bachelor's coordinator explained via Nestor why the cut-off score had been raised. No more complaints were received after this. The complaints submitted have been processed.

4. Appeals

The tables below provide an overview of the numbers of appeals submitted to the CBE via the CLRS, by regular post or by email in 2018, and the numbers of appeals submitted to each faculty over the years 2014-2017.

It is particularly notable that the number of appeals submitted in 2018 shows a further increase compared to 2017. In 2018, 360 appeals were submitted, compared to 281 in 2017. In addition, the numbers of appeals increased significantly at the faculties of FMW, FSE, BSS and FRG. Further, a significant increase can be seen in the number of appeals against decisions regarding admission to degree programmes. In 2018, the CBE received no fewer than 134 appeals about this subject, compared to 94 in 2017. At the time of writing this Annual Report, 106 appeals had been submitted in 2019. On the same reference date in 2018 (1 May), this number was 111.

Table 4.1: number of appeals submitted to the Board of Appeal for Examinations in 2018, by faculty

	FEB	CF	FMW	FRW	FSE	BSS	LET	FRG	UCG	FWB	GGW	Total
Graduation date	1				2		4	1				8
Number of ECTS credits obtained							1					1
Assessment	39		13		11	4	3	24				94
BRT	11		1	2	2	2	2	8				28
BSA	5		4		3	11	3	7	2			35
Compensation ECTS							1					1
Cheating	1		1		1	1		1				5
Validity of examination						1						1
Registration for course units	7					3	1	1				12
Complaint			1									1
Minor		1										1
Mark conversion							1					1

Mark registration	1											1
SRC track			1									1
Examination lapsed			1									1
Examination provision			1					1				2
Admission	14	1	29	3	44	11	21	11				134
Exclusion from course units							2					2
Study programme	4				3		3	2				12
Alternative assignments										1		1
Provisional ruling								2				2
Subsidiary							1					1
Exemption	4		1		7	1		2				15
Total	87	2	53	5	73	34	43	60	2	1	0	360

Table 4.2: number of appeals processed by the CBE in 2018

	FEB	CF	FMW	FRW	FSE	BSS	LET	FRG	UCG	FWB	GGW	HC	LO	Total
Closed	18	1	17	3	28	3	18	9						97
Founded	1		4		7	3	3							18
Settled	35	1	9	2	15	11	11	24	1	1				110
Withdrawn	20		10		19	13	7	20	1					90
Non-admissible	4		6		2		1	1						14
Unfounded	9		7		2	4	3	6						31
Total	87	2	53	5	73	34	43	60	2	1	0	0	0	360

Table 4.3: total numbers of appeals in 2014, 2015, 2016 and 2017

	FEB	CF	FMW	FRW	FSE	BSS	LET	FRG	UCG	FWB	GGW	HC	LO	Total
2017	73		36	10	50	22	41	42	1	1	1	3	1	281
2016	52		39	1	23	18	24	65	1		3		2	228
2015	87		28	1	26	23	33	30		1				229
2014	57		20	2	18	17	46	19		3				183

5. Objections

The tables below provide an overview of the numbers of objections submitted against decisions taken by the Board of the University in 2018 (table 5.1) and the total numbers of objections submitted in the period 2014-2017 (table 5.2). Some of the objections were settled or withdrawn, whereas others were forwarded to the Disputes Committee for processing. Although the majority of objections were submitted via the CLRS, objections are also still submitted by post and email. A significant increase (+47) can be seen in the number of objections submitted in 2018 (142) compared to 2017 (95). In addition, the number of objections against compulsory matching activities has increased, from 11 in 2017 to 37 in 2018. The number of objections against decisions regarding applications for support from the Graduation Fund also shows an increase: from 15 in 2017 to 30 in 2018.

At the time of writing this Annual Report, 80 objections had been submitted in 2019 (reference date: 1 May 2019).

This is more than twice the number received in the same period in 2018. This increase is mainly caused by an increased number of objections against the results of the selection and placement procedure for the Medicine degree programme.

Table 5.1: number of objections dealt with in 2018

	Closed	Founded	Settled, closed	Settled, withdrawn	Withdrawn	Manifestly inadmissible	Not settled, withdrawn	Unfounded	Total
Payment/reimbursement of tuition fees								1	1
Payment arrears/ no longer being allowed to pay in instalments				1					1
DUO fine	1								1
Waiving of tuition fees for student members	1		1	2		1	1	2	8
Amount of tuition fees	1	1		2		1	1		6
Amount of tuition fees/reimbursement				1					1
Registration			1	9	2	1	3	2	18
Withdrawal of selection attempt							1		1

Complaint	1								1
Matching		1	1	24	4		5	2	37
No longer being allowed to pay in instalments				1					1
Graduation Fund	1		2	13	4		7	3	30
Reimbursement				1		1	3	1	6
S&P Medicine	1		1	2			1	6	11
S&P IRIO							4	1	5
S&P Dentistry		1					1	3	5
M2 senior clerkships					1				1
Admission to HC							1		1
Deregistration date				1					1
Deregistration/reimbursement				2					2
Request under the Dutch Government Information (Public Access) Act			1					3	4
Total	6	3	7	59	11	4	28	24	142

Table 5.2: total numbers of objections in 2014, 2015, 2016 and 2017

Subject	2014	2015	2016	2017
Amount of tuition fees	25	4	6	3
Selection and placement	18	17	10	26
Registration/deregistration	46	28	21	19
Graduation Fund	38	28	39	15
Committee grant	2			
Waiving of tuition fees for student members				1
Master's admission				1
Scholarship student				
Reimbursement	10	9	6	7
UTQ				
Transitional arrangements				
Extra year of student grant				
CUOS	2			
Dutch Government Information Act		1	4	4
Matching	1	17	8	11
Rejection letter in response to application		1		
Registration			2	2
Complaint rather than objection			2	2
Question rather than objection				1
Admission to Honours College			1	1
No longer being allowed to pay in instalments				1
Preferential placement in M2 clerkship				1
Total	142	105	99	95

6. CBHO

The CBHO (*College van Beroep voor het Hoger Onderwijs*, Higher Education Appeals Tribunal) is an independent, legally regulated body that processes appeals in the field of higher education (i.e. universities and universities of applied sciences). The Tribunal is composed of 10 judges who are supported by an office.

Any student who disagrees with a decision made by the Board of the University in response to an appeal or with a decision made by the Board of Appeal for Examinations (CBE) can appeal to the CBHO. The CBHO will then come to a final decision.

Possible subjects include:

- tuition fees or examination fees, financial support, exemptions, selection and placement
- binding (negative) study advice
- violation of the house rules and general code of conduct of the institution
- admission to Bachelor's or Master's degree programmes
- refusal of registration
- decisions related to final assessments.

Source: CBHO website www.cbho.nl

Table 6.1: Number of appeals submitted to the CBHO against decisions made by the CBE

2018	Founded	Unfounded	Withdrawn
Cheating		1	
Admission		1	
Assessment		2	
Conversion of marks awarded abroad		1	

Table 6.2: Number of appeals submitted to the CBHO against decisions made by the Board of the University

2018	Founded	Unfounded	Withdrawn
Amount of tuition fees	1		
Registration		2	
Matching			1

7. Conclusions

Figures

In summary, the following numbers of complaints, objections and appeals were dealt with in 2018:

- 188 complaints, including 170 at the faculties and 18 at the service units
- 360 appeals to the CBE, 14 hearings, 63 decisions
- 142 appeals to the GAC, 11 hearings, 33 recommendations
- 9 appeals to the CBHO.

Prognoses

The abolishment of the basic student grant has resulted in students feeling additional pressure to complete their studies within the set time. This pressure may have led to an increase in the numbers of objection and appeal procedures.

The introduction of intake limitations in the Bachelor's degree programmes may lead to an increase in the numbers of objections related to registration now that the numbers of registrations are maximised (fixed quota) and registration after 1 September is only possible with the permission of the Faculty Board.

Groningen, spring 2019

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