

Student Complaint and Dispute Resolution Process

A. GENERAL PURPOSE

The purpose of this document is to provide guidelines for the handling of student complaints which are not otherwise addressed by other policies and procedures.

Providing guidelines will allow for consistency and fairness in addressing issues and complaints in a timely and efficient manner.

B. THE PRINCIPLES OF PROCEDURAL FAIRNESS

1. A fair process means that concerns or complaints shall be heard fairly and that decisions will be made by fair and unbiased decision-makers.
2. A complainant (for the purposes of this document, a student) has the right to bring forward a complaint without the fear of retaliation.
3. A complainant has the right to have the matter addressed in a timely manner by an appropriate Administrator who is not in a conflict of interest and who can address the concerns without bias.
4. The person against whom the complaint is made (hereinafter referred to as “The Respondent”) shall have the right to respond to any complaint which is brought forward to him/her.
5. The complainant has the right to be informed of the respondent’s response and reply to it.
6. Both parties have the right to know how the matter was addressed and/or resolved. Consideration shall be given to confidentiality where information lies under Freedom of Information and Protection of Privacy Act (FOIP) and/or Personal Information Privacy Act (PIPA).
7. Although it is preferable to resolve a matter on an informal basis, the complainant and respondent have the right to be informed about all formal avenues of recourse which may be available.

C. PROCESS FOR STUDENTS BRINGING FORWARD A COMPLAINT

1. A Complainant bringing forward a complaint shall, in the first instance, attempt to resolve the situation by speaking to the person involved (example: fellow student)
2. Where the matter cannot be resolved to the Complainant’s satisfaction at that initial level, the Complainant, if proceeding with the complaint, shall bring the complaint to the attention of the Flight Instructor in writing.
3. Where the matter cannot be resolved to the Complainant’s satisfaction at that 2nd-level, the Complainant, if proceeding with the complaint, shall bring the complaint to the attention of the Chief Flight Instructor.
4. Where the matter cannot be resolved to the Complainant’s satisfaction at that 3rd-level, the Complainant, if proceeding with the complaint, shall bring the complaint to the attention of the Operations Manager.

5. Where the matter cannot be resolved at the Operations Manager level, the Complainant has the option of bringing the complaint to the attention of the Executive who may in turn engage 3rd party counsel or engage an Alternative Dispute Resolution practitioner (ADR) such as a mediator, arbitrator, or ombudsman to assist in resolving the complaint.

6. Normally the Alternative Dispute Resolution will be considered as the final level of service available to the complainant after all other levels of conflict resolution have been exhausted. Cost associated with engagement of Alternative Dispute Resolution practitioner (ADR) such as a mediator, arbitrator, or ombudsman to assist in resolving the complaint shall be equally shared by the Complainant and the Wetaskiwin Air Services/Absolute Aviation organization.

D. THE ADMINISTRATIVE OFFICER'S ROLE

For the purposes of this document the Administrator is any Wetaskiwin Air Services/Absolute Aviation employee who has the authority to hear and make decisions about student matters

(e.g. Ground School Instructor, Chief Flying Instructor, Operations Manager, Executive, and Directors.)

1. To provide information on complaint resolution procedures.
2. To consider the rights and interests of both complainant and respondent.
3. To facilitate the resolution of the complaint through informal resolution as listed in (a)-(d).
 - a) Counseling the complainant with regard to what kind of resolutions can be expected.
 - b) Counseling the respondent against whom a complaint has been lodged, on effective and timely resolution.
 - c) Serving as a source of information about the referral to mediation, arbitration, counseling, and other services for both complainant and the respondent.
 - d) Mediating between the complainant and the respondent.
4. To investigate where it is deemed appropriate.

E. RECOMMENDED PROCEDURES

MEETING WITH COMPLAINANT

1. To listen to the concerns of the complainant.
2. To keep a written record and to discuss confidentiality of notes.
3. To ascertain if the complainant has discussed the matter with the faculty member.
4. To determine the resolution expected by the complainant.

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5. Review options (as outlined in item 6. a-f).
6.
 - a) The complainant could approach the respondent against whom a complaint has been logged with his/her concerns.
 - b) The Administrative officer meets with the respondent (without revealing the name of the complainant, where confidentiality is an issue) to ascertain his/her perspective.
 - c) The Administrative officer could set up a meeting of the complainant and the respondent with the Administrative officer or some other third party as mediator.
 - d) The Administrative officer takes no action without further instruction from the complainant.
 - e) Where the complainant has unsuccessfully attempted to resolve the matter directly with the respondent or where the complainant is not comfortable to do so on his/her own, the Administrative officer can commence an investigation.
 - f) Other actions as may be seen to be appropriate and agreed to by the Administrative officer and the complainant.

MEETING WITH STAFF MEMBER/STUDENT AGAINST WHOM A COMPLAINT HAS BEEN LODGED

Where the complainant permits the Administrator to raise the matter with the respondent,

1. Inform respondent of complaint.
2. Inform respondent that a written record will be made. Communicate the content of the meeting notes that will be kept on file. (confidentiality)
3. Explain, in detail, the concerns brought forward by complainant.
4. Obtain the respondent's perspective.
5. Outline the choices presented to the complainant and what the complainant wishes.
6. Request how respondent would like to resolve the matter.
7. Discuss next steps with respondent which may include Administrative officer discussing the response with complainant or may include setting up meeting between complainant and respondent.

INVESTIGATIONS

1. Investigate the complaint to determine if further action is warranted. This shall include speaking with the respondent directly and may also include interviewing any other witnesses necessary to assess the substance of the complaint. The complainant will have the opportunity to reply to the respondent's response.
2. If the preliminary investigation suggests that a formal full investigation appears to be warranted then the matter shall be referred to the Operations manager. In the subsequent investigation the rights of all parties must be respected.
3. The Operations Manager holds the authority to decide if a formal investigation is warranted and the Operations Manager may designate the duties of conducting a formal investigation.
4. The Investigator shall advise the complainant and respondent that a formal investigation has been authorized and the respondent will be fully informed by the Investigator about the complaint. The respondent shall have a reasonable opportunity to respond fully to the complaint. In the subsequent investigation, the right of all parties must be respected and all parties shall be fully informed about the expectations of the formal investigation e.g. confidentiality, records, FIPPA, etc.
5. If the formal investigation determines the complaint is not warranted advise both the complainant and the respondent of this conclusion.
6. If the formal investigation determines that the complaint is considered frivolous and/or vexatious, inform the complainant that disciplinary action may be taken.
7. If the formal investigation determines the complaint has been substantiated, the Administrative officer shall determine the appropriate course of action to be taken and shall advise the respondent accordingly. The Administrative officer shall also advise the complainant as to the decision, taking into account the respondent's rights of privacy. August 8, 2017

Reference - Student Complaint and Dispute Resolution Flow Chart

