

 <p>S P Jain School of Global Management DUBAI • MUMBAI • SINGAPORE • SYDNEY</p>	Staff Grievance and Complaint Policy and Procedures
Document Type	Policy and Procedures
Administering Entity	Director – Human Resources, Course Directors (Deans), Heads of Campuses (HoCs), Vice President – Academic and Vice President – Administration
Latest Approval/ Amendment Date	May 01, 2019
Last Approval/ Amendment Date	February 13, 2018
Approval Authority	Board of Directors
Indicative time of Review	April 30, 2021

1. Purpose

S P Jain School of Global Management (S P Jain) recognises the importance of maintaining good working relationships and seeks to promote a working environment in which problems that arise can be discussed and easily resolved at an early stage through open and honest communication.

The staff of S P Jain are entitled to access the grievance and complaint procedures as set out by the School regardless of the location of the campus at which the grievance has arisen. The School recognises mediation as an official avenue for resolving grievances in accordance with published and accountable procedures as set out in this Staff Grievance and Complaint Policy and Procedures.

2. Scope

This Policy applies to all employees, both academic and non-academic staff of S P Jain.

3. Definitions

- a. A grievance or complaint 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.

4. Guiding Principles

- a. All members of staff are entitled to perform their duties and interact in an environment that is free of discrimination, vilification, harassment or intimidating behaviour.
- b. All staff, including persons in senior and/or management roles, should create an environment where staff are treated fairly, courteously, with respect, and in a way, that exhibits consideration and compassion.
- c. In handling grievances, the School recognises the principles of natural justice, privacy of all parties, importance of confidentiality and the need to protect the rights of all parties during complaint processes.
- d. The School recognises the rights of staff at the School to have unhindered access to mediation. This means they have the right to report problems, concerns, complaints or grievances regarding any aspect of their employment, which are within the control of the School.
- e. As a higher education provider, the School recognises the regulatory framework under the Tertiary Education Quality Standards Act (2011), Higher Education Standards Framework (Threshold Standards) 2015 and the ESOS Framework and the specific industrial laws applicable to each of our international campuses.
- f. We recognise the rights of staff to seek independent, external appeal of the School's decisions.

5. Procedures for handling staff grievances

Where a member of staff believes that he/she has been discriminated against or harassed by any other member of staff, or has a grievance or complaint of any kind, the following procedures are applicable:

- a. A staff member is expected to raise the concern with their relevant manager under the grievance procedure at the earliest and as per the stimulated timeline as per the local legislation requirement.
- b. A staff member who believes he/she has been aggrieved (the grievant) shall formulate his/her concern and in the first instance speak directly to the person

who he/she believed has aggrieved them. In doing so, the aim is to resolve the matter in dispute as quickly and as informally as possible.

- c. If the grievant is uncomfortable in raising the matter personally or believes that the matter is one of principle or is serious, then a written complaint should be lodged with the Human Resources Department.
- d. As soon after receiving the complaint as is possible and always within five working days, the Human Resources Department/Heads of Campuses/Course Director (Dean) or his or her delegate should meet with the grievant so as to fully understand the complaint and to advise the grievant of what might be required to attest the allegations and/or to have them resolved. Director - Human Resources, Heads of Campuses, Course Director (Dean) or his or her delegate may decide during this interview whether the complaint can or cannot be resolved to the satisfaction of the grievant informally or whether formal proceedings need to be instigated.
- e. Where formal proceedings are instigated, Human Resources Department/ Heads of Campuses/ relevant Course Director (Dean) shall convene an investigative committee of three persons, comprising a presiding member nominated by the Heads of Campuses/ relevant Course Director (Dean), a member of staff nominated by the grievant and a member of staff nominated by the accused person. The Human Resources Department/Heads of Campuses/ Course Director (Dean) may also appoint a person to gather facts and/or witnesses relevant to the matter and intended to assist the investigative committee.
- f. The investigative committee shall decide the way it wishes to undertake its investigations including the witnesses that it may wish to examine and any documents or other exhibits that it may wish to inspect.
- g. The investigative committee shall provide a report to the Human Resources Department/Heads of Campuses/Course Director (Dean) and that report should include recommendations, as to how best to resolve the grievance(s). If the committee cannot reach a unanimous decision, then any dissenting member of the committee may also table a report.

- h. On receipt of the investigating committee's report and after considering its contents, the Director - Human Resources/Heads of Campuses/Course Director (Dean) shall decide and convey that decision to the parties. The Director - Human Resources/Heads of Campuses/Course Director (Dean) may release the committee's report to the parties and in so doing may decide to keep parts of the report confidential.
- i. A complaint against the Heads of Campuses or Course Director (Dean) shall be lodged with the Vice President - Academic or Vice President - Administration who shall have the complaint investigated by processes similar to those detailed above. The report of the investigation is to be made directly to the Vice President - Academic/Vice President - Administration, who will then determine the complaint and advise the Heads of Campuses or Course Director (Dean) accordingly.
- j. A complaint against the Vice President - Academic or Vice President - Administration shall be lodged with the President who shall have the complaint investigated by processes similar to those detailed above. The report of the investigation is to be made directly to the President, who will then determine the complaint and advise the Vice President - Academic or Vice President - Administration accordingly.
- k. A complaint against the President shall be lodged with the Chairman - Board of Directors, who shall have the complaint investigated by processes similar to those detailed above. The report of the investigation is to be made directly to the Chairman, who will then determine the complaint and advise the President accordingly.
- l. The staff will be given a right to defend themselves to ensure that the process is fair and transparent.
- m. The assigned staff handling the complaint would be responsible to document the investigation and findings and present it for final approval before any disciplinary action is initiated against the employee.
- n. The assigned staff handling the complaint must ensure that proper process and procedures are followed during investigation. All witnesses shall remain confidential even after action has been taken as per the finding.

- o. 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 fifteen years after action completed and then destroyed.
- p. If the staff is dissatisfied with the outcome, he or she may take the matter to available external bodies in the host country as per the laws prevailing at that location.
- q. These policies are subject to regular review based on changes to the School and changes in the laws of the land. S P Jain reserves the right to revise the terms and conditions of the Policy.

6. Record Management

- a. It is important and in the interest of both the School and its employees that written records are made during the grievance and the subsequent appeal process. It is the responsibility of the HR Department to ensure that accurate records are made. Such records should include:
 - 1. Nature of the grievance
 - 2. Copy of the written grievance including all supporting documentation
 - 3. Responses and/or documents submitted in relation to the grievance by any party to the complaint.
 - 4. The action taken to resolve or address the grievance and the reasons for these actions
 - 5. Whether there was an appeal and if so the outcome
 - 6. Subsequent developments
- b. Copies of the meeting records should be submitted to relevant employees including any notes that may have been taken. In certain circumstances (e.g. to protect a witness) the employer might withhold some information.
- c. Records will be treated as confidential and kept for a minimum of fifteen years after action completed and then destroyed.

Related Documents

- a. Records Management Policy
- b. Staff Code of Conduct Policy
- c. Staff Equity, Diversity and Fair Treatment Policy
- d. Staff Sexual Assault and Sexual Harassment Policy