

Approval Date: June 13, 2005

Parent Policy: [Student Concerns and Complaints Policy - Records and Privacy](#)

## Student Concerns and Complaints - Procedure for Management of Documents

<b>Office of Administrative Responsibility:</b>	Provost and Vice President (Academic)
<b>Approver:</b>	Provost and Vice President (Academic)
<b>Scope:</b>	Compliance with University policy extends to all members of the University community.

### Overview

The University has adopted policy to protect the privacy of individuals in the resolution of student **concerns** and **complaints**. The rights to privacy are balanced by the parallel obligation to provide to all persons access to documents in which opinions about them are expressed, subject to relevant statutory exceptions to disclosure. The policy is based on the requirements of the *Freedom of Information and Protection of Privacy Act* in the management of **records**.

### Purpose

The following procedures outline the University's expectations for the management of documents in the resolution of student concerns and complaints.

## PROCEDURE

### 1. MEETING IN CONFIDENCE

**University officials** can meet with students and receive oral information provided in **confidence**.

### 2. INFORMAL RESOLUTION

University officials shall, to the maximum extent possible, honour a student's expressed preference for confidential discussion and **informal resolution** of student concerns.

### 3. DUTY TO INFORM THE STUDENT OF POSSIBLE DISCLOSURE REQUIREMENTS FOR RECORDS

In cases where a student supplies information in confidence to a University official, the official shall inform the student that the records submitted in confidence and confidential notes kept by the official or by other university officials may be released to third parties if the matter proceeds to complaint. The official shall explain to the student the impact of this policy and related procedures on the expectation of confidentiality in their communications.

Documents received from students that contain concerns about academic or support staff members will initially be received in confidence. Notes resulting from meetings with students may be recorded and retained unless the student requests that no record be kept and the student makes it clear that the matter is a concern, not a complaint.

#### a. Potential bearing on disciplinary decisions

In any case where information provided by a student bears on a complaint, appeal or other **formal University process**, the student shall be informed that any written materials may be disclosed to the academic or support staff member subject to the restrictions contained in the *Freedom of Information and Protection of Privacy Act*.

b. Provision of information

In any case where information provided by a student is used for the evaluation of an academic or support staff member or another employment-related decision, such as the award of a merit increment or course or supervisory committee assignment which is being made about a faculty or staff member, the student shall likewise be informed that disclosure of the material may be required.

#### 4. RECORD RETENTION AND RECORD MANAGEMENT

a. Agreeing to record retention

Provided the student has been informed of the disclosure requirements above, the university official may advise the student that the documents will be retained (for example where there is a reason to postpone proceeding with a complaint, which purpose must be recorded and retained with the notes,) keeping in mind that the documents may need to be released to applicants seeking release of **personal information** under the *Freedom of Information and Protection of Privacy Act of Alberta*.

b. File maintenance for records

Notes and records of student confidences shall, if retained, be kept in single copy in separate files for that purpose. Such notes and records, and if appropriate the files containing them, shall be clearly marked "confidential". The existence of such files may be referenced in the student file by use of file numbers and the location of the files.

c. Minimum period for retention of records used in decisions

If records received in confidence are kept, the records, including any notes taken, shall be retained for a period of a minimum of two years or for two years after using them in making a decision which directly affects the individual whose personal information is included, whichever is longer. If the unit's policy statement on records retention and disposition requires a longer period, that policy statement shall be followed.

#### 5. NO FURTHER USE, AT STUDENT REQUEST, OF RECORDS ABOUT A CONCERN

##### Student Request for Non-Disclosure

The student may ask that no disclosure be made, in which case no use will be made of the materials and they may be destroyed after one year. In cases where the University determines it must take action against discrimination or harassment, the action may be initiated or continued with or without the use of these documents.

In cases where, following initial meetings, there is a request not to proceed, all notes and other records of the concern will normally be destroyed in compliance with the unit's statement of records retention and disposition. Any future reference to such concerns and meetings about the concerns shall proceed only on the basis that a new concern has arisen.

#### 6. COMPLAINT RESOLUTION AND COMPLAINT FILE MAINTENANCE

In the case of complaints which are to be acted upon, the complaints will be dealt with by a formal University process as prescribed by the appropriate policies and/or procedures such as, but not limited to, Graduate Students Association dispute resolution procedures, *Non-Academic Staff Association Agreement*, *Association of Academic Staff: University of Alberta Agreement*, *Code of Student Behaviour*.

The complaint records will be available for the purpose of proceeding with the complaint, and will be dealt with under the expectation of disclosure and confidentiality those policies and/or procedures require. Time limits shall apply as specified in the dispute resolution procedures.

At the time the complaint is made, the student will be advised of the disclosure and confidentiality provisions of the specific policies and/or procedures to be followed.

After a complaint is dealt with, the materials will be retained in the confidential complaint file and in no other file,

including the student file. This is consistent with Section 23.9, *Student Records*, in the *University Calendar* which does not list such materials among the contents of a student file.

The *Code of Student Behaviour* does not have a complaint resolution policy. However, it does describe how files are dealt with in section 30.2.15 of the General Faculties Council Policy Manual.

## 7. ACCESS TO RECORDS OF STUDENT CONCERNS

In the event that any person requests access to documents in a confidential file, the University official must refer the applicant to the Information and Privacy Office. This is necessary to ensure that consistent principles are applied in determining whether any records or parts of records must be or may be withheld from the applicant.

### **DEFINITIONS**

Any definitions listed in the following table apply to this document only with no implied or intended institution-wide use. <a href="#">[▲Top]</a>	
<b>Concern</b>	Any discussion initiated by a student with a university official that includes personal information about members of the University community.
<b>Complaint</b>	A concern that includes criticism of or allegations against the individual identified in a concern for which the student seeks formal redress or formal redress is required to resolve the concern.
<b>Record</b>	Includes documents provided by the student, notes kept by a university official, and other documents including electronic messages about a concern or a complaint.
<b>University official</b>	Includes instructors, departmental and Faculty administrative officials, and administrative officials in other units that deal with students.
<b>Confidence, Confidential, Confidentiality</b>	Information that is supplied in confidence with an expectation by both the provider and the recipient that it will not be disclosed to others except by mutual agreement or if required by law or by a formal complaint or grievance process exercised by right within the University community.
<b>Informal resolution</b>	A solution arrived at between the student and the university official with whom the concern is raised in which it is agreed that no action will be initiated that engages a formal University process.
<b>Formal University process</b>	Any process authorized by an existing policy and/or procedure. Includes disciplinary procedures, evaluation procedures, grievances, harassment and discrimination complaints, student code procedures, or procedures for the assignment of responsibilities.
<b>Personal information</b>	Recorded information about an identifiable individual as defined in the <i>Freedom of Information and Protection of Privacy Act</i> . Includes anyone else's opinions about the individual and the individual's opinions or views, except if they are about someone else. Under the <i>Act</i> , an individual has a right to access personal information about him/herself, subject to specific and limited exceptions under the <i>Act</i> .
<b>University official</b>	Includes instructors, departmental and Faculty administrative officials, and administrative officials in other units that deal with students.

### **FORMS**

There are no forms for this Procedure. [\[▲Top\]](#)

### **RELATED LINKS**

Should a link fail, please contact [uappol@ualberta.ca](mailto:uappol@ualberta.ca). [\[▲Top\]](#)

[AASUA Collective Agreement](#) (Association of Academic Staff University of Alberta)

[Code of Applicant Behaviour](#) (University of Alberta)

[Code of Student Behaviour](#) (University of Alberta)

[Freedom of Information and Protection of Privacy Act](#) (Government of Alberta)

[Graduate Students Association collective agreements](#) (University of Alberta)

[Information and Privacy Office](#) (University of Alberta)

[Non-Academic Staff Association Collective Agreement](#) (NASA)

[Practicum Placements, Professional Practice and the Public Interest Policy](#) (University of Alberta)

[University Calendar](#) (University of Alberta)