

Re-humanising University Complaint Systems: Being responsive, relational and restorative

Reflections on "More Harm than Good"
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Introduction

Universities present themselves as institutions dedicated to learning, critical inquiry, inclusion, belonging and human development (Baltaru, 2026; Royer, 2025; Wang, 2025). Yet when conflict, discrimination, harassment, bullying, or other forms of harm emerge, institutional responses frequently rely on complaint systems that prioritize procedural compliance, risk management, and legal defensibility over relational cultures that foster inclusion and belonging (Leake, Amankwaa, de Pater, 2026; Täuber, Loyens, Oertelt-Prigione et al., 2022). As a result, those who engage with university complaint processes often experience alienation, frustration, and emotional exhaustion, regardless of whether they are complainants, respondents, witnesses, administrators, or faculty members. Even when formal outcomes are achieved, participants commonly report that underlying harms remain unresolved and institutional cultures remain unchanged (Kostakopoulou & Mahmoudi, 2024). Ahmed (2021) argues that complaints emerge from abuses of power and responses then replicate these same abuses of power – often behind closed doors.

This paper argues that contemporary university complaint systems risk becoming dehumanising insofar as they are structured around adversarial logics of dispute resolution and behaviourist models of regulation that prioritise surveillance, categorisation, and compliance over deepening relational ecologies, contextual understanding, and restorative engagement. Such contemporary approaches can diminish individual agency and procedural legitimacy while limiting opportunities for learning, accountability, and relational repair (Foucault, 1977; Burford, Braithwaite and Braithwaite, 2019; Tyler, 2006).

Drawing on the principles of responsive regulation, restorative justice and related scholarship, this paper argues that higher education institutions require a fundamental shift away from compliance-oriented systems centred on rule enforcement and sanctions, towards reflexive governance systems that are responsive to context, relational in practice, and restorative in purpose. Such an approach recognises that sustainable regulatory compliance is more effectively achieved through dialogue, trust, procedural fairness, and the cultivation of autonomy, competence, and relatedness than through rigid, punitive mechanisms alone (Ayres & Braithwaite, 1992; Braithwaite, 2002; Burford, Braithwaite and Braithwaite, 2019; Deci & Ryan, 2000; Morrison & Vaandering, 2012; Yassue et al., in review).

Such a transformation does not necessitate the abandonment of formal procedures or institutional safeguards. Rather, it requires expanding institutional imagination beyond the conventional dichotomy between formal and informal processes towards developing pluralistic pathways

capable of responding to the complexity, relationality, and contextual nature of human conflict and harm. This perspective is consistent with restorative justice scholarship, which emphasizes that effective responses to wrongdoing and conflict should integrate multiple forms of accountability, dialogue, participation, and repair, rather than relying exclusively on formal adjudicative mechanisms. Responsive and restorative approaches to governance and human services recognize the value of relational processes, community engagement, and context-sensitive interventions in addressing harm while maintaining institutional legitimacy and procedural fairness (Braithwaite, 2002; Burford, Braithwaite, & Braithwaite, 2019; Llewellyn & Morrison, 2018).

The paper first analyzes the limitations of contemporary complaint systems in higher education. It then explores restorative justice as a framework for institutional transformation and considers innovations in praxis that can support more humanizing responses to conflict and harm. Finally, it concludes with a call to action for universities seeking to create healthier and more equitable communities.

The Current State of University Complaint Processes

Behaviourist Foundations and Systems of Social Control

Many university complaint and misconduct systems reflect a broader social and legal tradition grounded in behaviourist and regulatory assumptions about human conduct. From early childhood onward, educational institutions socialize individuals into normative frameworks that define acceptable and unacceptable behaviours, establish rules governing conduct, and prescribe sanctions for non-compliance. Codes of conduct, disciplinary procedures, and workplace grievance mechanisms are all structured around this regulatory paradigm (Foucault, 1977; Saraydarian, 2022).

Within this framework, social order is understood to be maintained primarily through the identification, monitoring, and correction of rule violations. Harm is conceptualized principally as a breach of established norms or policies, while justice is framed as a process of determining whether a violation has occurred and, if so, what sanction or corrective measure should follow. Although such systems can provide procedural clarity, consistency, and due process protections, they may also constrain institutional understandings of conflict and harm by reducing complex relational, social, and contextual dynamics to questions of compliance and culpability (Braithwaite, 2002; Burford, Braithwaite, & Braithwaite, 2017).

When a complaint arises, attention is directed toward establishing facts, assigning responsibility, and determining outcomes. Less attention is paid to the broader relational context within which the harm occurred. Questions about trust, belonging, organizational culture, power dynamics, communication failures, and community wellbeing frequently become secondary considerations or disappear entirely from the process.

Divide-and-Conquer Approaches to Conflict

A defining characteristic of many formal complaint systems is their tendency to fragment human experience. Investigative processes often separate reason from emotion, facts from narratives, and individuals from the organizational and social contexts that shape conflict. Although such distinctions are intended to promote procedural fairness and evidentiary rigor, they can also narrow understanding of how conflict is experienced and sustained (Braithwaite, 2002; Burford, Braithwaite, & Braithwaite, 2019).

The investigative model privileges objective fact-finding and frequently positions emotional responses as peripheral or potentially biasing influences. Participants are encouraged to focus on information that can be documented, corroborated, or legally substantiated, while subjective experiences and relational impacts receive less attention. Yet research in psychology and neuroscience demonstrates that emotion is integral to cognition, decision-making, and meaning making rather than separate from rational thought (Damasio, 1994; Barrett, 2017; Polanía, Burdakov; Hare, 2024). Excluding emotional dimensions may therefore limit rather than enhance understanding of conflict.

Complaint procedures similarly privilege discrete facts over coherent narratives. Individuals typically make sense of conflict through stories that connect events, identities, relationships, and histories (Bruner, 1990). Institutional investigations, however, often reduce these experiences to isolated incidents, timelines, policy provisions, and evidentiary findings. While such reduction serves procedural purposes, it may fail to capture the broader significance of the harm experienced or the relational dynamics that gave rise to the complaint.

This fragmentation also separates individuals from the contexts in which conflict occurs. Organizational culture, power asymmetries, historical relationships, and systemic inequities frequently shape both behaviour and its interpretation. Nevertheless, formal complaint systems tend to individualize responsibility by focusing on the conduct of particular actors rather than the organizational conditions that enabled or reinforced that conduct (Edelman, 2016). As a result, structural contributors to conflict often remain unexamined.

The cumulative effect is a form of institutional reductionism that renders complex human conflicts more administratively manageable but less comprehensible. By privileging isolated facts, individual actors, and decontextualized events, complaint systems may resolve discrete allegations while leaving the underlying relational, cultural, and systemic conditions that generate conflict largely unchanged (Braithwaite, 2002; Burford, Braithwaite, & Braithwaite, 2017).

Third-Party Decision-Making and Institutional Distance

A defining feature of conventional complaint systems is their reliance on third-party authorities to investigate, interpret, and resolve disputes. Investigators, adjudicators, arbitrators, tribunals, and administrative officials assume primary responsibility for determining facts, assigning responsibility, and prescribing outcomes. While independent decision-makers provide important

safeguards of procedural fairness, consistency, and legal accountability, they also create institutional distance between those most affected by the conflict and the processes intended to address it. (Braithwaite, V., 2014)

As decision-making becomes increasingly professionalized, opportunities for direct dialogue, mutual understanding, and collaborative problem-solving are often diminished. Participants typically communicate through written statements, interviews, or legal representatives rather than engaging one another directly. Decisions are reached through institutional processes that may be procedurally fair yet relationally remote, leaving complainants feeling unheard despite substantiated findings, respondents feeling excluded from meaningful accountability or learning, and organizational communities uncertain about what occurred or how similar harms might be prevented (Tyler, 2006).

This institutional distance also diminishes participant agency. Rather than enabling those affected to articulate harms, identify needs, and participate in shaping outcomes, conventional complaint systems frequently transfer responsibility for the conflict to institutional authorities. The parties become witnesses, complainants, or respondents within a process directed by professionals whose primary obligation is to determine procedural and legal outcomes.
Nils Christie (1977) famously argued that modern legal systems transform conflicts into the property of professionals. In assuming ownership of disputes, legal and administrative institutions deprive those most affected of opportunities to engage with the conflict, negotiate meaning, repair relationships, and contribute to its resolution. Although professional intervention is often necessary, particularly where power imbalances or serious misconduct exist, institutional ownership can inadvertently disempower participants by redefining them primarily as sources of evidence rather than active agents in resolving the conflict. Restorative justice scholars have similarly argued that sustainable resolution requires returning an appropriate degree of ownership to those directly affected, enabling them to participate in identifying harms, responsibilities, and pathways toward repair (Christie, 1977; Zehr, 1990, 2015; Braithwaite, 2002).

Viewed in this light, the challenge is not whether third parties should play a role in complaint resolution—they often must—but how institutional authority can be exercised without displacing the agency, voice, and relational ownership of those whose conflict is being addressed.

The Failure to Address Root Causes

Perhaps the most significant limitation of contemporary complaint systems is their inability to address underlying causes of harm. Even when a complaint is formally successful, participants often report that little has changed. Relationships remain damaged, organizational cultures remain unhealthy, and structural conditions remain unexamined (Ahmed, 2021).
As a result, formal victories can feel hollow. The immediate complaint may be resolved, but the deeper concerns that generated the complaint persist. Individuals may receive findings, rulings, or settlements without experiencing healing, understanding, accountability, or meaningful change (Herman, 2022).

This outcome reflects a fundamental mismatch between institutional processes and human needs. People affected by harm frequently seek recognition, validation, explanation, accountability, safety, and change. Formal complaint systems are often designed primarily to determine whether policies have been violated. These objectives overlap but are not identical (Braithwaite, 2002; Zehr, 1990, 2015).

Consequently, complaint processes may produce legally sufficient outcomes while failing to satisfy the relational and developmental needs of those involved (Ahmed, 2021; Herman, 2022; Burford, Braithwaite & Braithwaite, 2019).

Economic and Human Costs

The costs associated with adversarial complaint systems are substantial. Universities increasingly devote significant financial resources to investigations, arbitration, litigation, legal counsel, and administrative compliance. Faculty, staff, and students often expend enormous amounts of time and emotional energy navigating complex procedures (Ahmed, 2021; Bingham et al., 2009).
The escalation of legal expenditures in higher education reflects a broader trend toward institutional risk management and the increasing legalisation of university governance. While legal protections remain important, overreliance on adversarial approaches can create environments characterized by defensiveness, fear, and mistrust, shifting institutional attention toward liability management rather than relationship repair and cultural change (Thornton, 2011).

The human costs may be even greater than the financial costs. Participants often describe complaint processes as retraumatizing, isolating, and exhausting. Relationships deteriorate, workplace climates worsen, and community trust erodes when institutional responses focus primarily on procedural compliance rather than recognition, accountability, and restoration (Ahmed, 2021; Herman, 2022). These outcomes are particularly concerning in educational institutions whose missions centre on learning, development, and human flourishing (Palmer, 2017).

Restorative Justice as an Alternative Framework

Responsive, relational and restorative scholarship challenges this narrow conception by emphasizing that harms are often embedded within relational ecologies, embedded within communities and institutional cultures rather than solely within discrete acts of misconduct. From this perspective, an exclusive focus on rule-breaking risks obscuring the broader conditions that give rise to harm, as well as opportunities for dialogue, accountability, repair, and institutional learning (Llewellyn & Morrison, 2018).

As Morrison (2007) argues throughout her work, including *Restoring Safe School Communities*, such approaches overlook the relational dimensions of human experience that are central to both individual wellbeing and collective safety. Harm does not occur in a vacuum. It emerges within relationships, institutions, cultures, and systems. When complaint mechanisms isolate behaviours from these contexts, they risk misunderstanding the nature of the problem itself.

Drawing on experiences in higher education, Karp and colleagues (Bussu & Karp, 2025; Karp & Sacks, 2014; Karp & Schachter 2018) argue that conventional disciplinary systems frequently prioritize rule enforcement over relationship repair, thereby limiting opportunities for meaningful accountability and community engagement. Restorative approaches, by contrast, seek to address the needs of those affected by harm, encourage active responsibility-taking, and strengthen institutional capacity for learning and transformation. Such perspectives suggest that while formal procedures remain important, they should be complemented by restorative and responsive pathways that acknowledge the complexity of human relationships and the diverse ways in which harm is experienced and addressed (Burford, Braithwaite, & Braithwaite, 2019; Roth et al., 2024)

Defining Restorative Justice

Restorative justice offers a fundamentally different understanding of harm, accountability, and justice. The BC Restorative Justice Committee defines restorative justice as:

A participatory and community-based approach to preventing and addressing harm, affirming the role of relational well-being on public health and safety. Restorative justice gives voice and agency to those most affected, asking: what needs to be healed? What needs to be repaired?
What needs to be learned in the wake of a harm? And what needs to be strengthened if such things are not to happen again?

This definition represents a profound shift in orientation. Rather than focusing primarily on rule violations and sanctions, restorative justice emphasizes relationships, participation, healing, learning, and prevention (Braithwaite, 1989; Zehr, 1990, 2015; Johnstone & Van Ness, 2013). The central questions are transformed. Instead of asking who broke the rules and what sanction/punishment they deserve, restorative approaches ask what happened, who was affected, what needs emerged, and how individuals and communities can move forward together (Zehr, 1990, 2015).

Relational Wellbeing and Institutional Health

A key insight within restorative justice is that relational wellbeing is foundational to community health and safety. Harm damages relationships, trust, belonging, and social cohesion. Effective responses therefore require attention to these relational dimensions (Braithwaite, 1989; Herman, 2022; Pranis, 2005).

Morrison's work in *Restoring Safe School Communities* emphasizes the importance of proactive relational work rather than merely reactive intervention. Healthy communities do not emerge solely from effective responses to misconduct. They emerge from ongoing investments in relationships, inclusion, communication, and shared responsibility (Morrison, 2007). Within universities, relational health contributes to collegiality, governance, academic collaboration, student success, and institutional resilience. Complaint systems should therefore be understood not merely as mechanisms for dispute resolution but as components of a broader ecosystem of community wellbeing (Llewellyn & Morrison, 2018).

Listening as Relational Practice

Emerging work on listening as relational practice highlights the transformative potential of genuine engagement with human experience. Listening is not simply a method of gathering information. It is a relational process through which individuals experience recognition, dignity, and belonging (Bickmore, 2011; Chiang et al., In Review).

Many complaint systems are designed primarily to collect evidence. Restorative approaches, by contrast, seek to understand experiences, impacts, needs, and possibilities for repair. This shift from extraction to engagement can fundamentally alter participants' experiences of institutional processes (Zehr, 1990, 2015).

Listening creates opportunities for complexity to remain visible. Rather than reducing conflicts to competing claims, restorative practices acknowledge multiple perspectives and recognize that understanding often emerges through dialogue rather than adjudication alone (Burford, Braithwaite and Braithwaite, 2019).

Opportunities for Systems Transformation

Moving Beyond Formal and Informal Binaries

One of the most significant opportunities for transformation lies in moving beyond simplistic distinctions between formal and informal complaint pathways. Formal processes often involve investigations, findings, and sanctions. Informal processes frequently involve mediation, supervisory intervention, or local resolution. While these categories provide administrative clarity, both can inadvertently reinforce existing power structures and preserve institutional status quos (Ahmed, 2021; Foucault, 1977).

Universities need a wider range of options that reflect the diverse nature of harms and participant needs. Different situations require different responses. Some cases may benefit from facilitated dialogue. Others may require restorative conferences, circles, coaching, community engagement, or formal investigations. In some instances, multiple processes may be appropriate simultaneously (Burford, Braithwaite & Braithwaite, 2019). A pluralistic system recognizes that justice is not achieved through a single pathway (Braithwaite, 2002).

Expanding Agency and Choice

Agency is particularly important for equity-seeking groups - including Indigenous peoples, racialized communities, women, gender-diverse individuals, persons with disabilities, and other historically marginalized groups (Yassue et al., 2026). Traditional complaint systems often require participants to conform to institutional procedures that may not align with their needs, values, or experiences. Restorative approaches seek to increase participant choice by offering multiple pathways and ensuring meaningful involvement in decision-making. Agency does not mean abandoning safeguards or accountability. Rather, it means recognizing that those most affected by harm should have opportunities to shape the processes intended to address it.

Learning and Growth as Institutional Objectives

Universities are fundamentally educational institutions. Yet many complaint systems are surprisingly disconnected from educational values (Palmer, 2017). Restorative approaches reintroduce learning as a central objective. Harm becomes an opportunity not only for accountability but also for reflection, growth, and transformation. Individuals are encouraged to understand impacts, examine assumptions, develop empathy, and strengthen relationships (Zehr, 1990, 2015). This orientation extends beyond individual learning. Communities and institutions can also learn from complaints. Patterns of harm may reveal systemic problems requiring policy reform, cultural change, or organizational development (Argyris & Schön, 1996; Senge, 2006). When learning becomes a central goal, complaint processes contribute to institutional improvement rather than merely conflict containment (Argyris & Schön, 1996).

Integrating Relational Health into Governance

Restorative principles can also enrich governance structures. Universities often focus on procedural compliance, policy implementation, and risk management. While important, these functions should be complemented by attention to relational wellbeing (Palmer, 2017).
Governance systems that prioritize trust, dialogue, participation, and community engagement are better positioned to address emerging conflicts before they escalate into formal complaints.
Proactive investments in relational health create stronger foundations for responding when harm does occur (Ostrom, 1990; Senge, 2006). Such investments may include restorative leadership training, community-building initiatives, facilitated dialogue programs, peer support networks, and institutional listening structures (Morrison, 2007; Pranis, 2005).

Conclusion: Humanizing Universities Through Restorative Justice

University complaint systems are often designed around institutional self-protection, procedural compliance, and adversarial assumptions about conflict. While these systems can provide important safeguards, they frequently fail to address the relational dimensions of harm that matter most to those affected (Ahmed, 2021; Herman, 2022). Restorative justice offers a compelling alternative framework. By centring relationships, participation, learning, healing, and accountability, restorative approaches expand institutional capacity to respond meaningfully to conflict and harm. They recognize that justice is not merely about determining violations but about repairing relationships, strengthening communities, and preventing future harms (Burford, Braithwaite & Braithwaite, 2019). Importantly, restorative justice is not a singular program or technique. It is a way of understanding human relationships and community wellbeing. It invites universities to ask different questions, listen more deeply, and imagine more human responses to conflict.

Good restorative practice already exists across multiple sectors. What is often missing is the authorizing environment necessary to sustain and expand this work. Institutional commitment, stable funding, practitioner training, supportive policy frameworks, and leadership engagement are essential for meaningful transformation (Burford, Braithwaite & Braithwaite, 2019). There will be barriers to

cultivating change. The promise lies in leadership in all it forms to disrupt inherent power dynamics within higher education and beyond (Ross et al., 2026).

For Canadian universities, this challenge is particularly significant in light of the Truth and Reconciliation Commission's 94 Calls to Action (TRC, 2015). The Indigenous roots of restorative justice remind us that alternative ways of understanding harm, accountability, and community have long existed (Ross, 2006). Responding to the Calls to Action requires more than symbolic commitments; it requires transforming institutional systems in ways that humanize governance and honour relational ways of knowing (TRC, 2015; Wilson, 2008).

The future of university complaint systems should not be defined by increasingly complex procedures designed to manage risk. It should be defined by institutions capable of listening, learning, repairing harm, and fostering relational wellbeing. Such systems would not merely resolve complaints. They would contribute to healthier, more just, and more humane university communities.

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