



THE UNIVERSITY *of* EDINBURGH

Office for Student Conduct, Complaints and Appeals (OSCCA)

Acting as a Representative and Consent requirements

Under OSCCA processes it is possible for a third party to make representations on behalf of a student or complainant. However, before University staff can consider these representations or provide a response, the University's responsibilities under our [Data Protection](#) responsibilities requires explicit consent from the student or complainant for a third party to act on their behalf, even where the third party is a parent, relative or legal representative.

Different departments within the University may have slightly differing requirements when it comes to consent, and there is no universal sharing of consent across the University. As such, whilst consent may have been provided as part of one process at one area of the University, this may not be fit for the purpose of OSCCA processes.

Representatives are reminded that they are subject to the same expectations as complainants and students in engaging with our processes, including the [Expected Behaviours Policy](#).

[The role of a Representative](#)

The role of the representative is to facilitate communication between the person they represent and the University. They are responsible for making representations **on behalf** of the student/complainant/appellant and the representee is expected to be fully aware of the representations which are being made on their behalf.

[What is expected when consent is given for third party representation?](#)

If an individual provides consent for a representative to act on their behalf during an OSCCA (or related) process, they are consenting to the following:

- They are aware of and agree with the representations or submissions being made on their behalf. Please note that ignorance of this is not the fault of the University;
- They have permitted their representative to facilitate their answers to queries, provide additional information, and possibly accept alternative resolutions on their behalf;
- That any personal data relevant to the University process (not limited to the complaint, appeal, student conduct processes etc.) may be shared or discussed with the representative as required;
- That the representative is the main and/or only point of contact during the process (it is noted that outcomes sent may include both the representative and the person they represent in correspondence);
- The representative is responsible for informing them of any updates, queries, and outcomes;
- The representative will act in this role during the relevant processes unless the University is informed otherwise.

A person who has provided consent for representative can withdraw it at any time. However, it is their responsibility to inform the University of any such changes. Representatives can also refuse to



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act in that capacity and in this instance, they must inform the University and the person who requested representation.

Group Complaints

If complainants wish to raise matters as a group, a 'Lead Complainant' should be identified and appointed as representative for the group. To accept a group complaint, OSCCA staff require consent from all group members named in the complaint in order for the complaint to be considered and for the representative to act on their behalf.

Normally in group complaints, communication will only take place with the representative, who will be responsible for relaying updates or outcomes to the rest of the group and liaising on their behalf.

Consent Requirements

Verbal – Phone/In person

If a matter is being handled in person or on the phone; security questions or ID verification may be taken to ensure consent is given from the representee. If there is no written record to confirm consent, it is possible that it may be sought again in future to maintain good data protection practice.

Online – via email

Where representations are provided via email by a representative on behalf of another individual, we will ask the representative to request the person they want to represent to write to us directly, giving us their specific permission to communicate with the third party.

If they are a current student, we would ask that they write from their student e-mail account. Alternatively, students may wish to contact us from a different e-mail address preferably the one registered with the University in EUCLID. They should also confirm their name, matriculation number, and programme. Further security questions may be required to confirm identity.

We will also ask the individual to confirm the representative's name and email address. If there are any specifics about the representation arrangement that the individual wants to make the University aware of, they should include them in their consent (for example, if the individual wants to be copied into emails sent to the representative).

If consent is not given

If consent is not provided, we are likely to be very limited in the action we can take in relation to the matter raised and, in the information, or response we can provide.