

## **UNIVERSITY OF AMSTERDAM COMPLAINTS PROCEDURE FOR APPLICANTS**

Adopted by decision no. 2023-079903 of the Executive Board on 9 October 2023.

### **Article 1 Definitions**

In these regulations, the following words shall have the following meanings assigned to them:

- a. applicant: an individual, whether or not an employee of the university, who has stated in writing that they wish to be considered for a vacant position;
- b. vacancy: a vacancy as defined in the Recruitment, Selection and Redeployment Procedure;
- c. selection committee: the selection committee as defined in the Recruitment, Selection and Redeployment Procedure;
- d. responsible party: the officer with responsibility or ultimate responsibility for the vacancy;
- e. complaint: notice from an applicant that they are dissatisfied with how they have been treated in the context of the procedure;
- f. complainant: an applicant who has submitted a complaint under this complaints procedure;
- g. defendant: an individual to whose behaviour or actions the complaint relates.

### **Article 2 Submitting a complaint**

1. Complaints must be submitted to the party with responsibility or ultimate responsibility for the vacancy.
2. Complaints must be submitted as soon as possible after the act or termination of the procedure to which the complaint relates and otherwise within no more than six weeks.
3. Complaints must contain a clear description of the act to which they relate or, if the complaint relates to action taken under the Recruitment, Selection and Redeployment Procedure, must clearly state the nature of the failure to follow due procedure.
4. Anonymous complaints are beyond the scope of this complaints procedure and will not be handled.

### **Article 3 Complaints handler**

1. For the purpose of dealing with the complaint, the responsible party will seek the advice of one or more persons designated by them to handle the complaint.
2. Individuals involved in the selection procedure cannot be designated as a complaints handler.

### **Article 4 Decision not to handle a complaint**

1. The complaints handler will not handle a complaint received more than six weeks after the act or termination of the procedure unless they believe in a specific case that exceptional circumstances justify the time elapsed and the time elapsed does not prevent the handling of the complaint.
2. The complaints handler will also not handle a complaint if, despite the complainant having been given the opportunity to correct and/or clarify the complaint, there remains a lack of clarity as to the subject of the complaint.
3. The complainant will be notified in writing of the decision not to handle a complaint as soon as possible, however no later than four weeks following receipt of the complaint.

#### **Article 5 Acknowledgement of receipt and notification of the defendant**

1. The complaints handler will immediately provide written acknowledgement of receipt of the complaint at the same time as sending a copy of the complaint to the person or persons to whose behaviour or actions the complaint relates.
2. Insofar as they have not already been informed under paragraph 1, the complaints handler will also notify the selection committee or its chair of the complaint.

#### **Article 5 Hearing**

1. The complaints handler will give the complainant the opportunity to be heard about their complaint.
2. A hearing may be waived if the complainant has declared that they do not wish to exercise their right to be heard or if they fail to declare within the reasonable period set by the complaints handler that they wish to exercise this right.
3. A report will be drawn up of the hearing.

#### **Article 6 Recommendation of the complaints handler to the responsible party**

The complaints handler will report to the responsible party with a recommendation on the complaint. Where applicable, the recommendation will include the report of the hearing.

#### **Article 7 Complaint handling deadline**

1. The responsible party will handle the complaint within six weeks.
2. The responsible party may defer the handling of the complaint for no more than four weeks.
3. A longer deferral is possible with the consent of the complainant.
4. The complainant and defendant will be immediately notified in writing of any deferral under paragraphs 2 or 3.

#### **Article 8 Decisions on complaints**

1. The responsible party will provide the complainant and defendant or defendants with written and reasoned notification of the findings of the investigation into the complaint (the recommendation of the complaints handler), the responsible party's opinion on these findings and any associated conclusions. Any deviation from the recommendation of the complaints handler will be explained.
2. Insofar as this has not already happened under the previous paragraph, the responsible party will notify the selection committee or its chair of the investigation findings, the responsible party's opinion on these findings and any conclusions.

#### **Article 9 No objection or appeal against the handling of a complaint**

No objection or appeal may be lodged against decisions on the handling of a complaint.

#### **Article 10 Subsequent action**

Insofar as the complainant is dissatisfied with the response to the complaint, they may submit their complaint, in writing or otherwise, to the NVP Recruitment Code's Complaints Committee.