



DUNMORE LANG COLLEGE

Student Grievance Procedure

1. Overview

The grievance procedure in this section applies to any grievance which a student has:

- a. with a member of the College staff (including the Principal and the Dean of Students) or an RA on the basis that they have treated the student unfairly or unlawfully; or
- b. with another student on the basis that the other student, by acting contrary to the provisions of this Handbook or otherwise, is affecting adversely the first student's ability to enjoy living in the College as an inclusive, welcoming and caring community.

However, this Grievance Procedure does not apply to a student who is aggrieved by the imposition of a consequence by way of disciplinary action.

2. Procedure

- 2.1 A student who has a grievance as defined above may make a complaint to the Dean of Students. If the grievance is with the Dean of Students, the student may make a complaint to the Principal. If this happens, references in this procedure to the Dean of Students are to be read as references to the Principal. If the grievance is with the Principal, the student may make a complaint to the Chair of the College Board. If this happens, references in this procedure to the Dean of Students are to be read as references to the Chair.
- 2.2 The Dean of Students is a readily accessible first point of contact, providing the opportunity for a student with a grievance to discuss their concerns informally, privately and confidentially in a friendly and supportive environment. The student will be assisted to consider options and develop a range of appropriate actions which may resolve the matter.
- 2.3 The Dean of Students will provide support to the complainant and at the same time will be impartial and refrain from taking sides. The role of the Dean of Students is to facilitate the resolution of the issues raised to the satisfaction of the complainant and, wherever appropriate, to restore a harmonious working and living environment. A person against whom a complaint is made is entitled to procedural fairness (which includes being told the details of the complaint, being given an opportunity to respond and having the Dean of Students act impartially).
- 2.4 All discussions between the complainant and the Dean of Students are to be kept confidential. The Dean of Students will not act on the complaint without the consent of the complainant. However, if the Dean of Students has reasonable grounds to suspect that conduct is occurring which might put people within the College community at risk of harm or that a notifiable criminal offence has been committed, the Dean of Students must, with the knowledge of the complainant, notify the Principal and appropriate authorities.
- 2.5 The Dean of Students shall listen to the complainant, collect written material where relevant, and discuss options with the complainant. The Dean of Students may at this stage advise the complainant whether the grievance can be dealt with under these procedures or whether it should be referred to the Principal, or an outside agency.
- 2.6 The Dean of Students shall at all times support the complainant in coming to a decision and embarking on appropriate action. The Dean of Students shall at all times encourage

- the complainant to take action on their own behalf, and will not normally initiate any action on behalf of the complainant without their express consent.
- 2.7 The Dean of Students is to record only the basic details of the complaint, how it was handled and the outcome. The Dean of Students is to keep this information in a confidential file and place copies on the complainant's file and on the file of the person against whom the complaint was made. If the complaint remains unresolved, and the Dean of Students believes that there are unresolved issues of unlawful discrimination, the Dean of Students may refer the matter and all notes to the Principal who may in turn refer the matter and all notes to Macquarie University's EEO Office for further management.
 - 2.8 The complaint should be handled by as few people as possible. A person who raises a complaint will in most cases be protected in any action for defamation by the defence of qualified privilege, provided the complaint is raised in accordance with the established procedures, and is not motivated by malice.
 - 2.9 A person authorised under these procedures to receive and document information for reporting to appropriate people, who acts according to the procedures laid down, is under normal circumstances protected from liability for defamation by the defence of qualified privilege.
 - 2.10 Where a complaint is made against a specific individual, the Dean of Students with the agreement of the complainant shall inform the individual of the fact that a complaint has been made, the specific nature of the complaint and the identity of the complainant. No action can be taken where complaints are anonymous and non-specific. The Dean of Students must inform the person against whom the allegations are made that any retaliatory action against the complainant is unacceptable and will be treated as misconduct or serious misconduct by the College.
 - 2.11 If both parties agree, the Dean of Students may seek to resolve the grievance by bringing any or all the parties together for informal discussions aimed at resolving the matter. The aim of such a meeting is to facilitate an agreement which all parties are willing to accept.
 - 2.12 Other options may include the complainant taking direct action by talking to the other party in the complaint. Alternatively, the Dean of Students may refer the matter to a suitable person with mediation skills to undertake this process. At any stage, the complainant is entitled to approach the ADS or outside agency.

3. Time Limits

- 3.1 There shall be a limit of 6 months on the period of time that elapses between a complainant becoming aware of a grievance about which they wish to lodge a complaint and the lodging of it. A complaint may be dealt with after that time if the Dean of Students considers that there are special circumstances warranting it being dealt with out of time.
- 3.2 There shall be a limit of 3 days within which persons shall respond to a legitimate request for information.
- 3.3 There shall be a limit of 3 days within which persons shall respond to a legitimate request for an interview.