



## Complaints Policy and Procedure

Drafted by:	Senior Fellow	Approved by Council on:	15 September 2022
Responsible person:	Chair, Council	Scheduled review date:	September 2024

### 1. PURPOSE

This policy outlines the College's approach to managing complaints.

### 2. GUIDING PRINCIPLES

All members of the Jane Franklin Hall community have the right to live, study, socialise, meet and/or work in a safe and inclusive environment. Everyone regardless of their sex, sexual orientation, gender identity, race, ethnicity, religion or abilities has a role in creating and maintaining such an environment. Occasionally matters other than those involving sexual misconduct may prompt concerns or dissatisfaction that require resolution.

In resolving issues, two general principles apply:

2.1 Parties to an issue should make every effort to resolve issues in a timely and respectful way between themselves before further action is taken.

2.2 The matter must be resolved at the lowest level possible.

### 3. SCOPE

3.1 This policy applies to all students, staff members, members of the Jane Community and guests.

3.2 The matter is to be restricted to areas within the status of the complainant and the roles and responsibilities of the person against whom the complaint is lodged.

For example:

- Postgraduate students who are legally tenants only of Jane Franklin Hall are not entitled to make a complaint about other than those aspects impacting on their tenancy.

- Similarly, if a simple vehicle accident occurs between, for example, a resident and member of staff, this remains a matter for civil law unless it involves the duties/responsibilities of the staff member, such as the bus driver.

3.3 Potentially criminal misconduct including wilful damage to property by and between members of the Jane Community may have both legal and College implications and may be referred to Tasmania Police.

3.4 This policy does not include sexual misconduct matters that must be addressed through the College’s Sexual Misconduct Policy and Procedures.

#### 4. DEFINITIONS

College:	Jane Franklin Hall, 6 Elboden Street, South Hobart, TAS
Complaint:	A complaint is defined as a statement that something is unsatisfactory or unacceptable.
Formal complaint:	A formal complaint is a written complaint, lodged when all the normal stages of addressing an issue have been exhausted, prompting advancement to a formal process that may involve the Principal, members of the Jane Franklin Hall Council, or an external impartial investigator.
Informal complaint:	<p>This is a process of notification when something is not working as it should or there is a problem that needs to be addressed. The majority of complaints at Jane Franklin Hall will be of this form.</p> <p>Examples where an informal complaint may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>▪ a reported lightbulb has not yet been changed;</li> <li>▪ other students on the floor are being noisy and hindering study despite having been asked to quieten down by the complainant;</li> <li>▪ a specific dietary need has not been addressed;</li> <li>▪ an area of the College has not been cleaned.</li> </ul>
Resident or Student:	Any student, currently residing at the college on a residential agreement.
Staff Member:	Any current member of the Jane Franklin Staff, both full time, part time and casual, including residential staff.
Jane Community member:	Any extended member of the Jane community not included as a student or staff member. This includes members of Council, and members of Council sub-committees (e.g. Fellows, Alumni committee).

Guest: Any member of the public, including alumni, who does not currently reside at the college and is visiting the college temporarily.

## 5. POLICY – INFORMAL COMPLAINT

5.1 Informal complaints between and/or from students are to be raised with any Senior Resident, the College Deans or the Principal, in that order of precedence.

5.2 Informal complaints between and/or from staff are to be raised with the direct line supervisor. Complaints involving staff members may also be subject to the College's Human Resources policies and/or industrial law.

5.3 Such matters will normally be resolved without formal record and through the normal College management processes.

## 6. POLICY – FORMAL COMPLAINTS

6.1 The objective of the formal complaints process is not to assuage personal grievances, but to resolve the core issue and to re-establish the best living, learning, and working environment for all members of Jane Franklin Hall.

6.2 The matter must be directly related to the complainant and verifiable. A person cannot make a formal complaint on behalf of another or based on hearsay alone.

6.3 The matter is to be based on demonstrable facts and evidence, avoiding hearsay, innuendo, and emotive language.

6.4 Complaints between members of the College Council, Council sub-committee members and management staff will be referred to an external investigator.

## 7. PROCEDURES FOR LODGING A FORMAL COMPLAINT

7.1 Stages: Before any formal complaint is considered, it must fulfil the following conditions:

7.1.1 Have progressed through the stages of an informal complaint with every effort having been made to resolve the matter;

7.1.2 Where the matter has not been resolved mediation should occur and;

- Be led by a member of staff, Council, or an external mediator depending on the nature of the complaint;
- Generate a written record shared with all parties by the mediator on conclusion;
- Propose a resolution in the best interests of all parties and Jane Franklin Hall.

7.1.3 Provide objective evidence of the initial claim including verification of all previous attempts to resolve the matter, including why those measures were not successful.

7.1.4 Be submitted formally in writing to the Principal who will forward documentation to the Governance and Strategic (GAS) sub-committee of the JFH Council who will direct further investigation and action. Where the complaint is against the Principal, it will be submitted to the Chair of the College Council.

7.2 Submission: The formal complaint submission must include the following headings:

- *Title*: Clear statement of the complaint.
- *Name(s)*: All complainants.
- *Status*: Resident, tenant, employee (including Senior Resident), or member of the College Council or member of a Council sub-committee.
- *Description*: A clear statement of the original matter.
- *Initial Reporting*: How the matter was brought to the notice of the responsible member of staff and any actions that were undertaken.
- *Mediation Outcome*: Description of the mediation outcome, including the record of discussion attached.
- *Justification*: An objective evidence-supported statement of why the matter was not resolved at mediation, and the outcome expected from the formal submission.
- Signature of complainant(s) and date.

7.3 Resolution: The complainant(s) will be issued with a formal written response of receipt of the complaint, and thereafter its rejection/acceptance, including advice on proposed measures to resolve the matter.

7.4 Every effort will be made to resolve the matter in a timely fashion, noting that some matters will require longer.

## 8. POSSIBLE OUTCOMES

8.1 The outcome of all formal complaints will be referred to and endorsed by the College Council who may direct additional measures beyond that recommended by the investigating officer.

8.2 The consequences of a formal complaint may include but are not limited to:

- Counselling of any person(s) the subject of a complaint.
- Amendment of Jane Franklin Hall policies and/or procedures.
- Training/development of members of the whole Jane community.
- Referral to external agencies/organisations where the matter is of a sufficiently serious nature.
- Requested departure from the College.

8.3. The complainant will be informed in writing of the outcome of the process. Where an individual's privacy might be impinged such notification might not include details

of the deliberations leading to, or the specific measures flowing from, the College Council decision, only that the matter has been addressed within the policies of Jane Franklin Hall.

#### 9. REFERENCES

- Jane Franklin Hall Code of Conduct
- Jane Franklin Hall, Statement on the College Culture
- College Obligations and Terms of Reference (COTR)