



## REGULATION FOR RESOLVING DISPUTES

### Introduction

This Regulation for Resolving Disputes offers every student and every employee of the university the opportunity to file a dispute resolution request. The internal procedure has been established in this Regulation for Resolving Disputes.

When resolving a dispute, it is assumed that the complainant has a positive involvement with the university. The dispute should be dealt with, in so far as possible, at the source. For this reason, a dispute should be settled within the university. If the dispute cannot be settled at university level, then the road is open to the Appeals Tribunal for Higher Education (the CBHO in The Hague). The civil court remains the proper authority for disputes regarding matters of civil law.

### Article 1 - Definition of terms

**Disputes Committee** (hereafter to be called 'the committee'). The committee appointed by the Board of Directors which investigates and deals with submitted disputes in accordance with this regulation.

**Dispute** A difference of opinion between a person and an authorized party within the university organisation. A dispute can, for example, be a difference of opinion concerning the height of the institution tuition fees, reimbursement of expenses, etc. In that case, the dispute will be presented to the Disputes Committee. A dispute can also be related to the assessment of an examination. In that case, the dispute will be dealt with by the Examination Appeals Board.

### Article 2 - Objective of the Disputes Committee

To investigate the cause of a dispute.  
To do justice to the complainant.  
To rule on whether the dispute is founded or not.

### Article 3 - Points of departure in dealing with the dispute

The dispute will be dealt with in an impartial and unbiased manner.  
The principle of listening to both sides will be applied.  
All data from parties will be treated with care. The committee has a confidentiality obligation.  
The committee is authorized to collect all information deemed necessary with respect to the implementation of its task.  
Should a dispute be directed towards, or partly towards, a member of the committee, this member will not take part in the treatment of the dispute. In the above case, a substitute member will take part in handling the complaint. This substitute member will be designated by the Board of Directors at that moment.

## **Article 4 - Procedure**

### *Submitting a dispute*

Submitting a dispute takes place in writing to the complaints desk of the TU Kampen, which is, as a rule, managed by the secretarial office. To this end, an email address has been created, [klachtenloket@tukampen.nl](mailto:klachtenloket@tukampen.nl), meaning: 'Complaints Desk'. The complainant will receive a confirmation of receipt. The complainant should mention his name, the date and a description of the conduct towards which the complaint is directed and the reason why he/she objects to this conduct.

### *Confirmation of receipt of dispute*

The committee will confirm the receipt of the dispute in writing within seven days.

If the description does not meet the conditions as mentioned under 'submitting a dispute', the submitter will, after having been notified of this, be given the opportunity to rectify this within seven days.

### *Type of dispute*

Disputes which are related to tests and examinations are referred to the Examination Appeals Board of the TUK. The remaining matters will be presented to the committee.

The committee is not obliged to deal with the dispute if:

The description does not meet the requirements mentioned under 'Submitting a dispute' and the submitter has been given the opportunity to meet these obligations.

The dispute has been dealt with before, in accordance with this regulation.

The dispute regards conduct that took place longer than a year before submittal of the dispute.

### *Treatment of the dispute*

The committee will, in the first place, strive to settle the dispute by means of conciliation. As soon as, by means of conciliation or otherwise, the dispute has been solved to the satisfaction of the complainant, the obligation expires to further apply this regulation.

A duplicate of the dispute description as well as all accompanying items will be sent to the one to whom the complaint is related.

The committee will offer both parties the opportunity of a hearing. This hearing will take place behind closed doors.

A report will be made of the hearing.

The committee will settle the dispute within six weeks after receipt of the dispute description.

The committee will inform the parties in the dispute in a well-reasoned manner of the findings of the investigation, will declare the dispute founded or unfounded and will formulate conclusions and/or measures to be taken. The committee makes a recommendation to the Board of Directors, who will then make a final decision.

Appeal on the ruling of the Board of Directors is possible at the Appeals Tribunal for Higher Education (the CBHO in The Hague).

### *Administration and registration disputes*

The committee ensures a good administration of the obtained information and recording of the lodged complaints and how they are dealt with.

The documents are kept for five years and are then destroyed. The secretarial office files the documents in the TU Kampen archives.

The committee draws up an annual anonymised report. The report is sent to the Board of Directors and may be published.

## **Article 5 - Composition of the committee**

The committee is made up of three members:

A member from outside the organisation as independent Chair, an employee of the TU Kampen as secretary and a student member.

**Article 6 - Powers of the committee**

Obtaining information necessary for dealing with the issue

Consulting and viewing documents.

Hearing persons involved in the dispute.

**Article 7 - Meetings of the committee**

The meetings will take place in the presence of all committee members.

Decisions are taken if a consensus has been reached.

The responsibility for the decision is born by the whole committee.

**Article 8 - Final provisions**

In all cases in which this regulation does not provide, the Board of Directors will decide, after having heard the chair and the secretary of the committee.

This regulation can be adapted or revoked by the Board of Directors.

Approved by the Board of Directors of the TU Kampen dd. 18 February 2013.

J.de Jong, member Board of Directors