

## STUDENT COMPLAINT POLICY

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### Policy Information & Responsibilities

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**Policy No:** G-08

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**Approved by:** Vice President

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**Approval Date:** March 01, 2018

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**Amendment Date:** March 10, 2023

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**Executive Responsible:** Student Services Director

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**Administrator Responsible:** Student Services Manager

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**Date of Last Review:** March 10, 2023

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**Next Review:** March 2024

### Revision Dates

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- March 01, 2020 – Updated policy format
- April 01, 2022 – Internal Review
- March 10, 2023 – Annual Review

# POLICY STATEMENTS

## 1. Policy

The Student Complaint Policy is used to inform and assert individual student rights and responsibilities. Cambrian at Hanson ('Hanson') will use this policy as a guide on responding to student complaints. This is to ensure fairness and consistency in all matters relating to student complaints while respecting the law, preserving academic freedom, and respecting individual human rights. Hanson will exercise care to protect and respect the rights of both the Complainant and the Respondent.

It is important to note that complaints may be made regarding an alleged violation that has taken place on the premises of Hanson, either rented or owned, or on other premises in the course of any Hanson sponsored activity or event, where the complainant is directly affected by the conduct in question.

## 2. Definitions

**Administrator:** means a member of the College administrative staff assigned to resolve the Complaint.

**Complaint:** means an oral or written statement of dissatisfaction with a College service, employee or student's teaching and learning experience in provision of services of the College.

**Complainant:** means a registered student or Prior Student.

**Prior Student:** means a person who was a student at the College within the last 30 calendar days.

**Senior Team:** means an individual who is in a position reporting to the President, excluding the Executive Assistant.

## 3. Consultation Process for Complaints

- 3.1. Any student who believes that they have experienced or witnessed discrimination, harassment and/or bullying should contact the Student Services Director or designate for assistance in resolving the matter in a confidential and respectful manner:

<b>Brampton Campus:</b>	Gregory Byrne, Director, Student Services <a href="mailto:gregory.byrne@hansoncollege.com">gregory.byrne@hansoncollege.com</a>
<b>Toronto campus:</b>	Marisa Gray, Director, Student Services <a href="mailto:marisa.gray@hansoncollege.com">marisa.gray@hansoncollege.com</a>

The Student Services Director or designate will coordinate with the Incident Resolution Committee (IRC) as necessary. IRC is comprised of Academic and Student Services managerial team members.

## 4. Student Rights

- 4.1. Each complainant has the right to make an oral submission. When making an oral submission, the person receiving the complaint will record a written version, that must be attested by the complainant.
- 4.2. Each complainant has the right to choose to have a person make an oral submission on their behalf. The complainant must review and attest to the written version of the oral complaint recorded.
- 4.3. Complainants have the right to have a person present with them at all stages of the complaint procedure and to have a representative of their choosing assist them throughout the process.
- 4.4. A complainant has the right to withdraw a complaint at any stage in the process.

- 4.5. The complainant will be provided a copy of the complaint, any submissions filed, and any decisions made in regards to the complaint. The record of the complaint provided (see 6.1) to the complainant and respondent will include oral submissions made by either party.

## 5. Stages of Complaint

The following process describes three stages: Personal Resolution, Informal Resolution, and Formal Resolution.

### 5.1. Personal Resolution Stage

5.1.1. If safe and possible, it is encouraged that any student who believes that they have experienced or witnessed discrimination, harassment and/or bullying should attempt Personal Resolution by making it clear directly to the person causing the offense that such behaviour is inappropriate, unacceptable, and should not be repeated.

5.1.2. Any student who believes that they have experienced or witnessed discrimination, harassment, and/or bullying should keep a personal record or the details of any alleged incidents of discrimination, harassment and/or bullying, including:

- Date and time
- Place
- Name and status of other person(s) involved
- A specific account of what happened -to be as detailed as possible
- The effect of the incident
- Names of any witnesses and their contact information
- Actions taken including any person to whom the incident has been reported and
- Any attempts at personal resolution.

It is important that such a record be kept for each incident and that it is made as soon as possible after the event. Such records can be brought to the Student Services Office when seeking advice and assistance in resolving the matter.

5.1.3. Where:

- An attempt at personal resolution does not succeed;
- The behavior continues;
- The behavior is more of a serious nature than can be dealt with by personal resolution; or
- Personal resolution is not appropriate to the specific case, then the student should make a complaint to the Student Services Office. This complaint recorded by a staff at student services will be kept on file and prompt attempts at Informal Resolution or Formal Resolution procedures, depending on the circumstances of the case.

5.1.4. The Student Services Office will document and retain all contact information as confidential documents.

## **5.2. Informal Resolution Stage**

- 5.2.1.** Informal resolution will attempt to be conciliatory rather than adversarial. It is important for all parties to retain their dignity, and for practical resolutions to be found to enable the parties to continue to work and study together.
- 5.2.2.** Following a receipt of a student complaint, the Student Services Office will explore the use of Informal Resolution with the parties to resolve the matter.
- 5.2.3.** Where parties agree, the Student Services Office will work with the parties to resolve the matter.
- 5.2.4.** Any information obtained during Informal Resolution procedures arising from the process is without prejudice and will not be introduced as evidence in the Formal Resolution Stage unless both the complainant and respondent consent.
- 5.2.5.** If an Informal Resolution that is acceptable to both parties is reached, then the Student Services Office will send written communication to both parties, outlining the details of the Informal Resolution and mutual agreement.
  - 5.2.5.1.** Receipt of this written communication and confirmation in writing regarding the agreement must be acknowledged by both parties.
- 5.2.6.** The Student Services Office will assist, if needed, in bringing about whatever administrative or other action is needed to implement the resolution.
- 5.2.7.** Where a complaint is resolved informally, the Student Services Office will retain the complaint as a confidential document and no reference to its existence will be contained in either the complainant's or the respondent's official student file.
- 5.2.8.** Where:
  - Alternative dispute resolution measures do not succeed;
  - Both parties are not willing to attempt informal resolution;
  - The behavior continues;
  - The behavior is of a more serious nature than can be dealt with by Informal Resolution OR
  - Informal Resolution is not appropriate to the specific case, then the matter should move to Formal Resolution procedures.

## **5.3. Formal Resolution Stage**

- 5.3.1.** Complainants may submit a formal complaint in writing, requesting formal resolution, to the Student Services Office.
- 5.3.2.** On receiving a formal complaint, the Student Services Office will determine if:
  - the allegations fall within this policy;
  - there are any safety risks and health concerns that require immediate attention.
- 5.3.3.** The decision on whether or not to proceed with formal resolution shall be made by the Student Services Director after consultation with the complainant.

- 5.3.4. If the decision is not to proceed, the complainant shall be notified in writing and provided with information on their rights to appeal this decision as outlined in this policy.
- 5.3.5. If the decision is to proceed, the respondent shall be notified within five (5) working days of receipt of the formal complaint.
  - 5.3.5.1. The respondent shall be provided with details of the complaint and advised of the procedure to be followed in the resolution of the complaint.
  - 5.3.5.2. An Investigator will then be appointed by Hanson to investigate the complaint.
  - 5.3.5.3. The Investigator shall respect the confidentiality of all parties and shall be impartial in the exercise of their functions.

## 6. Recording and Communication of the Complaint and Decisions Taken

- 6.1. Within fifteen (15) working days of receiving the Investigator’s report, Hanson is to render a decision. The review will take into consideration the investigator’s report, the record of the complaint, and all circumstances and contexts regarding the complainant and respondent. Copies of the complaint and decision with explanation will be provided to all parties.
- 6.2. The Student Services Director or designate is responsible for making decisions about the review.

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- 6.3. The decision must be expressed in writing to both the complainant and the respondent.
- 6.4. If disciplinary action is taken and subsequently overturned by a higher authority or by grievance and arbitration procedures, the complainant, and the Student Services Office shall be notified.

## 7. Files of Complaints Resolved Formally

- 7.1. A record of every complaint will be maintained by the college at the Student Services Office for a period of at least three (3) years following the date of the decision of the complaint review. The record shall include a copy of the complaint, decision and support documents filed with the complaint.
- 7.2. A copy of the Investigator’s report shall also be provided to the Director, Student Services, who will ensure that the Investigator's report is maintained in the record of the complaint.

- 7.3.** Hanson may impose one or more of the following sanctions:
- A written reprimand;
  - Imposed conditions;
  - Payment as compensation for damage or loss of property;
  - Correction of a situation which the individual created or helped to create;
  - Continued suspension or expulsion.
- 7.4.** Failure to comply with imposed sanctions may result in further action.

## **8. Appeals**

- 8.1.** Complainants have the right to appeal should they be dissatisfied with the final resolution of the Complaint, provided it is based on one of the following grounds:
- a. New information, not available at the time of the complaint, has come to light that may have an impact on the final decision; and/or
  - b. There is a perceived lack of impartiality with the Student Complaint Procedure.
- 8.2.** A Student Complaints Appeal Committee will be struck as required. The committee will comprise the following:
- a. A member of the Senior Team, excluding the President;
  - b. An Administrator;
  - c. A student representative;
  - d. A faculty or support staff representative.
- 8.3.** The decision of the Appeal Committee is final and not subject to further appeals.

## **9. Management Rights**

Even in the absence of a formal complaint under this policy, nothing in the policy prevents Hanson from investigating, of its own accord, an alleged violation of Hanson's Code of Conduct policy and Student Complaints Policy, where Hanson's senior administration has grounds to believe that such violation has occurred.

## **10. Complaints Relating to Operations of the Policy**

- 10.1.** If a member of the Hanson community considers that the Student Services Office has failed to follow the procedures outlined in this policy, with respect to any matter to which the member has been a party, they may submit a written complaint to the Director, Student Services detailing the alleged procedural failure.
- 10.2.** The Director, Student Services or designate shall investigate the complaint and inform the members of the results of the investigation.