The University of Queensland Union College
Addressing Concerns and Complaints Policy

Statement of Commitment

Union College is committed to providing a safe, respectful and inclusive residential environment for every member of our community. This commitment aligns with the Australian Universities Accord, the National Student Charter and the Action Plan Addressing Gender-Based Violence in Higher Education.

We place the voices and needs of students and staff at the centre of our decisions, particularly those of historically under-represented groups, including First Nations peoples, people from low socio-economic backgrounds, people in regional, rural and remote communities, LGBTIQA+ communities, people with disabilities, international students, and culturally and linguistically diverse cohorts. The College rejects all forms of discrimination, racism, bullying, harassment, vilification and gender-based violence, and works proactively to promote equity, wellbeing and a strong sense of belonging.

We embed evidence-informed prevention activities, trauma-informed responses, and continualconsultation with residents and other stakeholders. The College maintains transparent, accessible reporting and complaints processes, prioritises safety and confidentiality, and provides tailored support and reasonable adjustments as needed so that all residents can live, learn and thrive.

Introduction

Union College is a community made up of 327 residents from varied backgrounds, experiences, ages and identities. A key component and draw for College living is to experience the diversity of the world within a safe, semi-controlled environment. This means, however, there are occasionally concerns and complaints that arise. In this document, we outline our approach to managing these complaints.

Purpose

This Addressing Concerns and Complaints Policy explains:

- How to raise a concern or make a complaint about the behaviour or conduct of another resident, a member of our team, a contractor, or someone outside our college community.
- How we decide whether to investigate a concern or complaint, and what an investigation usually entails.
- How we respond to inappropriate behaviour, including discrimination, bullying, harassment, sexual misconduct, and other conduct that may breach the Resident Code of Conduct, the Sexual Misconduct Prevention and Response Policy, or other related policies.
- The range of consequences that may apply if we find you have breached our policies.
- How you can ask us to review our decision, and what we do after an investigation to support everyone involved and improve our practices.

For matters involving sexual misconduct and gender-based violence, investigations will follow the comprehensive frameworks and trauma-informed principles outlined in our Sexual Misconduct Prevention and Response Policy (RES0202) and Gender-Based Violence Prevention and Response Policy (RES0201).

Scope

This policy applies to complaints about breaches of:

- The Resident Code of Conduct
- The Gender-Based Violence and Sexual Misconduct Prevention and Response Policy
- The Responsible Consumption of Alcohol Policy
- Any other relevant Union College policy

We may act under this policy whether or not a formal complaint has been made. If we become aware of conduct that may be serious or that affects safety and wellbeing, we may decide to investigate and respond to protect you and our community, even if you do not wish to proceed with a complaint. If this occurs, we will take every reasonable measure to protect your anonymity and safety.

When we use the word "worker", we mean all staff, contractors, and employees of contractors who work with us.

Steps to consider

When something happens that worries you, you have choices. You can:

- Seek support only
- Make a disclosure (tell someone what happened, without making a formal complaint)
- Make a complaint to us
- Make a report to an external body, such as the police or a human rights agency.
  These options can occur together or in stages.

It can help to speak with a member of our team, such as the Deputy Head of College/Deputy CEO or the Resident Wellbeing Lead, before deciding what you want to do. We can listen, explain your options, discuss safety planning, and connect you with support.

1. Informal resolution – personal approach

   If the issue is not serious and you feel safe and comfortable doing so, you may choose to speak directly with the person whose behaviour is concerning you.

   You can calmly explain what has happened, why it concerns you, and ask them to stop. Your floor Resident Mentor or the Resident Wellbeing Lead can help by either helping you find the

words for the conversation or being with you as you meet with them.
You do not have to do this.

For concerns involving sexual misconduct, gender-based violence, power imbalances, or significant safety or wellbeing impacts, we do not expect you to approach the person directly. In those cases, please contact the Resident Wellbeing Lead.

2. Anonymous disclosure

You can make an anonymous disclosure using the RespectX database. The email alerting us to a disclosure in RespectX is sent directly to the Resident Wellbeing Lead.

Alternatively, you may mail a disclosure to us. Please address the envelope to:

CONFIDENTIAL: Resident Wellbeing Lead
Union College
38 Upland Road
St Lucia 4067 Qld

We will act on anonymous disclosures wherever we reasonably can. However, if we do not have enough information, our ability to investigate or respond may be limited. The more detail you can safely provide, the better we can understand your concerns and decide on an appropriate and proportionate response. It is appropriate to include in a report as much specific information as you can, including specific examples with times and dates if possible.

3. Raise the matter with a worker

You are encouraged to raise concerns with the Resident Wellbeing Lead.

You do not need to put your concerns in writing at first. We will listen and ask questions to understand what has happened, who is involved, how you are affected, and what outcome you are seeking. We may later ask you to provide information in writing so we can proceed fairly and accurately.

Together, we might:

- Clarify a misunderstanding
- Agree on an apology or another restorative step
- Arrange a facilitated conversation or conciliation, if safe and appropriate
- Develop a plan of action to prevent further incidents
- Run awareness-raising or educational activities to address harmful behaviours.

If the matter appears to affect health, safety or wellbeing, or involves a possible breach of key College policies, we will decide whether a formal investigation is required and, if so, what form it should take. This may be an internal investigation or, where appropriate, an external one.

4. Other avenues:

You can also use other complaint and support pathways. For example:

- Your university will have their own complaint resolution mechanisms when the concern involves their students or staff. If you need support to find these, you can ask the Resident Wellbeing Lead.
- You may choose to contact the Queensland Police Service, the Queensland Human Rights Commission, the Australian Human Rights Commission, or the National Student Ombudsman (NSO), especially if you are dissatisfied with our response.

Using external avenues does not prevent us from investigating and acting under this policy, and our processes do not prevent you from seeking external support, legal advice or making a complaint to another body.

Investigations

If we decide that an investigation is required, we will follow the investigation steps in Annexure A, guided by the following principles:

- Safety and wellbeing first: We will prioritise the immediate and ongoing safety and wellbeing of everyone involved and may implement temporary measures to reduce risks and protect the integrity of the process.
- Trauma-informed practice: Especially in cases involving gender-based violence, we will aim to minimise re-traumatisation, promote choice and control for victim-survivors, and recognise the impact of trauma on memory and communication.
- Procedural fairness: If concerns are raised about your conduct, we will usually provide you with sufficient information to understand the nature of the concerns and a fair opportunity to respond.
- Respect, dignity and support: We will treat everyone involved with respect and provide information about internal and external support, including counselling.
- Confidentiality and privacy: We will keep information confidential to the extent possible, appropriate and lawful, recognising that we may need to share it internally or externally to manage risk or meet our legal obligations.

Usually, the Deputy Head of College/Deputy CEO will conduct an internal investigation, or we may appoint an external investigator if we need independent expertise. During an investigation:

- It is helpful and beneficial to all involved that you attend interviews, answering questions honestly, and providing relevant documents, images or recordings when reasonably requested
- We will explain the investigation process to you, including possible outcomes and your right to withdraw a complaint and/or to make external reports (for example, to the police)
- We will acknowledge the emotional impact of the process and encourage you to seek support
- We will remind everyone involved to maintain confidentiality throughout the process to protect both the investigation and the dignity of all parties.

We may put temporary measures in place, such as:

- Adjusting room allocations
- Restricting access to certain areas, activities or events
- Directing someone not to contact another person
- In severe cases, directing you not to attend the College while the investigation is underway.

You may have a support person with you during interviews, provided they agree to act as a supporter (not an advocate) and to keep information confidential. You or your support person may take notes.

If we make an electronic recording of a meeting, we will inform you and provide access to the recording as appropriate.

If the conduct under investigation may constitute sexual misconduct under our Sexual Misconduct Prevention and Response Policy (RES0202), we will ensure that you and any other resident directly affected have access to:

- A trained, separate support person from our team (different for each party).
- External professional counselling.

We will provide the person responding to allegations (the respondent) with sufficient information and detail to understand the concerns and respond meaningfully.

Timeliness

We know that long delays can be distressing and undermine trust. We will aim to conduct and finalise investigations as quickly as reasonably possible, while still allowing time for a fair, thorough process.

Subject to privacy and safety requirements, we will keep you updated on the progress of any investigation and advise you of any unavoidable delays.

Confidentiality

We aim to address concerns and complaints as confidentially as possible, consistent with safety, fairness and our legal obligations.

If you participate in any process under this policy, we will remind you of the importance of confidentiality and may provide specific directions. If you do not follow those directions, it may be a breach of the Resident Code of Conduct.

Our efforts to protect confidentiality do not prevent you from:

- Seeking medical, psychological, cultural, legal or other professional support
- Consulting with a trusted family member, friend or support service
- Making a complaint to the police, the National Student Ombudsman or any other relevant body.

Concerns regarding a UC team member or worker

If you have a concern or wish to make a complaint about a member of our team or another worker:

- You should raise the matter directly with the Deputy Head of College/Deputy CEO. They will decide the best way to proceed, which may include referring it for external investigation.
- If you have a concern about the Deputy Head of College/Deputy CEO, please raise it directly with the Head of College. They will decide the best way to proceed, which may include referring the matter for external investigation.
- If your concern is with the Head of College, you should write directly to the Union College Board Chair (BoardChair@unioncollegeuq.com.au). The Chair will determine the appropriate process and may refer the matter for external investigation.

Concerns about people outside of Union College

If your concern involves people outside Union College and beyond our direct control (for example, at another college or university, or in the broader community), the Deputy Head of College/Deputy CEO will do their best to help you raise it with the appropriate organisation.

This might include:

- Contacting the relevant university or accommodation provider
- Supporting you to make a report to the police or another authority.

No victimisation

You must not victimise anyone for raising a concern or complaint, providing information, supporting someone else, or participating in any way in a process under this policy. Victimisation can include threats, intimidation, bullying, exclusion, or any other action that harms someone because of their involvement.

If you victimise someone, we will treat it as a serious breach of the Resident Code of Conduct and our related policies, and consequences will apply.

Acting honestly and with integrity

We ask you always to act honestly and with integrity when using this policy.

You must not make a vexatious or malicious complaint or use this process to harm or discredit anyone, including the College. A complaint will be considered vexatious or malicious if you know it is untrue or make it primarily to damage another person or the College.

Making a vexatious or malicious complaint may itself be a breach of the Resident Code of Conduct.

At the same time, we recognise that making a complaint can be difficult and that mistakes can occur without bad faith. We will assess concerns about vexatious or malicious complaints carefully and in context.

Determination

At the end of an investigation—or sometimes earlier, if the facts are clear—we will decide what happened and what it means under our policies.

Findings are made on the 'balance of probabilities', meaning we ask whether it is more likely than not that the behaviour occurred. We do not apply the higher criminal standard of 'beyond reasonable doubt'.

The Head of College or an authorised representative will communicate our decision to you. Where appropriate and lawful, we will also inform the person who raised the concern or complaint about the outcome.

Consequences

If we find that you have breached the Resident Code of Conduct or related policies, we will determine consequences that are proportionate to:

- The seriousness and impact of what happened
- Any previous relevant conduct or warnings
- Any mitigating or aggravating factors.

Possible responses include, but are not limited to:

- Removal of rights or privileges (for example, access to certain facilities, activities, or leadership roles)
- Moving rooms within the College
- Formal warning or behaviour agreement (known as a Community Living Agreement; where we can compel you to adhere to certain actions/behaviours agreed upon between the respondent and the Resident Wellbeing Lead)
- Restitution (contributing to the cost of repair or compensation for loss or damage)

- Reprimand (a verbal caution with expectations for future behaviour clearly restated, possibly with an apology)
- Written warning (recorded on file, with clear expectations for future behaviour and any requirements for apology or restoration)
- Show Cause Letter (a formal notice that we are considering recommending suspension or expulsion, giving you 10 working days to respond and explain why this should not occur)
- Suspension or Exclusion (you are required to leave College for a set period)
- Expulsion (you must permanently leave the College and remove your property; in some cases, this may affect alumni rights).

Before we finalise any consequence, we will give you an opportunity to be heard regarding your experience, thoughts and feelings about the proposed response and to provide any further information you consider relevant. Generally, the Deputy Head of College/Deputy CEO will decide on the consequence, taking into account any recommendations from an external investigator, where appropriate, and will advise the Head of College accordingly.

We may also require you to participate in a conciliation process as part of the outcome, where appropriate and safe. Any conciliation will be moderated and overseen by the Deputy Head of College/Deputy CEO or an external party and will focus on repair and future behaviour. Support persons are allowed in these meetings, if you choose.

Review of investigation outcomes

If you disagree with the outcome of an investigation or the consequences we have decided on, you have seven (7) working days from the date we formally inform you of the outcome to request a review.

You may request a review if:

- You believe you did not have a full and fair opportunity to participate or provide relevant information
- New, substantive information has become available after our decision
- You believe the consequence is disproportionate to your conduct.

You should submit your request in writing to the Head of College within seven (7) days, explaining which of the above grounds applies and providing any supporting information.

The Head of College will consider:

- Whether the process was fair and consistent with this policy and our other commitments, including the Accord and the action plan on gender-based violence
- Whether the response was appropriate and proportionate.

The Head of College may:

- Confirm the original decision
- Modify the decision or consequence
- Set aside the original decision in whole or in part and substitute a different response.

We will advise you of the outcome of the review. If you are not satisfied with our response, you may still raise your concern with external bodies, including the National Student Ombudsman. Where the Head of College was the final decision maker, a review request can be sent to the Chair of the Union College Board. This can be done by following the above steps, then emailing the review request through to BoardChair@unioncollegeuq.com.au.

After an investigation

After we have addressed a matter, the Deputy Head of College/Deputy CEO (or their delegate) may continue to monitor interactions and community dynamics to support you and others and to help restore a safe, respectful environment.

We will also reflect on what happened and consider what else we can do to prevent similar issues in future. This may include:

- Further training for residents and staff
- Improved communication about expectations and support
- Policy and procedure updates
- Better data collection and self-review, consistent with the Accord's emphasis on transparency, student voice and continuous improvement.

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Annexure A – Investigation procedures

The investigation steps will be kept in the same order but described in clearer, first-person language and aligned with the principles above.

In summary:

1. We receive a complaint or become aware of an issue.
    a) If the complaint involves alleged sexual misconduct or gender-based violence, the investigator will be trained in the principles outlined in our Gender-Based Violence and Sexual Misconduct Prevention and Response Policy, including trauma-informed and survivor-focused practice, and will follow those policy frameworks alongside this policy.
2. We decide whether an investigation is needed.
3. We decide whether to use an internal or external investigator.
4. We inform the complainant of the decision, we outline their rights and obligations and the process they can expect us to follow.
5. We inform the respondent of the investigation, their rights and obligations and the process they can expect us to follow.
6. The investigator gathers information (interviews, documents, digital evidence) in a trauma-informed and procedurally fair manner.
7. The investigator considers the facts, and we decide, on the balance of probabilities, whether there has been a breach and what we propose to do about it.
8. We notify the Head of College and the resident whose conduct has been investigated, and, where appropriate, the person who raised the concern.
9. We notify you of any proposed consequences and allow you to respond.
10. We may require conciliation as an outcome or a step before finalising consequences, where safe and appropriate.
11. You may request a review within seven (7) days as set out in the “Reviews” section.