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“ **STUDENTS FOR  
CONSENT CULTURE**

**Complaint and Conflict Resolution Policy**

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## Preamble and Definitions

Students for Consent Culture Canada (hereafter SFCC) is committed to creating and maintaining an organizational environment characterized by constructive, productive and supportive working relationships. All persons involved with SFCC are to be open to contrasting styles of understanding and acting, as well as different points of view. It is crucial that all persons recognize that human interactions are complex, often difficult, and that all can contribute to the success and breakdown of healthy working relationships.

All persons involved with SFCC have an obligation to communicate openly and respectfully with one another and to provide reasons for particular decisions or actions. When disagreements arise, greater understanding by all is needed. The presence of conflict, if dealt with effectively, offers an opportunity for individual and organizational learning including the identification of policies and practices that need to be improved.

Central to the mandate and vision of SFCC is an ongoing commitment to anti-oppression. The application of this policy intersects greatly with SFCC's Policy of Anti-Oppression, and should be undertaken with the understanding of how systems of power impact organizational and individual relationships.

Conflict situations must be addressed at the earliest possible opportunity as unresolved conflict can lead to a stressful, and in the worst cases, toxic work environment.

## Section 1: Definitions

1. The following terms are defined for the purpose of this policy:
  - a. **Conflict Point Person:** A member of the Board who is nominated by the rest of the Board to be the point person when conflict amongst the team or with a partner arises. If there is a conflict of interest with the Conflict Point Person's participation as a facilitator or mediator, the Board may appoint another member of the Board or an external person to take on the role. Also referred to using the acronym CPP. Expanded on in Appendix 1 below.
  - b. **Informal Facilitation:** A process generated by participants who seek the Conflict Point Person (CPP) in order to help the parties restore a positive working relationship and find mutually satisfactory resolutions to a conflict where no documentation is required. If the CCP is involved in the conflict or complaint, an external facilitator either on the Board or outside may be requested.
  - c. **Conflict Resolution:** A process generated by a mediator (either the CPP or an alternate appointed by the Board) responding to a formal request in writing that aims to help the parties restore a positive working relationship and find

mutually satisfactory resolutions to conflict, with documentation.

- d. Complaint Resolution: A decision-making and arbitration process where complaints are investigated to find out 'what happened' and make a determination of who is responsible for the situation, if anyone, and what the consequences/resolutions for the parties should be.
- e. Complainant: The person or persons who raise the concerns, conflicts, or complaints and bring them to the Board.

## Section 2: Process Overview

1. In the event that any person or group is experiencing a work-related conflict or has a complaint about the actions of another person, the following steps will be followed. There are two parts to this policy:
  - a. Conflict Resolution: a facilitated or mediated process where the goal is to help the parties restore a positive working relationship in the future and find mutually satisfactory resolutions to a conflict. To follow a Conflict Resolution path follow Part 1 and Part 2a.
  - b. Complaint Resolution: a decision-making and arbitration process where complaints are investigated to find out 'what happened' and make a determination of who is responsible for the situation and what the consequences/resolutions for the parties should be. To follow a Complaints Resolution path follow Part 1 and Part 2b.
2. All decisions of the Board will be made in accordance with the SFCC bylaws, and policies - especially the Policy of Anti-Oppression. All members of the Board and any external person elected to fill the role of the Conflict Point Person must be familiar with these documents

## Section 3: Process Details

### Part 1

1. Communicate directly with the person or persons whose actions are the causes of the complaint. People should reasonably expect to know if their behaviour or their decision is a problem for another person or group.
2. If the circumstances are such that the person with a complaint is unable or unwilling to communicate directly with the person or persons whose actions are the cause of their complaint, either for fear of it going badly, or of reprisal, the help of others should be sought in resolving the conflict. We recommend seeking the support of a

facilitator external to the organization (for example the complaints committee or point person of another organization). Support of this kind may also be sought from the Conflict Point Person, or other members of the SFCC Board. However, any facilitator or mediator involved in this informal facilitation may not continue to be involved if the parties pursue a formal conflict or complaints process. In the event that an outside facilitator is retained for the process of an informal facilitation, this person must be compensated for their work.

3. Communication of the complaint or conflict shall first be made verbally, as in step i & ii. The parties, and those helping to resolve the conflict, should avoid communicating the details of a complaint, making or responding to allegations or giving advice by email. Face-to-face communication, as difficult as it can be, should be relied upon whenever possible (including video). Email messages can be used for arranging meetings or communicating details of the process.
4. If the problem cannot be resolved at steps 2 or 3, the nature of the problem should be communicated in writing to the SFCC Board of Directors. Such communication should be descriptive in outlining the events that gave rise to the complaint or conflict and what has been done, thus far, to resolve the situation. It should also convey whether the complainant wishes to pursue a Conflict Resolution Process or Complaints Process.
5. To get in touch with either the SFCC Board yourself rather than going through the Conflict Point Person, send an email to [outreach@sfcccanada.org](mailto:outreach@sfcccanada.org) asking that a member of the Board contact you. If you wish to remain anonymous, you can send an email from an account that won't be recognized by the executive, who will be checking the Outreach account. Please be sure to identify who it is you want to have get in touch with you. An acknowledgement of the receipt of the email must be sent within 36 hours.
6. The choice of these two approaches should be offered to the parties by the Board. If a Conflict Resolution process fails to resolve the matter, a Complaints Resolution Process can still be undertaken.

## **Part 2a: Conflict Resolution Process**

7. In the event that the parties choose a Conflict Resolution Process, the Board will obtain the services of a facilitator/mediator who has experience and/or training in mediation and facilitation.
8. Before engaging in a Conflict Resolution Process, the Board will undergo its own process to identify if it has any conflicts of interest that would prevent it from appropriately engaging in the process. If over half the Board identifies a conflict of interest, they may choose to strike a committee of the Board that is not in conflict

of interest to deal with the process.

9. Complaints and conflicts shall be dealt with in a timely and confidential manner. Meetings to resolve a complaint shall be open only to the parties and to people acting as mediator/facilitator. In the interest of confidentiality and the comfort of the parties involved, no minutes or written record of what is said in these meetings shall be recorded, although, if the parties agree, the outcome of the meeting or the resulting agreement may be documented. Documentation that a conflict resolution meeting took place and that a resolution was reached or not reached, though, should be recorded.
10. The parties may have a support person present for the purposes of emotional support. The support person's role is not to enter into or be involved in the process, but simply to listen and be there for the person. They must also agree to keep all information confidential, it is not their place to impart this information. It is strongly advised that this person be external to the organization (i.e. not on the SFCC Board).

## **Part 2b: Complaints Resolution Process**

11. Complaints must be submitted in writing, as per Part 1.4, to the Board. This letter must clearly explain the background and exact nature of the complaint, and should include what has been done, thus far, to resolve the situation. An acknowledgement of the receipt of the complaint must be given within 36 hours.
12. The Board will inform the other party/parties named in the complaint immediately by forwarding them a copy of the complaint. It should be made clear to the complainant that their complaint is being forwarded to the other party, and they must consent.
13. Once the complaint is launched, an investigative hearing must be held, within 30 days, at a time agreed on by the whole Board such that all members are present. Both parties will be given at least 2 weeks notice informing them of the date of the investigative hearing and that their attendance is required. During this time, based on the recommendation of the complainant and the approval of the Board, the respondent can be asked not to engage with other SFCC in the interim before the results of the investigative hearing.
14. Before the date of the hearing, the Board may request information (written or otherwise) to be submitted by all parties concerned in support of their case.
15. Both parties will be present at the hearing. The complainant will present their case first.

16. Each party has the right to present their case in their preferred language. If necessary, translation will be provided by the organization.
17. In the case of group presentations, the number of people who will speak for each case will be agreed upon before the hearing by the Board.
18. After both parties have made their presentations the Board will have the right to ask questions of each party.
19. The Board will then break to decide on a ruling.
20. The parties may have a support person present for the purpose of emotional support. The support person's role is not to enter into or be involved in the process, but simply to listen and be there for the person. They must also agree to keep all information confidential as it is not their place to impart this information.
21. A vote of abstention is not allowed.
22. Decisions of the Board are final and not subject to further appeal. Recommendations, resolutions, and disciplinary measures are required to be enacted by the Board.
23. The Board must produce a written report within two weeks of a ruling. This report may be included in the minutes and portions of it may be made public as deemed appropriate by the Board and with the consent of the complainant.
24. Timelines may be extended by mutual agreement between parties and the Board.
25. These terms may be amended by the Board according to its internal procedure outlined in the SFCC Bylaws.

### **Additional Notes**

26. The SFCC Board has an obligation to act immediately in addressing a complaint if the physical and mental health and safety of any of the parties is perceived to be at risk. In doing so, one of the parties may be granted a temporary leave of absence with pay until the issue has been satisfactorily resolved, or up to two weeks, whichever is shorter.
27. If threats to persons are made, or if the SFCC Board perceives a possible danger to a party or to other employees, including the possibility of one party being in danger to themselves, external professional assistance must be sought immediately.

## **Documentation**

28. In the event that a Complaints Resolution Process or Conflict Resolution Process has been requested, the following documentation will be recorded in minutes and included in a Google Drive folder which only the SFCC Board will have access to:

- a. Knowledge that a process took place;
- b. A copy of the written report, although names may be removed if the parties and Board deem it appropriate; and
- c. Any recommendations that the Board will be enacting.

## Appendix 1: Conflict Point Person

1. A member of the Board who is nominated by the rest of the Board to be the point person when conflict amongst the team or with a partner arises. All members of the Board must be present during the nomination, and there can be no abstentions during the vote.
2. They will be the person the rest of the team turns to when conflict arises.
3. Must have experience with facilitation and mediation.
4. Must develop and facilitate in-depth training for the directors on equity, conflict resolution, and working as a team to be presented during the transition period for new directors.
5. Must be a resource on the conflict and complaints resolution policy for the rest of the team, and help any folks through it who wish to use it.
6. If there is a conflict of interest with the Conflict Point Person's participation as a facilitator or mediator, the Board may appoint another member of the Board or an external person to take on the role.

## Appendix 2: SFCC Conflict Resolution and Complaints Decision-making Guidelines

### Part 1

When beginning a Complaints decisions-making process, consider the following questions:

1. How do the actions of either party relate to SFCC policies and bylaws?
2. If there are no policies that speak to the issues or incidents, or if the existing policies do so in a way that seems inappropriate or unfair, what would need to be changed?
3. Detail the effects that the action of either party have had (or may have had) on each other, on other parties and on the organization.
4. Consider all aspects of the evidence, both that which has been submitted in writing, and that which arose out of questioning at the hearing.
5. Break down the issues pertaining to the complaint. Come up with a process to deal with each issue. Consider making a general ruling only after this process is complete.
6. When deciding on outcomes consider, among other possibilities, the following:
  - a. Policy recommendations;
  - b. Disciplinary measures; and
  - c. The effects of the outcome on the general well-being of the parties and of SFCC.

### Part 2

1. Decisions of the Board should be made by consensus where possible.
2. After discussing the issues and deciding on what aspects of the complaint require a decision, the Board should begin deliberations. These deliberations can include a go-around to test where people are at. Discussion should be geared to identifying and addressing concerns and to working in the spirit of compromise. If multiple attempts to reach consensus have failed, the Board can choose to move to a vote.
3. The provision to go to a vote is intended to provide an alternative to consensus in the event of a deadlock that cannot be overcome. Nonetheless, it is important to

remember that as an organization, we are committed to consensus as the decision-making process that best reflects our ideals.

## Appendix 3: SFCC Accountability Procedures

Accountability procedures usually progress in the following order:

1. **Warning:** refers to a written statement from the SFCC Board to the respondent informing them of the nature of the offence, along with a request not to repeat it again. No further action will be taken unless the offense is repeated.
2. **Probation:** refers to a period, usually 4 weeks (but length can vary) in which the respondent is monitored in order to verify compliance with the above regulations. Probation usually occurs after a warning or a suspension has been issued. Any infraction of the rules and regulations while a respondent is on probation is likely to result in a dismissal.
3. **Suspension:** refers to respondent in question being relieved of their Board duties or privileges for a period of two weeks or more. It is then followed by a probationary period.
4. **Dismissal:** refers to the removal of a respondent from all SFCC duties (removal from the Board, terminating membership).
5. **Expulsion:** refers to the removal of a respondent from all SFCC activities (banning from events, social media spaces, etc.).