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|  <p><b>SPJ</b><br/>GLOBAL</p> <p>S P Jain<br/>School of Global<br/>Management</p> <p>DUBAI • MUMBAI • SINGAPORE • SYDNEY</p> | <p align="center"><b>Student Grievance and Mediation Policy and Procedures</b></p>  |
| Document Type   | Policy and Procedures   |
| Administering Entity  | President, Vice President – Academic, Vice President – Administration, Registrar, Director – Examinations, Course Directors (Deans), Director/Deputy Director – Secretariat, Heads of Campuses (HoCs) |
| Latest Approval/<br>Amendment Date  | April 3, 2024   |
| Last Approval/<br>Amendment Date  | September 20, 2023  |
| Approval Authority  | Board of Directors (in consultation with the Academic Board)  |
| Indicative time of Review   | April 2, 2026   |

## 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 / the School) 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 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. Intention to report the student due to unsatisfactory course progress
  - ix. Academic grades necessary to maintain a scholarship
  - x. Cancellation of enrolment
  - xi. Internships and placements
  - xii. 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. Cancellation of enrolment
  - v. Refusal of the transfer request
  - vi. Withdrawal without Penalty
  - vii. Misconduct (other than plagiarism)
  - viii. Sexual Assault and Sexual Harassment
  - ix. Critical Incidents
  - x. Harassment and Discrimination
  - xi. Health and Wellbeing
  - xii. 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 are 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;
    - b. is provided information on the avenues for appeal; and
    - c. 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. Complaints must be raised within one month of the issue occurring or of the receipt of advice from the informal stage. The Vice-President - Administration may approve exceptions to this time limit if the circumstances warrant it.
  - iii. Enrolled and prospective students will submit grievances or complaints to the Registrar's Office.
  - iv. The date and time of receipt of the complaint should be recorded.
  - v. Stage 1 academic grievances will be mediated by the Vice President – Administration or his/her nominee.
  - vi. Stage 1 non-academic grievances will be mediated by the Registrar or his/her nominee.
  - vii. The process will commence within 10 working days of lodgement of complaint
  - viii. The student will have the opportunity to formally present their case
  - ix. Both parties to the complaint or grievance may bring a support person who is a third party to these meetings
  - x. 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 through the Director-Secretariat 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.

## **9. Further Appeals and External 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.
- b. Commonwealth Overseas Students Ombudsman (OSO)**
  - i. International students in Australia who have exhausted all internal complaints and appeals processes set out in this policy, and remains dissatisfied with the outcome of their complaint, can reach out to the Office of the Commonwealth Ombudsman, providing a free and independent service. The Ombudsman's decisions, once binding, are deemed final and non-reviewable, and parties involved will strive to resolve matters while the student continues normal attendance, unless there is a reasonable concern for health and safety.
  - ii. The Commonwealth Ombudsman can investigate complaints from international students about private schools, colleges, institutes and universities in Australia, who

are currently studying, previously studied, or are planning to study with private education providers on a student visa in Australia.

- iii. The Commonwealth Ombudsman can look into a number of issues, such as:
  - course fees and refunds
  - transfers between courses or providers
  - intention to report to Home Affairs for unsatisfactory course progress or attendance
  - cancellation of enrolment
  - deferment and suspension of studies
  - incorrect advice given by an education agent
  - refusing admission to a course
  - S P Jain's handling of a complaint or appeal, including complaints about:
    - grades and assessments
    - academic misconduct decisions
  - Overseas Student Health Cover
- iv. The Commonwealth Ombudsman will **not** look into matters involving:
  - the academic merit of a student's grade or mark for an assessment task
  - bullying, harassment or behaviour of other students
  - problems from students on visas other than a student visa (subclass 500), such as professional year courses Graduate visa holders (subclass 476 and 485)
  - discrimination
  - privacy
  - quality of teaching
  - qualifications and experience of teachers
  - resources or equipment available at your provider
  - buildings and facilities at your provider.
- v. The Office of the Commonwealth Ombudsman contact details are available at:  
<https://www.ombudsman.gov.au/contact-us>

### **c. External Independent Arbitrator Arrangements**

- i. This section applies to:
    - instances where OSO does not have jurisdiction to receive a complaint as detailed in Section 9.b for international students in Australia, and
    - all other students who have exhausted all internal complaints and appeals processes set out in this policy and remains dissatisfied with the outcome of their complaint.
  - ii. Students may appeal the internal decision through Director / Deputy Director - Secretariat 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.
  - ii. 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 the students, and will be applied consistently, fairly and without reprisal.
- d. Additionally, these procedures outlined in this policy do not supersede other policies, statutory obligations, or legal rights under Australia's Consumer Protection laws, allowing individuals to pursue alternative legal remedies if necessary. In instances where an appeal

remains unresolved post-external dispute resolution, the concerned party may choose to escalate the matter to an external agency.

| Nature of Complaint  | External Agency   |
|--|---|
| <p>FEE-HELP, fees and refunds, matters relating to competition and consumer legislation</p> <p>Reviewable decisions in relation to Fee-Help debt (see Chapter 3 of the Higher Education Support Act)</p> | <p><u><a href="#">Administrative Appeals Tribunal</a></u><br/>OR<br/><u><a href="#">Australian Competition and Consumer Commission (ACCC)</a></u></p>   |
| <p>Discrimination, sexual harassment, victimisation, vilification</p>  | <p>Australian Human Rights Commission<br/><u><a href="https://humanrights.gov.au/">https://humanrights.gov.au/</a></u></p> <p>NSW Anti-Discrimination Board<br/><u><a href="https://antidiscrimination.nsw.gov.au/">https://antidiscrimination.nsw.gov.au/</a></u></p>  |
| <p>Complaints or allegations of noncompliance, academic quality and teaching, and issues relating to risks to students or to the quality and reputation of the higher education sector</p>               | <p>TEQSA generally only acts on concerns where there is a serious risk to students or to the quality or reputation of the higher education sector; and they relate to the provider's compliance with its obligations within their area of responsibility.</p> <p><u><a href="https://www.teqsa.gov.au/complaints">https://www.teqsa.gov.au/complaints</a></u></p> |

- e. Students studying in Singapore campus can access information about the external appeal avenues and processes available in Singapore through the website link:  
<https://www.skillsfuture.gov.sg/pei/dispute-resolution>

## 10. Grievance and Appeal Decisions

- a. Students are given the opportunity to continue with their studies, during the complaint and appeal processes till final decision is reached, except in instances as detailed in 10b.
- b. Instances of suspension or cancellation of the student's enrolment will take effect only after the School's appeals process is completed, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk.
- c. If the internal or any external complaints handling or appeal process results in a decision or recommendation in favour of the student, the School will immediately implement the decision or recommendation and/or take the preventive or corrective action required by the decision and advise the student of that action.

## **11. Records Management and Reporting**

- a. A complete file of the grievance and appeal and steps taken to resolve the matter for all formal cases and any informal cases requiring further action will be maintained securely in the custody of the Registrar for the retention period as detailed in the Record Management Policy.
- b. Details of the grievance process and resolution for each grievance must be documented, and copies given to all parties involved.
- c. Regular reports on student grievances and appeals will be provided by the Vice President- Administration / Registrar to the Academic Board and the Board of Directors.

### **Related Documents**

- a. Academic Integrity Policy and Procedures
- b. Complaints and Grievance Form (Appendix 1)
- c. Deferral Policy
- d. Records Management Policy
- e. Staff Code of Conduct Policy
- f. Student Code of Conduct Policy
- g. Student Misconduct Policy and Procedures
- h. Student Progression, Exclusion and Course Completion Policy
- i. Student at Risk Policy
- j. Student Sexual Assault and Sexual Harassment Policy
- k. International Student Refund Policy
- l. Domestic Student Refund Policy
- m. Provider Transfer Policy and Processes
- n. Credit Transfer and Articulation 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:**

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