

 <p>S P Jain School of Global Management DUBAI • MUMBAI • SINGAPORE • SYDNEY</p>	<b>Student Grievance and Mediation Policy and Procedures</b>
Document Type	Policy and Procedures
Administering Entity	President , Vice President – Academic, Vice President – Administration, Registrar, Director – Examinations, Course Directors (Deans) and Heads of Campuses (HoCs)
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Approval Authority	Board of Directors (in consultation with the Academic Board)
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### 1. Purpose

- a. Students or persons seeking to enrol in a course of study ( prospective students) with S P Jain School of Global Management (S P Jain) are entitled to access the grievance procedure as set out by S P Jain, regardless of the location of the campus at which the grievance has arisen, the students’ place of residence, or the mode in which they study.
- b. Students and prospective students are entitled to access the grievance procedure as set out by S P Jain for actions of the School's staff or agents and other legal, formal and publicly established associations with other parties.
- c. S P Jain recognises the rights of students or those seeking to enrol in a course of study at the School to have unhindered access to mediation. This means they have the right to report problems, concerns or grievances regarding any aspect of their education or other activities, which are within the control of S P Jain.
- d. S P Jain recognises mediation as an official avenue for resolving grievances in accordance with published and accountable procedures as set out in this Student Grievance and Mediation Policy and Procedures.

### 2. Scope

- a. S P Jain has individual academic, administrative and supervisory avenues for mediation. Should other avenues come into conflict with the Student Grievance and Mediation Policy, this policy overrides all other avenues for meditation.

### 3. Definitions

- a. A grievance is a complaint or conflict which arises out of an act, decision or omission which the grievant considers to be unjust, wrongful or discriminatory and which is within the control of the School.

b. Mediation is a process by which the participants in a dispute, together with the assistance of a neutral person, systematically isolate disputed issues in order to develop options, consider alternatives, and reach a consensual settlement that will accommodate their needs.

c. Academic grievance may include issues relating to, but not limited to:

- i. Selection and Admission
- ii. Actions of/ experience with agents and other legal, formal and publicly established associations with any other parties
- iii. Content and delivery of subjects in a course
- iv. Recognition of Prior Learning (RPL)
- v. Advanced Standing
- vi. Assessments (for example assignments, tests, examinations)
- vii. Special Consideration
- viii. Academic grades necessary to maintain a scholarship
- ix. Additional matters relating to student transfers, reporting and suspension for overseas students in Australia are covered under section 7.d

d. Non-academic grievance may include but not limited to issues relating to:

- i. Fee Payment
- ii. Scholarships
- iii. Suspension of Candidature
- iv. Withdrawal without Penalty
- v. Misconduct (other than plagiarism)
- vi. Sexual Assault and Sexual Harassment
- vii. Critical Incidents
- viii. Harassment and Discrimination
- ix. Health and Well being
- x. Facilities

#### **4. Bullying or Harassment**

- a. S P Jain will not tolerate inappropriate behaviour of any kind. Any student who lodges a complaint or grievance will not be subject to discrimination or victimisation. Any respondent to a complaint or grievance will not be subject to discrimination or victimisation.

#### **5. Rights of Students**

- a. S P Jain recognises that any written agreement between students and the School does not limit the students' right to make complaints and seek appeals of decisions and action under various processes, and in the case of international students studying onshore in Australia, written agreements do not affect the rights of the student to take action under the Australian Consumer Law if the Australian Consumer Law applies.

## 6. Guidelines

### a. Grievance Mediation

S P Jain will ensure the following when dealing with complaints, grievances and appeals:

- i. Each complaint, grievance, appeal and its outcome is recorded in writing;
  - ii. To the extent practicable, each complaint or grievance is confidential (outside the parties and to whom the complaint or grievance applies and the staff who are responsible for administering the process);
  - iii. Students must complete the School's Complaints and Grievance Form available from Blackboard (Appendix 1) or Registrar's Office for prospective students. The form must set out in writing the nature of the complaint or grievance including all relevant supplementary information or documents;
  - iv. Both parties to the complaint or grievance are entitled to appropriate access to any records related to the complaint or grievance;
  - v. Each appeal is heard by an independent person or panel, and
  - vi. Each appellant
    - a. has an opportunity to formally present their case; and
    - b. is given a written statement of the appeal outcomes, including a full explanation for the decision
- b. The School is dedicated to the fair hearing and resolution of all grievances and will discuss with students and staff their familiarity with procedures for dealing with complaints, grievances and appeals.
- c. The grievance policies and procedures will be presented at orientation for both staff and students and also detailed in the student handbooks. The Vice President – Administration, Registrar and relevant Course Director (Dean) is responsible for the training of academic and academic support staff in the application of the policy. Likewise, the Head of Campus is responsible for training administration staff in the application of the policy at their respective campuses.

## 7. Grievance Procedures

If a problem, complaint or grievance is being experienced with a staff member a student or agent, the following procedure should be used:

- a. Informal stage (recommended where it is reasonable and appropriate):
  - i. Identify and discuss the complaint or grievance with the other party
  - ii. Discuss the best outcome to the complaint or grievance
  - iii. Agree to act to resolve the complaint or grievance
  - iv. This option is not encouraged for cases relating to sexual assault and harassment.
- b. Stage One:
  - i. If after talking to the person, the complaint or grievance remains unresolved the student will need to lodge formal grievance or complaint using the " Grievance and Complaints Form (Appendix 1)
  - ii. Enrolled and prospective students will submit grievances or complaints the Registrar's Office.
  - iii. The date and time of receipt of the complaint should be recorded.

- iv. Stage 1 academic grievances one will be mediated by the Vice President – Administration or his/her nominee.
  - v. Stage 1 non-academic grievances will be mediated by the Registrar or his/ her nominee.
  - vi. The process will commence within 10 working days of lodgement of complaint
  - vii. The student will have the opportunity to formally present their case
  - viii. Both parties to the complaint or grievance may bring a support person who is a third party to these meetings
  - ix. The School will provide both parties to the complaint or grievance with a written statement advising of the complaint outcome, including the reasons for the decision within 10 working days of the commencement of the process
- c. Stage Two: If the enrolled or prospective student is dissatisfied with the decision and:
- i. If it is an academic matter, they may appeal to the Vice President – Academic within 10 working days of receipt of the decisions. The Vice President – Academic or his /her nominee has 20 working days to consider the appeal and advise both parties with a full explanation of the decision in writing
  - ii. If it is a non-academic matter, they may appeal to the Vice President – Administration within 10 working days of receipt of the decisions. The Vice President – Administration or his/her nominee has 20 working days to consider the appeal and advise both parties with a full explanation of the decision in writing.
  - iii. If necessary, the Vice President – Administration will keep the Vice President – Academic (for academic grievances) and the Registrar will keep the Vice President – Administration, (for non -academic grievances) informed of the grievance in writing.
- d. Exceptions: Grievances of international (overseas) students during their period of study in the School's Sydney campus and relating to the following specific sub-sections of the National Code 2018 will be dealt as exceptional grievances and directly advanced to Stage 2 to the Vice President - Administration for his/her consideration for :
- i. Refusal of the transfer request (Standard 7.5.2);
  - ii. Intention to report the student due to unsatisfactory course; progress (Standard 8.13.3), and
  - iii. Suspension or cancellation initiated by S P Jain (Standard 9.4.2).

## **8. Grievance Protocols**

- a. To ensure that assessment and investigation of grievances are conducted in a fair and transparent manner:
    - i. If the grievance is against an administrative or a support staff, then it will be forwarded directly to the Head of Campus;
    - ii. If the grievance is against a faculty, then it will be forwarded directly to the respective Course Director (Dean);
    - iii. If the grievance is against Course Director (Dean), then it will be forwarded directly to the Vice President – Academic;
    - iv. If a grievance is against the Registrar, then it will be forwarded directly to Vice President – Administration;
    - v. If the grievance is against a Head of Campus, then it will be forwarded directly to Vice President – Administration.
- If considered necessary, the Vice President – Academic or the Vice – President

Administration will keep the Academic Board or the Board of Directors, as applicable informed of the grievance in writing;

- vi. If the grievance is against the Vice President – Academic or Vice President - Administration, it will be forwarded directly to the President.  
If necessary, the President will keep the Chair of Board of Directors, or Chair of Academic Board as applicable informed of the grievance in writing;
  - vii. If the grievance is against the President, then this will be forwarded directly to the Chairman, Board of Directors who will progress the matter further, if needed by constituting a grievance committee of at least 2 external members of the Board of Directors and the Chairman of the Academic Board / an external member of the Academic Board nominated by the Chairman of the Academic Board, and
  - viii. If the School needs to rectify its own policy and procedures, the School must act immediately and document any changes to policies and procedures. This will be dealt with by the appropriate committee on a case to case basis and any changes will be implemented as soon as possible.
- b. Details of the grievance process and resolution for each grievance must be documented, and copies given to all parties involved.

## **9. Further Appeals and Mediation Process**

- a. All attempts should be made to resolve a grievance in a manner acceptable to all parties in order to reach a mutually satisfactory resolution. Details of the process and resolution must be documented, and copies given to all parties involved. A complete file of the complaint will be kept confidentially, and the steps taken to resolve the matter must be retained by S P Jain for a minimum of 15 years after action has been completed and then destroyed.
- b. If the enrolled or prospective student is still dissatisfied with the outcome of the grievance mediation after Stage 2, they may appeal the decision by requesting an external independent arbiter. The student must access the external independent arbitrator appointed by the Board of Directors within 30 days of receipt of the decision.
- c. Any external independent arbitrator arrangements identified by the School will be at no cost or at reasonable cost of no more than AUD 100/- to students, and will be applied consistently, fairly and without reprisal.
- d. Any student who accesses the complaints and appeals process will maintain their enrolment until the case is resolved.

## **10. Other External Appeal Avenues and Processes at Campuses**

- a. Students also have the options accessing external appeal avenues and processes where available at each campus as detailed below.

**b. Sydney Campus**

Domestic and international students can access information about the external appeal avenues and processes available in Australia through the website links:

<https://www.studyassist.gov.au/support-while-you-study/higher-education-student-complaints>

<http://www.study.sydney/portuguese/student-welfare/legal-advice>

**c. Singapore Campus**

Domestic and international students can access information about the external appeal avenues and processes available in Singapore through the website link:

<https://www.ssg.gov.sg/cpe/student-services/dispute-resolution.html>

**d. Dubai (UAE) and Mumbai (India) Campuses**

Currently there are no external appeal avenues and processes available in these campus locations.

**11. Related Documents**

- a. Complaints and Grievance Form (Appendix 1)
- b. Records Management Policy
- c. Staff Code of Conduct Policy
- d. Student Code of Conduct Policy
- e. Student Sexual Assault and Sexual Harassment Policy

## **Appendix 1: Complaints and Grievance Form**

### **1. Personal Details:**

- a) Name: \_\_\_\_\_
- b) Student ID: \_\_\_\_\_
- c) Enrolled Course: \_\_\_\_\_
- d) Campus: \_\_\_\_\_
- e) Date of Birth: \_\_\_\_\_
- f) Address: \_\_\_\_\_
- g) Current Student: *YES/NO* \_\_\_\_\_
- h) Academic Grievance/Non-Academic Grievance: *Please indicate* \_\_\_\_\_

### **2. Complaint and Grievance**

Please provide:

- a) a description of the complaint/grievance including the date, the location and all persons involved
  
- b) summary of the processes and steps taken to date to try and resolve the grievance informally
  
- c) a proposed resolution which you may believe will settle the grievance
  
- d) attach any documentation in support of the grievance or proposed resolution

**3. Declaration**

I declare that the information provided by me is true and correct.

I have read and understood the information contained on this form and in the Student Grievance and Mediation Policy and Procedures.

Name (Print):

Signature:

Date:

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**4. Internal Use:**

<p><b>Received date:</b></p> <p><b>Received by:</b></p> <p><b>Number of documents received:</b></p>
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