

Grievance Policy

The following document describes the process by which members and volunteers of UNSW Medical Society (MedSoc) can lodge a complaint about the actions or behaviour of another Member or Volunteer. This policy operates alongside the [Behaviour and Welfare Policy \(2019\)](#).

1. Scope
 - 1.1. MedSoc volunteers include all members of the Executive, Council, Subcommittees, Special Interest Groups (SIGs) and Performing Arts Groups (PAGs)
 - 1.2. All students in the UNSW Undergraduate Medicine program (Bmed/MD) are members of MedSoc
 - 1.3. This policy does not pertain to
 - 1.3.1. Disputes regarding matters beyond the control of MedSoc
 - 1.3.2. Interpersonal disputes between MedSoc members and volunteers not relating to their volunteer role or MedSoc membership
 - 1.3.3. Events which occurred prior to the most recent AGM or within the previous three months (whichever time period is longer)
2. Definitions
 - 2.1. Appeal: Where an individual wishes to dispute or challenge a decision that has been made by MedSoc in relation to a grievance that has been raised through the formal procedure outlined in this policy.
 - 2.2. Complaint: An objection or criticism that is raised about any incident relating to MedSoc. A complaint may not need to be responded to by way of formal resolution but should always be acknowledged.
 - 2.3. Complainant: A person who makes a complaint or raises a grievance who has experienced, and been affected by, a grievance-worthy event.
 - 2.4. Grievance Officer: Is the MedSoc Executive member whose role is to receive and handle formal grievances (as specified in the MedSoc constitution). This is normally the Vice President Internal (VPi). If this is not practicable or appropriate, another member of the MedSoc Executive will act as the Grievance Officer on the complaint/grievance.
 - 2.5. Grievance: Any complaint, concern, dispute or problem to do with MedSoc, its activities and events and the behaviour of volunteers when performing their duties can be a grievance. Grievances can arise due to MedSoc behaviours, acts, situations, omissions, or decisions, which complainant considers to be unfair or unjustified and requires addressing by MedSoc and is raised in accordance with this policy and procedure.

- 2.6. Procedural Fairness: A fair and proper procedure must be used when making a decision. The basic rules of procedural fairness require:
 - 2.6.1. a person's right to be heard and to comment on allegations made against them;
 - 2.6.2. that an investigator make reasonable inquiry into matters in dispute;
 - 2.6.3. a lack of bias during the investigation; and the decision is supported by evidence/reasons.

Procedure

The following procedural steps are a guideline of the actions which can be taken once a grievance has been identified. However, MedSoc Executives should be mindful of the individual circumstances of each case and act appropriately in response to these.

- 3. Informal Grievance Resolution
 - 3.1. Self-Resolution
 - 3.1.1. Where the individual complainant feels comfortable doing so, they should attempt to seek a resolution to the grievance themselves with the person/persons involved. Informal grievance mechanisms may also include:
 - 3.1.1.1. MedSoc executives attempt to resolve the grievance through informal discussions with the complainant and the respondent;
 - 3.1.1.2. Internal mediation between parties; and
 - 3.1.1.3. Club executives raising awareness in relation to appropriate behaviour.
- 4. Formal Grievance Resolution
 - 4.1. Where an individual does not feel comfortable addressing a grievance with the person/persons involved directly, or where they have attempted to resolve the grievance themselves without success, they should report the grievance to the Grievance Officer of MedSoc; VPi. If the complainant does not feel comfortable reporting the grievance to MedSoc's VPi because the grievance directly involves them, or if they are unsatisfied with their response in the first instance, the complainant should report the grievance to another appropriate executive member.
 - 4.2. Once a grievance has been raised with the VPi, they will determine how the grievance should be handled with regard to the steps set out below, or other appropriate measures which they see fit. This might include determining whether another more appropriate policy and procedure should be followed (e.g. UNSW Student Code of Conduct and UNSW Complaints) and whether any investigation(s) need to be conducted.

- 4.3. Where appropriate the VPi will make a decision on the resolution of the grievance in consultation with the core executive. Where approval/agreement from the MedSoc executive is required (e.g. agreement on changes to events or procedures), the VPi will make a recommendation to the MedSoc executive on how the grievance should be resolved.
 - 4.3.1. Where a decision is required from the MedSoc executive, the executive should consider any conflicts of interest and take steps to make an impartial decision
- 4.4. The Grievance officer will communicate the outcome to all those involved.
- 4.5. When formally reporting the grievance to the Grievance Officer, the complainant will need to do the following:
 - 4.5.1. Set out their grievance in writing;
 - 4.5.2. Include full details of the grievance such as names, dates reasons for the grievance; and
 - 4.5.3. Detail the desired result of raising the grievance.
- 4.6. After reporting your grievance to the Grievance Officer, the Grievance Officer will follow the procedure below or one which is deemed relevant considering the circumstances.
5. Initial Steps
 - 5.1. The Grievance Officer will follow up with the complainant within five (5) working days of the complaint being made, or as soon as practicable given the circumstances. Where practical this should be in person. The purpose of this follow-up includes:
 - 5.1.1. Determining the extent of the grievance and the desired outcome;
 - 5.1.2. Advising the complainant of this grievance policy and procedure (including requiring a grievance to be set out in writing if it has not already been submitted); and
 - 5.2. The Grievance Officer ascertaining the necessary steps to be taken in order to deal with and resolve the grievance, including whether or not the Grievance Officer is the appropriate person to handle the grievance (taking into consideration their ability to remain impartial during any grievance procedure and their ability to successfully handle the grievance process). If the Grievance Officer feels that they are unable to handle the procedure, then they must refer the grievance to another person on the MedSoc Executive.
6. Investigation
 - 6.1. Where the Grievance Officer determines that the grievance requires further investigation, the following may occur:
 - 6.1.1. Interviews of relevant parties may be conducted;
 - 6.1.2. Individuals who are alleged to have caused the grievance will be notified of the allegations made against them;
 - 6.1.3. The opportunity afforded to respond to any allegations put to the person accused of causing the grievance, or being

- responsible for the actions leading to a grievance being made and time to prepare the response; and
- 6.1.4. All relevant information, documentation and evidence to be considered by the Grievance Officer in order to make an accurate finding or recommendation.
 - 6.2. If the outcomes of the investigation do not involve actions on any individual/s (but instead changes to how MedSoc functions, e.g. updates to policies and procedures only), individuals involved in a grievance do not necessarily need to be notified or involved in the investigation.
 - 6.3. If the Grievance Officer reasonably believes that it would benefit investigation to delay notifying a person involved in the investigation they may do so.
7. Process
 - 7.1. Any investigation resulting in actions on individual/s must include giving these individual/s adequate notice, information and opportunity to respond before outcomes are decided.
 - 7.2. Procedural fairness
 - 7.2.1. Any person involved in an investigation will be afforded the following:
 - 7.2.1.1. Adequate notice of any investigation or meeting (at least five (5) working days);
 - 7.2.1.2. That meetings are held in a reasonable location (e.g. reasonably private and easily accessible)
 - 7.2.1.3. Information about the allegations, the relevant facts and evidence;
 - 7.2.1.4. Time to consider their response (at least five (5) working days);
 - 7.2.1.5. An opportunity to respond to allegations;
 - 7.2.1.6. A fair and reasonable inquiry into the matters in dispute;
 - 7.2.1.7. An opportunity to have a support person present in any meeting where a request is made to the Grievance Officer; and
 - 7.2.1.8. A right of appeal.
 - 7.3. Record keeping
 - 7.3.1. At all times, details of all conversations and dates are to be recorded (in writing), and these may be shared with Arc, UNSW or law enforcement as required. These records must be kept secure and confidential
 - 7.4. Victimisation
 - 7.4.1. Where any actions taken resulting from the complaint, or the act of complaint itself breaches the UNSW Code, MedSoc may report individuals to UNSW. This particularly includes individuals who are found to have victimised or retaliated against a complainant who has raised a grievance under this

- policy, or any individual who is found to have made false, vexatious or unsubstantiated complaints against another person under this policy.
- 7.5. Confidentiality and discretion
 - 7.5.1. MedSoc expects that all of those involved in any procedure under this policy maintain confidentiality of the identity of person(s) and the incident(s) alleged to have occurred to warrant a grievance being lodged. Where incidents are required to be reported to Arc, UNSW or the police, the complainant will be informed and upon request the report will be de-identified unless identification is required by law.
 - 7.5.2. If the Grievance Officer is of the reasonable opinion that it is not appropriate to notify the complainant before reporting to Arc, UNSW or the police, this notification can be withheld but the Grievance Officer must let the organisation/s receiving the report that this notification was not given to the complainant.
 - 7.5.3. Any breaches of confidentiality will be taken seriously and may result in a complaint being lodged with UNSW.
 - 8. Appeal / Review of decisions
 - 8.1. Internal Appeals procedure
 - 8.1.1. If you are unhappy about the way the grievance has been handled, you can refer the matter to the MedSoc President for review (or other MedSoc Executive member if the MedSoc President is involved in the grievance or grievance handling). The appeal needs to be submitted within five (5) working days of receiving notification of the outcome of the formal grievance and must specify the reasons for the appeal (e.g. why the original decision was incorrect based on a lack of procedural fairness).
 - 8.1.2. Once notified, they will select 2 other Club Executives (taking into consideration any conflicts of interest) and together conduct a review of the procedure followed, the outcome issued and make MedSoc's final determination on the issue. Once this determination is made, the person who has made the appeal will be notified of the outcome.
 - 8.2. Grievances or Appeals to Arc or UNSW
 - 8.2.1. In certain circumstances, grievances with Arc-affiliated Clubs or appeals/reviews of decisions can be made to Arc. Wherever possible, the formal and informal procedures outlined in this policy should be followed before raising a grievance or appeal with Arc. For further information on Arc's Clubs Grievance Policies & Procedures, contact Arc Clubs (clubs@arc.unsw.edu.au // 9385 9840).
 - 8.2.2. Matters involving grievance and dispute resolution between individual Club members, or between Club members and a member of the Executive where the Executive is not acting in



their official capacity on behalf of MedSoc should be resolved under the UNSW Complaints Procedure

<i>Written on</i>	<i>November 2019</i>
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