

# Student Complaints Procedure

This procedure is governed by its parent policy. Questions regarding this procedure are to be directed to the identified Procedure Administrator.

<b>Functional category</b>	Academic
<b>Parent policy</b>	Student Judicial Affairs Policy
<b>Approval date</b>	January 30, 2025
<b>Effective date</b>	January 30, 2025
<b>Procedure owner</b>	Vice President, Students and External Relations
<b>Procedure administrator</b>	Director, Student Services

## Overview

NorQuest College (College) is committed to education. We believe education is a transformative experience. We also believe in community. We have a *“relentless focus on meeting students where they are, creating systemic change, and being responsive to student needs, we believe this supports higher post-secondary participation rates, drives our Indigenization Strategy, Wahnkôhtowin, and brings to life our efforts toward building a truly anti-racist, equitable, diverse, and inclusive college”* (NorQuest 2030: We are who we include, 2022).

We strive to resolve issues through informal avenues, which typically means arranging a supported and facilitated conversation between parties. Through this avenue of conflict resolution, we can focus on restoring relationships and creating understanding.

When informal avenues are not feasible or advisable, students have the right to file a formal complaint with the Student Resolution and Integrity Office (SRIO), formerly known as the Office of Student Judicial Affairs (OSJA). A formal complaint can be about a College policy or process that is perceived as

harmful or unfair, or it could be about an individual whose actions are perceived to be harmful, unfair or may be in violation of other College policies.

All complaints received by the SRIO are first reviewed by the SRIO. Our goal is to provide a transparent rationale for the decision to proceed or not proceed with the complaint. The complaint process is not an avenue to reverse a sound decision made in the program area in relation to an academic misconduct or a grade appeal not granted. Nor are we able to proceed with a student complaint if the student is under investigation for a non-academic misconduct (NAM). The student is required to wait until the NAM is concluded and any potential sanctions are completed before filing a complaint. We strive to reach positive outcomes. If the complaint is more appropriately addressed by another College policy or procedure, the SRIO will direct the student to that resource.

Authority to establish this procedure is derived from the [NorQuest College Board of Governors Policy No. 5](#), which delegates authority to the President and CEO to establish policies and procedures for the College's management and operation.

## Procedure

The student complaints procedure covers the process of submitting a complaint at NorQuest College through the SRIO. All complaint processes begin with a conversation to understand the issue at the center of the complaint.

One way forward is through an **Informal Process**. The informal process does not involve a formal investigation and seeks to resolve issues through informal protocols like facilitated conversation, mediation, conflict coaching, restorative conversation, or other means to help resolve conflict.

A **Formal Process** involves an investigation undertaken by the leadership of the area involved in your allegation. The SRIO coordinates a student complaint investigation process, but we are not the decision makers. Our role in the formal complaint process is to provide mediation where beneficial and possible, and where not possible, determine the right contact in the organization, who has the authority to formally investigate the complaint and provide a decision related to the stated outcome.

To see a visualization of this process, please see [related information](#) section in this procedure.

All complaints follow the adjudication principles stated in the [Student Judicial Affairs Policy](#) and they are repeated here for clarity:

- Every effort will be made to resolve complaints informally and at the level(s) closest to the source of the complaint.
- Every effort will be made to process cases in a timely manner.
- Formal complaint investigations will **not** be conducted as cases in law. For example, we are not bound by evidentiary rules and cases are not based off precedence.
- Every effort is made to maintain a respectful and non-adversarial approach to the process.
- Sound decisions will not be set aside because of minor irregularities.
- Trivial, vexatious or unfounded complaints will be denied. (see definitions)
- All parties are bound by the requirements of confidentiality as governed by College policy and privacy legislation.

### **Confidentiality**

**Student Complaints are confidential and protected by privacy policy and legislation but are not [anonymous](#).** The complaint process is guided by best practices in confidentiality; however, this is not the same as anonymity. The first meeting with the SRIO is an information gathering conversation where the student provides their initial disclosure. This is confidential between the student (and any attendant present) and the SRIO. The only time we will breach this confidentiality is if we determine an imminent risk of safety to any individual.

Should the student decide to move forward with either an informal process (mediation, facilitated conversation, etc.) or a formal complaint (investigation), their identity will be shared with the recipient (respondent) of the complaint, as well as witnesses or other parties named in the complaint. Everyone has the right to be informed of the nature of the complaint filed against them. These conversations and filings do remain confidential, but some personal information (name, ID#) must be shared to resolve the conflict or investigate a complaint.

All participants involved in an informal complaint process or a formal complaint process are notified of an expectation of confidentiality. The information discussed in any meeting or correspondence is deemed confidential. If an [attendant](#) (support person) is present during any of the proceedings related to a student complaint, they must sign a confidentiality statement. Maintaining

confidentiality is an important part of ensuring harm reduction, safety of all persons involved, and is key to realigning trust and relationships within the broader community.

An alternative method of disclosure that is anonymous is through the [Safe Disclosure Office](#). The Safe Disclosure Office is not a replacement for SRIO services but does provide a service for safe disclosure where a student may seek advice and/or disclose improper activity or wrongdoing and seek to remain anonymous.

### **Informal Complaint**

#### **Providing advice, guidance, and support**

If a student believes that there is reason to complain about a College policy, administrative process or an individual's behaviour but is uncertain where to seek support or guidance, the student is invited to contact the SRIO for advice. The SRIO offers an informal and confidential space to disclose concerns, seek guidance on possible next steps, and explore options for resolution.

The SRIO will work with the student to informally resolve the issue if an informal model is a viable option. Informal resolution does not involve an investigation. This could mean attending a meeting with the student and another person to provide support during a difficult conversation. It could mean connecting with an administrative area of the College to get clarification on the process that is the cause of the issue.

The SRIO will provide a list of available support attendants and their contact information if additional or alternative support is desired. Please see the definition section related to attendants.

SRIO staff determine the appropriate person with whom to begin the resolution focused conversation. We will support the conflict resolution process with mediation, conflict coaching, restorative conversation, or other alternative dispute options.

If the informal complaint process has been exhausted and the complaint remains unresolved, or if informal resolution methods are not recommended, the student may choose to move to the formal complaint process.

The SRIO reserves the right to contact security, police, and/or enact other safety procedures if there is an imminent risk of safety to any individual.

## **Formal Complaints**

It is important to know that formal complaints are not anonymous.

### **Pt 1: General**

A formal complaint begins in one of two ways:

- (1) An informal resolution was not successful, and the student wishes to move to a formal complaint;
- (2) A formal complaint is the first step in the complaint process as informal resolution was not desired or appropriate.

The student is invited to meet with the SRIO to discuss and initiate the formal complaint process. In a formal complaint, the student becomes the

**complainant**. The process is as follows:

- SRIO staff review the complaint process with the complainant.
- SRIO staff will consider any attempts made to resolve the issue informally and the results of these attempts. This information will help direct the formalized complaint to parties different than those involved with informal resolution.
- SRIO staff complete a **complaint assessment rubric** and share results with the complainant. The rubric asks important questions and some of the considerations are listed here:
  - Can the complainant clearly indicate what violation or contradiction of policy, procedure, or process has allegedly occurred?
  - Does the complaint allege instances of racism and/or discrimination?
  - Does the complaint allege bullying and/or harassment?
  - Did the student witness the issue being disclosed or directly experience the issue being disclosed?
  - Is there a clear timeline for the complaint and can specific dates be provided for pivotal events related to the complaint?
  - Is the complaint in relation to a failed grade or a sanction received?
  - Is the complaint a result of an academic misconduct?
  - Does the complaint appear to be vexatious or frivolous?

- Does the student understand the process and are they able to participate in the process?
- If the assessment supports a continuation of the complaint process, we will work together to complete the **complaint form and worksheet**. Completing the worksheet provides a vital outline of the complaint, supporting information, and the outcome being sought. This stage may require [evidence](#) to support the claim.
  - Clearly able to describe whether a policy, procedure or process is unfair.
  - Clearly able to describe how NorQuest did not follow a policy, procedure or process.
  - Clearly able to describe an incident that you allege to be discriminatory.
  - Clearly able to describe an incident that you allege to be racist.
  - Clearly able to describe an incident that allege to involve bullying.
  - Clearly able to describe an incident that you allege to involve harassment.
  - Identify any witnesses you may have to corroborate your experience
  - Provide any documentary evidence you have in relation to your complaint that you wish to share.
- Student complaints should be initiated within ten (10) working days of the incident, but the SRIO will consider all formal complaints that occurred within the same academic year, if it appears a resolution is likely. These will be granted on a case-by-case basis.
- Students will be advised of the expectation of confidentiality related to the complaint. A statement related to confidentiality will be read to the student and a request for understanding will be sought.

If a student has reason to seek an [alternate arrangement](#) during the period where the complaint is being reviewed, they should discuss this with the SRIO. This may involve a temporary or permanent class transfer, a request for an alternative assignment marker, etc. Alternative arrangements may not always be possible but will be considered where the request is reasonable. If there is a significant time lapse between the incident and a request for an alternative arrangement, it may not be considered or granted.

Student complaints are referred for investigation and decision to the right level of leadership in relation to the complaint.

- The leader must meet the test for [reasonable apprehension of bias](#) (see definitions).
- The complainant will receive clear information about timelines for decisions.
- Once all required documentation is received, the SRIO will submit the file to the decision-maker(s) within two (2) working days. Decision makers are NorQuest employees who have a leadership role in relation to the complaint. Whether it is a complaint about a person or a complaint about a procedure, the decision maker is someone identified in the organizational structure to have the authority over the issue involved in the complaint.
- SRIO will determine timelines for review and conclusion. The timeline will typically be between 10-20 business days. The amount of time provided to conclude the complaint is based on a number of variables: complexity of complaint (e.g. number of interviews that may be needed), point in the academic cycle, and dependencies related to prerequisites, enrolment, or program completion.

The decision maker will review documentation and may choose to interview the complainant, the respondent, or any witnesses identified. The complainant's desired outcome may be considered, and next steps will be communicated to the SRIO.

Not all outcomes may be shared with the complainant if confidentiality and privacy are required. For example, if your complaint is related to an employee, you will not be informed of any action the College may take to address performance of the employee, whether formal or informal discipline is applied.

The final decision will be communicated to the SRIO from the decision makers.

- The SRIO will deliver the outcome and allowable grounds for appeal to the complainant within two (2) working days of the decision.
- The SRIO will place the decision on file in the student case file management system.

## **Pt. 2 Specific to Respectful Workplace and Learning Environment Policy and NorQuest Code of Conduct Policy**

When a formal complaint involves a NorQuest College employee and the complaint alleges a breach of the [NorQuest College Code of Conduct Policy](#) or [Respectful Workplace and Learning Environment Policy](#), students may make a written complaint through the SRIO. The process is as follows:

- SRIO staff review the complaint process with the complainant.
- SRIO staff complete **complaint assessment rubric** and share results with the complainant.
- If the assessment supports the complaint process, SRIO staff will direct the student to complete the **complaint form and worksheet**. Completing the form provides a vital outline and basis for the complaint. SRIO staff can assist the student with filing the complaint form.
- Normally, student complaints should be filed within ten (10) working days of the incident; however, the SRIO will accept any formal complaint that occurred within the same academic year, keeping in mind the longer the distance between the incident and the filing of the complaint, the more limited the investigation may be if an investigation is still possible.

If the alleged complaint, if true, would amount to a breach of the **Code of Conduct Policy** or the **Respectful Workplace and Learning Environment Policy**, the SRIO will consult with NorQuest People Team (People and Talent Operations Division) and on the advice of a Human Resource Business Partner, the complaint may be forwarded to the People Team who will determine the course of action to be taken, at which point SRIO file is closed.

If the alleged complaint, if true, would not amount to a breach of the **Code of Conduct Policy** or the **Respectful Workplace and Learning Environment Policy**, the SRIO will assess the file through the student complaint rubric and determine the next course of action based on the process outlined under Formal Complaints. Complaints related to staff and faculty not directed to the People Team are directed to the appropriate Manager level (APM, Manager) to review and conclude.

### **Appeals**

The SRIO determines if an application for appeal qualifies for an appeal review. The student must be able to demonstrate that the decision being appealed was impacted by at least one of the following criteria:

- alleged bias on the part of the parties who investigated the complaint;
- alleged unfair procedures in reviewing the complaint;
- substantial new evidence that was not previously available;

AND that the outcome might have been substantially affected by any of the above circumstances.

Appeals must be submitted within five (5) working days of receiving the decision and should include evidence that supports one or more of the criteria required to appeal. The SRIO will refer appeals that meet the above criteria to the Dean or Director of the program or department area, who meets the test for reasonable apprehension of bias.

Progressively higher levels of leadership will hear the appeal and provide a final decision to the SRIO. The decision maker for the appeal has ten (10) business days to come to a final decision. Final decisions will be communicated to the student through the SRIO to a NorQuest College student email address within two (2) working days of receiving the decision. This decision is final and binding.

### **Additional Information**

If the decision maker determines a complaint was made in [bad faith](#), the decision maker may submit a NAM complaint related to the bad faith claim.

The outcome of the complaint may be disclosed to other members of the College community to administer the decision. In addition, under section 13 of the *Protection of Privacy Act (POPA)*, parties directly affected by the incident (complainants, witnesses, etc.) will be informed of the outcome only as much as is allowed under that section. Questions about the collection, use, and disclosure of personal information can be directed to SRIO, 10215-108 St NW, Edmonton, Alberta T5J 1L6; Tel: 780-644-6490; and Email: [SRIO@norquest.ca](mailto:SRIO@norquest.ca).

The personal information obtained by the SRIO is being collected, used, and disclosed pursuant to section 4, 12, and 13 of the *Protection of Privacy Act (POPA)*. This information is collected and used by the SRIO to render a decision, communicate outcomes, and issue sanctions to the affected parties.

## **Definitions**

**Alternate arrangement** (within the scope of this procedure) –Interim support to a student who is involved in a conflict with an instructor, College administrator or College process that is under investigation. Due to the inherent power imbalance between institution and student, the SRIO will attempt to accommodate the student through scheduling changes or other alternative arrangements to ensure the student can continue with their studies during the process of an investigation or alternative resolution strategy. No accommodation is guaranteed and will largely be determined by circumstance.

**Anonymous** Complaints: instances involving a complainant filing a report themselves, but not providing information about their identity.

**Attendant:** an individual (e.g., an Association representative, counselor, colleague, cultural advisor, or family member) selected by the complainant or respondent to consult with, accompany, or assist, at any meeting or hearing related to the incident. The attendant(s) may observe but may not participate in any proceedings without the permission of a designated College official, with the exception of those attending as part of a collective bargaining unit or labour relations association who do not require permission from a College official. The attendant is expected to participate with full confidentiality and will be asked to sign a confidentiality agreement.

**Bad faith:** means purposely making a false allegation.

**Bullying:** is considered a form of harassment and will not be tolerated. Bullying should not be confused with direct management styles – it is negative and persistent abuse. Bullying is defined as repeated, persistent, continuous behavior as opposed to a single negative act and is generally associated with a power imbalance between the victim and the perpetrator. Bullying is a repeated pattern of behavior intended to intimidate, offend, degrade, or humiliate a particular person or group. Bullying includes:

- Social isolation
- Creating and/or spreading rumors
- Personal attack of a person's personal life and/or personal attributes
- Excessive or unjustified criticism
- Over-monitoring of work
- Verbal aggression
- Withholding information

- Trivial fault finding
- Replacing proper work with demeaning jobs
- Setting unrealistic goals or deadlines

The above list is biased towards the working environment and working relationships, but many apply in the learning environment as well.

**College community:** any student, faculty, administrative or staff member of the College, member of the public serving in a recognized capacity for the College, and employee of an agency contracted by the College.

**Complainant:** student who is filing the formal complaint.

**Deemed Receipt:** an email is deemed to be received 2 hours after the time sent (as recorded on the device from which the sender sent the email), unless the sender receives an automated message that the email has not been delivered.

**Discrimination:** an action or behaviour that results in unfavourable, adverse treatment or preferential treatment related to prohibited grounds. Examples of discrimination include (but are not limited to): refusal to provide goods, services, or facilities; exclusion from employment or employment benefits; refusal to work with, teach, or study with someone; or failure to provide physical access.

**Evidence:** means the facts, information, documents or other sources that can be used to give reason to believe that something is true.

**Harassment:** means any single incident or repeated incidents of objectionable or unwelcome conduct, comment, bullying or action by a person that the person knows or ought reasonably to know will or would cause offence or humiliation to a worker, or adversely affects the worker's health and safety. This may include (i) conduct, comment, bullying or action because of race, religious beliefs, colour, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, gender, gender identity, gender expression and sexual orientation, and (ii) a sexual solicitation or advance, but excludes any reasonable conduct of an employer or supervisor in respect of the management of workers or a work site." Harassment can occur between peers, students, student to faculty, faculty to student, persons in position of power, and between other individuals. Examples of harassment

include (but are not limited to): gestures; remarks; jokes; taunting; innuendo; display of offensive materials; offensive graffiti; threats; verbal or physical assault; unwarranted imposition of academic penalties; hazing; stalking; shunning or exclusion.

**Notice:** written notice delivered by any reasonable means.

**Reasonable Apprehension of Bias:** the test is whether a reasonable person properly informed would perceive that there was conscious or unconscious bias on the part of the decision maker. A positive finding under this test does not mean that the decision maker necessarily made a decision based on improper considerations - only that he or she reasonably appeared to be biased in the circumstances.

**Respondent:** any individual against whom an allegation of misconduct has been made under this procedure.

**Student:** any individual admitted to, and enrolled in, any College course(s) or program(s).

**Trivial, vexatious or unfounded:** a complaint filed without a reasonable or probable cause or excuse. A vexatious complaint is one in which the party bringing the proceeding is not acting bona fide and merely wishes to annoy or embarrass his opponent, or when it is not calculated to lead to any practical result. A trivial complaint is a frivolous complaint, which is understood as trying to make something out of nothing. We all understand errors occur and human beings are not perfect. When a complaint is filed for what is understood to be a trivial reason, it may be denied.

## Related information

### NorQuest College

- [Anti-Racism Policy](#)
- [Academic Misconduct Procedure](#)
- [Anti-Racism Policy](#)
- [Code of Conduct Policy](#)
- [Non-Academic Misconduct Procedure](#)
- [Process visuals](#)

- [Respectful Workplace and Learning Environment Policy](#)
- [Student Judicial Affairs Policy](#)
- Student Complaint Assessment Rubric
- [Student Judicial Affairs Policy](#)

**External**

- [Access to Information Act \(ATIA\)](#)
- [Protection of Privacy Act \(POPA\)](#)

**Next review date**

January 2029

**Revision history**

Date	Version Number	Action
November 2012	V1	New.
August 2013	V2	Update for document links and branding.
December 2013	V3	Update for procedure administrator and links.
November 2014	V4	Update for document links.
November 2015	V5	Revised.
November 2017	V6	Update for alignment with revised Non-Academic Misconduct Procedure.
January 2018	V7 (published as V6)	Update.
August 2019	V8 (published as V6-C)	Compliance Office template & reorganization update.
December 2019	V9 (published as V7)	Reviewed and revised.
April 2024	V10	Information, Risk & Compliance template & reorganization update.
January 2025	V11	Reviewed. Updated procedure to reflect Safe Disclosure, Code of Conduct, and

		confidentiality requirements.
May 2026	V12	Updated FOIP references to ATIA and/or POPA