



UNSW LAW SOCIETY

Grievance Policy

As passed by Cabinet Resolution on 29 November 2014

1. Purpose

1.1. The purpose of the University of New South Wales Law Society Grievance Policy (**the Grievance Policy**) is to provide a mechanism for the resolution of complaints, grievances or problems raised by members of the UNSW Law Society in relation to the Cabinet and Executive who run the UNSW Law Society.

2. Scope

2.1. This Policy and procedure applies to all members of the UNSW Law Society which include automatic members, students enrolled in the LLB and JD at UNSW; and Postgraduate members who have membership with the UNSW Law Society as per the UNSW Law Society Constitution 2.5.

2.2. This Policy does not replace any existing UNSW Law Society Regulations which outline specific procedures to follow when certain conflicts or complaints arise.

2.3 This Policy may be followed by a member of the UNSW Law Society if a grievance has been raised under the existing Regulations but has not been resolved, or the member continues to feel that his or her grievance has not been treated fairly.

3. Policy Statement

3.1. Through this Policy the UNSW Law Society provides a mechanism for members to raise a complaint or grievance in relation to actions or omissions of the UNSW Law Society's elected Cabinet and appointed Executive members.

3.2 These procedures emphasise a collaborative approach to grievance resolution and are designed to lead to a timely and efficient resolution of complaints and grievances held by UNSW Law Society members.

3.3 This Policy seeks to replace the previously elected position of a Grievance Officer which was removed at the UNSW Law Society's Extraordinary General Meeting dated 1 September 2014.

4. Policy Principles

The Grievance Policy is governed by the following principles:

4.1. Where a grievance arises as a result of a UNSW Law Society decision, action or omission, the UNSW Law Society will, where possible and reasonable, refrain from continuing the activity or process that has caused the grievance whilst under review as per this Policy. This period of review will be completed within 21 days where practicable.

4.2 Where two or more UNSW Law Society members believe they have an identical or common problem, they may take action together and the matter will be dealt with as a single grievance.

4.3 Any grievance raised within these procedures may be withdrawn by the member(s) making that grievance at any stage. Withdrawal will occur when the member(s) notify, in writing, the UNSW Law Society Presidents or the UNSW Law Faculty member nominated in provision 5.3 of this Policy.

4.4 Offers of compromise as well as agreements reached during these grievance procedures should be individualised and will not constitute precedents in regards to similar grievances, and are without prejudice to positions taken in similar circumstances or more general issues.

5. Procedures

5.1 First Level: Facilitation

5.1.1 When a member wishes to raise a grievance with the UNSW Law Society within these procedures, that member must initially attempt to resolve the grievance through discussions with the respective Cabinet or Executive member or other parties involved in the grievance process.

5.1.2 The member must also advise the respective Vice-President of the situation if it concerns an Executive member in a particular UNSW Law Society portfolio. Alternatively the member may advise the UNSW Law Society Presidents of the situation concerning an Executive member, if the member feels unable to approach the respective Vice-President.

5.1.3 Further, if the situation concerns a grievance relating to a decision, action or omission of a Cabinet member, the member must advise the UNSW Law Society Presidents.

5.1.4 The person or persons with whom the grievance is communicated to at this level will provide a written response to the member via email, no later than ten working days.

5.2 Second Level: Cabinet Review

5.2.1 If the member is dissatisfied with the reply (or if there was not a timely reply at the First Level), the member must advise the UNSW Law Society Presidents of the unresolved grievance.

5.2.2 At the request of the member involved in the grievance process, the UNSW Law Society Presidents will arrange for the complaint or grievance to be raised at the soonest Cabinet meeting or at an Extraordinary Cabinet Meeting, where details the grievance will be reviewed by the elected Cabinet of the UNSW Law Society.

5.2.3 The member may request that their identity remain confidential from the Cabinet during the review process, with only the UNSW Law Society

Presidents and the respective Executive member(s) or Vice-President(s) involved being informed of the complainant's identity. Breach of the aggrieved member's desire for confidentiality will be taken seriously.

5.2.4 The Cabinet may use its discretion, after discussion, as to how to proceed with resolving the grievance. The decision of the Cabinet will be voted upon and there must be a majority vote before proceeding with the agreed action.

5.2.5 The UNSW Law Society Presidents will ensure that all parties involved in the grievance are fully informed of the Cabinet's decisions.

5.3 Third Level: referral to the UNSW Law Faculty

5.3.1. Where the grievance remains unresolved after attempting to reach a resolution through at least one of the First or Second Level mechanisms, the member, with the assistance of the UNSW Law Society Presidents, may refer the matter to the UNSW Law Faculty's Head of School.

5.3.2 The UNSW Law Faculty's Head of School has full discretion as to how the matter will be resolved at this level.

5.3.3 All recommendations made by the UNSW Law Faculty's Head of School will be binding on the parties involved in the grievance and will constitute a settlement of the matter.