

Decision

in the matter of the petition regarding an action of Wageningen University and Research Centre

Mark: LC 09.021/UITSPR/NO

Complaint

Petitioner complains about the disturbed relation with her promoter as well as his judgement about the quality of her research ('no-go' of PhD program).

Scope

Articles 7.5 and 7.6 of the Code of Conduct state:

'A party concerned that believes that a higher education institution has not acted in accordance with this code of conduct should first submit a complaint to the competent authority of that higher education institution. The higher education institution will ensure that existing or, if necessary, new internal complaint procedures are available for complaints under the code of conduct.

If the complainant is of the opinion that the higher education institution has not settled a complaint properly or believes that the higher education institution still does not comply with the code of conduct, it may submit the reason for the complaint and the response it received from the higher education institution to the national commission'.

Findings

At March 2, 2009 petitioner lodged a complaint with the National Commission.

By email and telephone, the Wageningen University and Research Centre informed the National Commission that it was unaware of the complaint of E.S. The internal complaint procedure of Wageningen University and Research Centre had not been followed.

Petitioner has been referred to Wageningen University and Research Centre. By now the internal complaint procedure has started in order to deal with the case. Wageningen University and Research Centre has informed petitioner about this.

Admissibility

Before submitting a complaint to the National Commission, the internal complaint procedure of the institution of higher education has to be followed (article 7.5 Code of Conduct). In the second sentence of article 7.5 is stated that the higher education institution has to ensure that (...) internal complaint procedures are available for complaints under the code of conduct.

Wageningen University and Research Centre was uninformed about petitioner's complaint, by reason that the correct procedure was not followed.

Therefore, the petitioner did not comply with the provision as stated in the Code of Conduct that the internal complaint procedure (of Wageningen University and Research Centre) has to be followed before submitting a complaint to the National Commission (article 7.5 Code of Conduct).

Decision

The National Commission declares the petition inadmissible.

NATIONAL COMMISSION CODE OF CONDUCT
WITH RESPECT TO INTERNATIONAL STUDENT IN DUTCH HIGHER EDUCATION

So was done in Utrecht at March 11, 2009 by prof. mr. R. Fernhout, chair, mrs. H.A.M.F. Keijzer-Lambooy, mr. drs. C. Boom, dr. T.H.J. Stoelinga, ir. F. Kuipers, dr. J. Donner, members, in attendance of mr. A.G.D. Overmars, secretary.

prof. mr. R. Fernhout
chairman

mr. A.G.D. Overmars
secretary

Send: March 23, 2009