



Procedures for Student Concerns or Complaints

Parent Policy:	<i>Student Complaint Policy (Concerning Employee Conduct or Performance)</i>		
Procedure Reference	SCEPR_2211N_AD/VPS		
Procedure Sponsor:	Vice President, Students		
Procedure Contact:	Executive Assistant to the Vice President, Students		
Stakeholders:	Students and Employees		
Approved by:	Executive Team		
Effective Date:	November 2, 2022		
Last reviewed:	November 2022	Scheduled review date:	March 2027

1. Purpose

The purpose of these Procedures is to establish the parameters to effectively respond to Student Concerns and Complaints not addressed by other policies and procedures.

2. Scope and Application

These Procedures apply to Employees of the College while engaging in College-related activities.

The Procedures do not apply to incidents addressed by other policies including, but not limited to, the *Employee Discrimination, Bullying and Harassment Policy*, the *Sexual Violence and Misconduct Policy*, the *Violent and Threatening Behaviour Policy*, nor to *Academic Policies* such as *Grade Appeals*.

Any reference to a position in these Procedures includes any person that may be named as a designate to that position.

3. Procedures

Filing a Written Complaint

- 3.1 If a Student is unwilling to address a Concern or Complaint directly with the Employee or the Dean's Office, or if the Concern or Complaint made directly with an Employee is not addressed in a timely manner or not addressed to the satisfaction of the Student, the Student may initiate a written Complaint.
- 3.2 A written Complaint is initiated by submitting the *Complaint or Concern Form* to the Office of the Vice President, Students.

- a) The Office of the Vice President, Students will determine if the Complaint falls within the Scope of this Policy and if it does, will identify the appropriate Supervisor to respond to the Complaint and will forward the Complaint within three (3) business days of the Complaint being filed.
- b) The Supervisor will normally meet with the Student who filed the Complaint (the Complainant) within five (5) business days of receipt of notification of the complaint from the Office of the Vice President, Students.
- c) Following the meeting with the Complainant, notice will be sent to the Employee about whom the Complaint has been filed (the Respondent) along with a link to the Student Complaint Policy and Procedures, an outline of the Complaint, and a link to the relevant collective agreements where applicable.
- d) The Respondent will be asked to provide a written response to the Complaint and to meet with the Supervisor.
- e) If the Complaint is determined to have merit, the Supervisor will ask both parties if they are willing to meet to discuss a resolution.
 - i) If both the Complainant and Respondent agree to a meeting, the Supervisor may facilitate the discussion or ask for assistance through Human Resources.
 - ii) If, as an outcome of a facilitated meeting, a resolution is reached, the Supervisor will document the agreed-to resolution and close the Complaint. A record of the Complaint and resolution will be maintained by the Supervisor and the resolution will be reported to the office of the Vice President, Students.
 - iii) If either the Complainant or the Respondent decline to participate in a facilitated meeting, or if a facilitated meeting does not result in a resolution to the Complaint, the Supervisor will:
 - 1. Expand the process to interview any relevant witnesses; and
 - 2. If necessary meet with the Complainant and Respondent again.
- f) All individuals involved in a written Complaint process may have an appropriate support person present during meetings with the Supervisor. The support person must not be in a position of apparent or actual Conflict of Interest and must agree to keep confidential the information disclosed during the process. A support person can be present for consultation and support, they are not present to answer on behalf of the Complainant or Respondent and they cannot be acting in a legal capacity:
 - i) A Student support person may be another student, an Okanagan College Student Union or Vernon Student Association representative, a professor or family member.
 - ii) A Respondent may bring a Union Steward if applicable.
- g) In as timely a manner as possible, normally within twenty (20) business days of the receipt of the written Complaint, the Supervisor will communicate to the Complainant and the Respondent, the outcome of the Complaint review.
 - i) Communication to the Respondent will include:
 - 1. A summary of the information provided by the Complainant and the Respondent;
 - 2. A brief summary of other relevant information that may have been collected by the Supervisor;
 - 3. The outcome of the review of the Complaint and rationale for the decision;

4. Any action that the Supervisor is taking in response to the decision;
 5. An explanation of the process to Appeal all or part of the decision to the Office of the Vice President in whose portfolio the Respondent reports.
- ii. The communication to the Complainant will include:
1. The same information provided to the Respondent as stipulated in sections 3.2(g)(i), items 1 through 3 above.
 2. Information about action taken with the Respondent only if these actions have a direct impact on future interactions between the Complainant and Respondent.
 3. An explanation of the process to Appeal all or part of the decision to the Office of the Vice President in whose portfolio the Respondent reports.

Appeals

- 3.3 Within ten (10) business days of receiving the decision of the Supervisor, the Complainant or Respondent may file an Appeal if either or both parties believe that:
- a) The Complaint has not been dealt with fairly;
 - b) The decision was unfair; or
 - c) If a written response has not been received.
- 3.4 An Appeal can be filed using the *Complaint or Concern Appeal Form*.
- 3.5 The Appeal will be directed to the Office of the Vice President in whose portfolio the Respondent reports.
- 3.6 Appeals will normally be reviewed within fifteen (15) business days of the Appeal being filed.
- a) An Appeal will consider the original Complaint; the written response from the Respondent, information gathered during the Supervisor's review of the Complaint including any witness statements, and the Supervisor's decision.
- 3.7 Decisions on Appeals are final.

Records

- 3.8 A record of the Appeal being filed and of the decision will be maintained in the Office of the Vice President, Students.

4. Related Acts and Regulations

College and Institute Act

5. Supporting References, Policies, Procedures and Forms

Forms

Complaint or Concern Form

Complaint or Concern Appeal Form

Fairness Checklist for Manager or Administrator (available on myOkanagan)

References

*Employment agreements including Collective Agreements
and Exempt and Excluded Staff Terms and Conditions*

History / Revisions

Date	Action
2022-11-02	<i>New Procedure Approved by Executive Team:</i> Procedures for Student Concerns or Complaints