



## Resident Grievance Resolution Policy

Version: 1<sup>st</sup>

**Responsible To:** Head of College & CEO – John XXIII College

**Pertains To:** Residents (Accommodation Agreement Holder) – John XXIII College

**Supported By:** Deputy Head of College – John XXIII College

Staff – John XXIII College

Collegiate Team – John XXIII College

**Monitored By:** Head of College & CEO – John XXIII College

### Purpose

To provide a set of principles which underpin the resolution of grievances raised by College Residents about their experience at the College. It covers Resident complaints about unfair treatment at College, discrimination, sexual or other harassment, bullying, and other grievances that arise during the Resident's time at the College, by:

- a. Another Resident,
- b. A member of the Collegiate Team,
- c. A member of the Resident's Association,
- c. A member of the operational staff at the College,
- d. A member of the management of the College.

NB.

This policy does not apply to grievances between the Resident members of the Residents Association (RA) and decisions or behaviours by the RA or its executive. This is a separate matter to be resolved within the RA.

This policy and its procedures also provides the guidelines for the process to be used for the resolution of Resident's concern about their experience at the College. The policy outlines the College and individual responsibilities in relation to the management and resolution of any grievances.

### Definitions

#### Grievance

Grievance occurs when a College Resident feels aggrieved about a matter associated with their living or employment conditions at the College, or when a Resident disagrees with a decision, action or behaviour that has occurred in the College environment by a fellow Resident, student leader or staff member of the College that may affect the living or working relationship or environment.

"Grievances" are often characterised by decisions or actions where a reaction is so intense that a disagreement arises which damages the relationships or College environment.

#### Resident

A Resident of the College is financial member of the College community who is residing at the College. This is the person who signs the Residential contract and lives at the College; it is not based on the person who is paying the fees (the Account holder).

#### The Collegiate Team

The Collegiate Team at the College is the group of student leaders who have responsibility for supporting the Residents during their stay at College. It consists of the Dean of Residents: Student Life & Academics (Dean) and two sub groups the Pastoral Team and the Academic Team. Both teams are led and supervised by the Deputy Head of College (DHOC).

#### The Pastoral Team

The Pastoral Team at the College is the group of student leaders who have responsibility for monitoring the wellbeing of the Residents. This team consists of the Dean of Residents: Student Life & Academics (Dean) and the Senior Residents (SRs). This team is led and supervised by the Deputy Head of College (DHOC).



## Resident Grievance Resolution Policy

Version: 1<sup>st</sup>

### The Academic Team

The Academic Team at the College is the group of student leaders who have responsibility for providing the academic support of the Residents. This team consists of the Dean of Residents: Student Life & Academics (Dean) and the Academic Advisors (AAs). This team is led and supervised by the Deputy Head of College.

### Resident Association

The John XXIII Residents' Association (RA) is an incorporated student organisation within the College and run by elected student representatives. As such it is a separate legal identity to the College. The College has a Memorandum of Understanding with the RA which allows the RA to work alongside the College to provide social, cultural and sporting activities to the Residents of the College.

### Senior Staff

This is the managers and leadership teams at the College. It consists of the Head of College, Deputy Head of College, Business Manager and Operations Manager.

### Supervisor

The supervisor is the responsible person for supervising the area where the claimant is living or working within the College.

- For a Resident the supervisor is their SR,
- For a member of the Collegiate Team (Dean, SR or AA) the supervisor is the Deputy Head of College,
- For a staff member the supervisor is the Manager of their division.

### Responsible Officer

The Responsible Officer is the person is responsible for reviewing the grievance in accordance with the provisions of this policy and procedures.

### Reviewer

The Reviewer is responsible for reviewing a grievance outcome or process in accordance with the provisions of the policy and procedures is:

- For a process carried out by the Dean, the reviewer is the Deputy Head of College.
- For a process carried out by the Deputy Head of College, the reviewer is the Head of College
- For a process carried out by the Manager of a Division, the reviewer is the Head of College.

### Support Person or Observer

A Support Person is another Resident or member of staff (who is not involved in the issue being discussed) who attends an interview with the Resident. Their role is to be an emotional support to the Resident and they are not there to participate in any of the discussion or to act as an advocate, but they can ask for a break to consult with the Resident.

In special circumstances, with the approval of the Head of College, the Resident can use a support person from outside of the College, but in this special case the support person may not be a practicing barrister or solicitor.

### **Principles**

1. The College wishes to have a fair and just process to address Resident grievances and resolve them effectively (including those of discrimination, harassment, bullying or other serious complaints) through a common process of explicit discussion and review. The grievance policy and procedures are neither intended to be an end in themselves, a prejudicial process nor a punishment.
2. The underlying premise of grievance resolution is that in most cases it is more effective and relevant to clarify and resolve grievances as close to their source as possible.
  - a. It is expected that before needing to initiate formal grievance procedures, the Resident will generally try to resolve concerns directly with the persons concerned and at a local level wherever possible.



## Resident Grievance Resolution Policy

Version: 1<sup>st</sup>

- b. It is hoped that grievances may be resolved as a result of the parties having more information and becoming more sensitive to the perspectives of others, discussing concerns, taking a conciliatory approach, use of a mediator or in some cases where one or more people apologise to one another or recognise that there were errors.
3. Issues of healthy, even robust debate and other College dynamics will not necessarily give rise to grievances or complaints. Although it is acknowledged that in some cases Residents and staff may need to “agree to disagree”.
4. It is expected that all Residents and staff will participate in good faith in resolving grievances and complaints so that the College establishes and maintains a respectful living environment and workplace that contributes to it maintaining its position as a caring and inclusive College for everyone.

### Policy

1. The College seeks to have a fair, just and sensitive process to address Resident concerns, complaints and grievances and to help resolve them effectively through a common process of explicit discussion and review.
2. College Residents are encouraged to raise complaints or grievances with the Dean of Residents: Student Life & Academics (Dean) or Deputy Head of College, if these grievances are adversely affecting their living conditions or the College environment.
3. Complaints and grievances are resolved by a process of discussion, cooperation and conciliation.
  - a. They will be resolved in the first instance after candid but constructive conversation.
  - b. The aim of the process is to resolve the issue and is not to be a disciplinary process where one party is seeking punishment or repudiation for the other party.
4. Where it is otherwise inappropriate (such as where there is seniority or a relative power imbalance between the parties) or Residents are unable to successfully resolve their concern directly or locally, then the review process will guide the parties through a structured approach to a resolution.
5. To facilitate grievance / complaint resolution at the informal and early stages, the College will provide information and training to assist staff in managing grievances effectively.
6. Anonymous complaints and grievances are not able to be investigated and therefore cannot be resolved.
7. Complaints and grievances that are frivolous, vexatious or lacking in substance will not be investigated. Residents are expected to participate in the grievance resolution process in good faith.
8. Decisions relating to College operational matters and services that affect the College environment are not covered by this policy.
9. This policy does not apply when there is a grievance between staff members or between staff and management. In such an instance, refer to the Staff Grievance Policy (HR).

By accepting a John XXIII College Accommodation Agreement, Resident accepts and agrees to abide by all of the terms and conditions of John XXIII College's Policies and Procedures. Residents should contact the College for further clarification if required.