



S7 Grievance Management Policy

1. VISION AND VALUES OF DUCHESNE COLLEGE

Vision

At Duchesne College (the **College**) we are committed to living our vision to inspire personal growth within an inclusive, socially aware community that is impelled to act against actions in contravention of College Values.

Values

All students are required to be aware of and act consistently with the College's values as set out in the Statement of Values and Philosophy.

2. SCOPE

This policy is applicable to all College students (including both residents and associate members of the College, being those individuals who are not permanent residents, but have been granted access to College facilities) (**Students**) and visitors.

This policy has been developed in accordance with all student policies and procedures and applies where there is a reported or suspected breach of College policies or Values and those policies refer to this Grievance Management Policy.

This policy may also apply to any complaint or grievance received by the College.

3. INTRODUCTION AND PURPOSE

Introduction

It is important that students and associate members of the College are able to raise complaints and grievances. Our decisions and behaviour should carefully take into account the interests of anyone that may be affected.

In addition, the College is committed to working towards the consistent enforcement of policies and to affirming College Values. The College's policies and procedures aim to ensure that the College can deliver on its Vision, Values and Philosophy.

Purpose

The purpose of the process is to hear complaints or grievances raised by students or associate members, and where appropriate, have the matter promptly acted on.

The policy provides a mechanism for determining how complaints and grievances may be dealt with and sets out the actions that the College may take in the event of a student or associate member's breach of its Policies and Procedures.

4. POLICY FOR GRIEVANCE AND COMPLAINTS

The College aims to maintain an inclusive community that encourages cooperation, collaboration and trust among students and associate members of the College.

Accordingly, any grievances or complaints raised by Students pursuant to this Policy will be assessed and responded to. Reasonable efforts will be made to ensure confidentiality, as far as reasonably practicable.

5. INFORMAL RESOLUTION

5.1 Where appropriate, Students should seek to resolve grievances or complaints informally by approaching the person they believe has contributed to their concern (either alone or with a support person), if they feel comfortable doing so, and:

- (a) inform the other person of the nature of the grievance/complaints;
- (b) ask the person to stop and/or alter their behaviour.

It is important that Students engaged in informal resolution make all efforts to resolve the grievance or complaint in a respectful, constructive and reasonable way, that reflects the College's values.

5.2 As an alternative to clause 5.1, Students may wish to raise their grievance or complaint with any of the College, including to any:

- (a) staff member;
- (b) Resident Leader; or
- (c) member of the College's counselling services.

These members of the College are able to discuss Student concerns and will respond in the most appropriate way, which may include providing advice on appropriate actions to remedy the concern.

These members of the College may, with the Student's approval, approach the other person/s involved and talk to them informally about the grievance/complaint.

5.3 While Students are encouraged to resolve matters informally, the College recognises that this option of resolution will be dependent on the nature of the concern.

5.4 This clause does not apply to grievances or complaints concerning alleged unlawful conduct, including sexual misconduct, discrimination or harassment.

Note: Please refer to the College's:

- Sexual Misconduct Policy; and
- Bullying, Discrimination, Harassment and Hazing Policy.

6. Formal Complaint to the College

6.1 Where Students are unable to resolve a grievance or complaint through informal resolution, or where a student considers that informal resolution is not appropriate, a Student can make a formal complaint to the College.

6.2 A formal complaint may be made to the College via the Head of College or their delegate.

6.3 A formal complaint does not need to be made in writing, however the College may ask a student to put their complaint in writing.

6.4 Any formal complaint made in accordance with this Policy will be handled in accordance with the following guidelines:

- The College will attempt to respond in a reasonable time having regard to the circumstance of the complaint, academic timetables and the circumstances of others involved in the complaint.
- As far as is reasonably practicable formal complaints will be kept confidential (except where the College deems it is necessary to disclose details of the complaint for the purpose of dealing with it effectively, or as required by law; disclosure will be no wider than is strictly necessary). It is important that complainant Students also maintain confidentiality and do not discuss the complaint with others, unless the College gives permission to do so.
- Students who raise formal complaints will be protected from victimisation and must not engage in victimising conduct.

- Formal complaints will be dealt with in a timely manner, taking into account all the circumstances including academic priorities, semester and term breaks, and witness availability.
- Students may have a support person with them at any stage of the formal complaint process.

6.5 The College will deal with a formal complaint in line with the terms of the Grievance Management Procedures.

7. COMPLAINTS TO EXTERNAL BODIES

Nothing in this policy prevents a Student from reporting grievances or complaints to an external agency including the Police or the University.

Should a Student wish to make an external report, the College may offer to support the Student, and will provide information as required by law, or as deemed appropriate.

Options for reporting externally include (but are not limited to):

- [Ombudsman Queensland](#)
- [Queensland Human Rights Commission](#)
- [Australian Human Rights Commission](#)
- [Tertiary Education and Quality Standards Agency \(TEQSA\)](#).

The Queensland Police Service (QPS) is the appropriate agency for reporting behaviours that may be criminal in nature.

8. RELATED DOCUMENTS

Duchesne College Policy Documents	<ul style="list-style-type: none"> • Duchesne College Alcohol and other Drugs Policy • Duchesne College Bullying, Discrimination, Harassment and Hazing Policy • Duchesne College Enrolment Contract • Duchesne College Grievance Management Procedure • Duchesne College Sexual Misconduct Policy • Duchesne College Sexual Misconduct Procedures • Duchesne College Student Code of Conduct
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FEEDBACK

College staff, Students, and parents/guardians may provide feedback or inquiries about this policy by emailing: manager@duchesne.uq.edu.au

APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Policy Approval Authority	College Council
Originally Created	February 2023
Reviewed and Approval Date	28 February 2023
Review Date	01 March 2024
Policy Administrator	Head of College and Chief Executive

Grievance Management Procedure

1. POLICY SUPPORTED

These Procedures support the College's Grievance Management Policy.

2. APPLICATION AND SCOPE

These Procedures are applicable to all College Students (including both residents and associate members of the College, being those individuals who are not permanent residents, but have been granted access to College facilities).

These Procedures have been developed with reference to other student policies and procedures and applies where there has been a breach and reference made to this Grievance Management Policy and when a concern is raised.

These Procedures may apply where a complaint or grievance has been received.

3. FORMAL COMPLAINT

- 3.1 Where Students are unable to resolve a grievance or complaint through informal resolution, or where informal resolution is inappropriate they can make a formal complaint in to the College.
- 3.2 A formal complaint may be made to the College via the Head of College or their delegate.
- 3.3 A formal complaint does not need to be made in writing in first instance. However should it be required, the College may request the complainant Student provide a written complaint.
- 3.4 It is recommended that Students complete the Student Grievance/Complaint Resolution Form when making the formal complaint, or shortly after making the formal complaint. A copy of this Form is **attached** to these Procedures. However a complaint may be received in any form, including orally.

4. PRELIMINARY ASSESSMENT

- 4.1 After receiving a formal complaint, the College will conduct a preliminary assessment. In determining how to proceed. The College will consider the nature of the matter, College values, culture and relevant policies and procedures and the students named or involved in the complaint.
- 4.2 In assessing a formal complaint, the College may need to meet with the Student who has raised a complaint to:
 - (a) Confirm the nature of the issues raised in the complaint including, where applicable, the date, time and location of a specific incident and any potential witnesses;
 - (b) Assist the Student to complete the Student Grievance/complaint Resolution Form (if not already completed);
 - (c) Advise of the next steps in the complaint process; and
 - (d) Advise the Student of the appropriate point of contact during the process and other appropriate supports available to the Student.
- 4.3 After this consideration, the College may choose to:
 - (a) take no further action;
 - (b) invite the complainant Student and respondent/s to participate in an assisted resolution of the matter;
 - (c) investigate the complaint;
 - (d) any other action the College deems appropriate in the circumstances.

- 4.4 The College will communicate its decision to the Student complainant as soon as is practicable.

5. NO FURTHER ACTION

- 5.1 The College may decide to take no further action in relation to a complaint where:
- (a) There is insufficient detail or evidence of the issue;
 - (b) The complaint relates to conduct or persons unrelated to the College, thereby prohibiting the College from being able to take any action;
 - (c) the complaint lacks good faith or is reasonably considered to be exaggerated, frivolous, vexatious, retaliatory or malicious; or
 - (d) the Student does not wish for any further action to be taken.

6. ASSISTED RESOLUTION

- 6.1 Where the College views that the complaint could be appropriately dealt with by assisted resolution, this may include a:
- (a) facilitated discussion between the Student and the person/s involved in the complaint, mediated by a member of the College;
 - (b) facilitating a suitable apology by the person/s involved in the complaint;
 - (c) formulating an agreed plan of action to avoid further incidents;
 - (d) implementing awareness training or educational sessions about behaviour;
 - (e) any other method the College deems appropriate in the circumstances.
- 6.2 Where as assisted resolution is not appropriate or is not successful, the College may consider whether:
- (a) the matter should proceed to an investigation; or
 - (b) any further action should be taken.

7. INVESTIGATION

- 7.1 The College may initiate an investigation, at its discretion for:
- (a) serious complaints;
 - (b) where assisted resolution pursuant to clause 6 is unsuccessful or inappropriate;
 - (c) circumstances where the College considers it to be appropriate.
- 7.2 For the purposes of investigating a formal complaint, the College may elect to conduct the investigation internally or appoint an external investigator.
- 7.3 The College will endeavour to conduct the investigation in a timely manner, sensitive to the parties involved.

Confidentiality

- 7.4 The College will endeavour to maintain confidentiality as far as possible throughout an investigation process. However, it may be necessary to speak with other persons in order to determine what happened, to afford fairness to those against whom the complaint has been made and to resolve the grievance.
- 7.5 All participants involved in the investigation process are required to also maintain confidentiality, including the Student complainant. The complainant may discuss the grievance with a designated support person or representative. However, the support person or representative is also required to maintain confidentiality.
- 7.6 If a person breaches confidentiality, they may be disciplined.

Investigation Process

- 7.7 How an investigation pursuant to these Procedures is conducted will be determined by the College at its discretion.
- 7.8 As a guide and depending on the circumstances of the complaint, the College, or the College's appointed external investigator, may undertake the following steps during an investigation:
- (a) conduct an interview with the complainant student to determine:
 - (i) the nature of the incident and complaint;
 - (ii) any witnesses to the incident subject of the complaint;
 - (iii) the impact of the complaint;
 - (iv) any remedy sought;
 - (b) reduce the complaint to writing (if not written in first instance);
 - (c) conduct an interview with the respondent student (with separate interviews to be conducted where there are multiple respondents) and:
 - (i) provide a copy of the written complaint;
 - (ii) inform the respondent/s of their rights and obligations, specifically relating to confidentiality and victimisation;
 - (iii) provide the respondent/s with a reasonable opportunity to respond to the complaint;
 - (d) conduct an interview with any witnesses to any incident subject of a complaint.
- 7.9 Any person interviewed in the course of an investigation will be permitted to have a support person present and will be asked to maintain confidentiality to preserve the integrity of the investigation process. Any request around confidentiality does not preclude a student / complainant/ witness from making a report to an external agency.

Investigation Outcome

- 7.10 As soon as the review is complete, the College, or the College's appointed external investigator, may make a determination regarding whether the complaint can be substantiated on the balance of probabilities.
- 7.11 If the complaint is substantiated, the complainant may be notified of the finding, but not necessarily the outcome. The College may take any action it considers appropriate in response to the finding/s. The College retains discretion to determine what action may be appropriate.
- 7.12 If the investigation is inconclusive (i.e. the complaint cannot be proved due to lack of evidence or the conduct is not sufficiently serious to justify disciplinary action), the College may take action to address the complaint, or the perceptions arising from the complaint, at its absolute discretion.
- 7.13 If the complaint is unsubstantiated the complainant will be notified of the outcome. The witnesses will be notified that the investigation is complete. The subject of the complaint will be notified of the outcome. The complainant and subject may be offered the opportunity to mediate, even if the complaint is unsubstantiated.
- 7.14 If the complaint is found not to have been raised in good faith, to reasonably be considered exaggerated, vexatious, malicious or retaliatory, disciplinary action may be taken against the complainant Student in line with these Procedures.
- 7.15 A record of any action that is taken arising from a formal investigation will be placed on the Student's file.

8. CONSEQUENCES FOR BREACHES OF POLICIES AND PROCEDURES

Where, in the course of an investigation under this Procedure or otherwise, the College finds a student, visitor or associate member in breach of its policies and procedures, the College values or a student's conduct is likely to bring the College into disrepute, the College may take disciplinary action including, but not limited to:

Tier 1	
Verbal Warnings	A conversation alerting the student/associate member of their breach of College policies and procedures and that future breaches may result in more serious action such as Tier 2 and Tier 3 outcomes.
Apology	Required to give an apology to any person found by the College to have been impacted by the conduct.
Tier 2	
Written Warning	A written record, to be kept on the College's file which may be relied upon by the College in the event of repeated breaches whether of the same kind or different to justify more serious disciplinary action.
Reimbursement for Damage to Property	Contribution to the cost of repairing any damage or loss caused by their conduct
Removal of Rights and Privileges	Prohibition on a temporary basis from participating in College activities or events, accessing facilities or applying for or holding leadership positions. For visitors - exclusion from the College for a period of time or permanently.
Room Relocation/Partial Access Revocation	For students - Temporarily or permanent relocation to another room or part of the College For associate members - partial revocation of access to College facilities. For visitors - exclusion from the College for a period of time or permanently.
Temporary Suspension	Students and/or Associate members are temporarily suspended from the College and activities and events for a set period of time. The action will be recorded by the College and may be relied upon for repeated breaches whether of the same kind or different to justify taking more serious disciplinary action.
Tier 3	
Permanent Suspension and Refusal from re-enrolment	Students and/or associate members are prohibited from accessing student facilities or attending the College campus permanently and required to remove themselves and all property immediately from the College. For visitors - exclusion from the College permanently.

The College in imposing any disciplinary action, may take a combination of any of the items listed above.

In relation to breaches of the Alcohol and other Drugs Policy, the College may, in accordance with the Statement of Values and Philosophy, immediately move to a Tier 3 outcome where a student, visitor or associate member of the College:

- (a) has been found to be using, in possession of or is selling or dealing in illegal drugs or substances;

- (b) who is under the age of 18 has consumed alcohol at the College;
- (c) has supplied alcohol to persons under the age of 18.

In relation to breaches of the Sexual Misconduct Policy, the College may, in accordance with the Statement of Values and Philosophy, immediately move to a Tier 3 outcome in its absolute discretion.

9. EXTERNAL COMPLAINTS

Nothing in these procedures prevents a Student from reporting grievances or complaints to an external agency.

Should a Student wish to make an external report, the College may offer to support the Student, and will provide information as required by law, or as deemed appropriate.

Options for reporting externally include (but are not limited to):

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STUDENT GRIEVANCE/COMPLAINT FORM

PART 1: GENERAL INFORMATION

STUDENT NAME	DATE FORM SUBMITTED

PART 2: DETAILS OF COMPLAINT (STUDENT TO COMPLETE)

DATE, TIME, AND LOCATION OF EVENT	WITNESSES if applicable

ACCOUNT OF EVENT

Provide a detailed account of the occurrence.
Include the names of any additional persons involved.

I confirm that this complaint is accurate and raised in good faith.

Initial :

PART 3: REMEDY SOUGHT (STUDENT TO COMPLETE)

Please detail what you are seeking in order to resolve this grievance:	
SIGNATURES	
STUDENT SIGNATURE	DATE
RECEIVED BY:	DATE

