



**SWISS INSTITUTE
OF MANAGEMENT
AND SCIENCES** 

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STUDENT COMPLAINTS & GRIEVANCE PROCEDURES

SWISS INSTITUTE OF MANAGEMENT AND SCIENCES

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1. PURPOSE

The Student Grievance Procedures are for all domestic and international students and cover all programmes, including not-for-credit, undergraduate and postgraduate programmes and related services.

The Swiss Institute of Management and Sciences procedures are designed to ensure students receive a quality education and equitable relations between staff and students.

2. OBJECTIVE

To foster the fair, speedy, and informal resolution of disputes at The Swiss Institute of Management and Sciences and an academic culture that will prevent such grievances.

3. DEFINITION

A Grievance means any grievance that a student (whether or not that person has any other role within the Institute) has against the Institute and/or a staff member because of a claim that he/she has sustained academic disadvantage. This includes claims which are sometimes referred to as Student Complaints.

Such grievances may include but are not confined to:

- The unfair assessment of coursework not otherwise governed by Institute assessment and examination regulations.
- An unfair refusal or failure of the staff member to make him/herself available to assist a student with difficulties regarding his/her coursework.
- Unreasonable delays in the assessment of coursework.
- Inadequate course materials.
- Inadequate teaching.
- Deficient performance of associated administrative services.

4. JURISDICTION

The Student Grievance Procedures are distinct from, and may not be used concerning, any questions relating to the following rules, regulations, statutes or procedures of the Institute including:

- Cases of hardship - Vice-Chancellor's Powers.
- Disciplinary procedures.
- Harassment procedures.
- Final examination regulations.
- Registration regulations.
- Student fees.



5. PROCEDURES

5.1. Process Overview

When a student has an issue or complaint, there are four key internal processes that may be employed to resolve the matter:

- 1 **Informal resolution:** Staff and students are expected to try to resolve problems at the local level (if reasonable and appropriate to do so) before making a complaint.
- 2 **Formal complaint:** When an issue cannot be resolved at the local level, the student may lodge a complaint in writing via Student Policy and Integrity Services. Student Policy and Integrity Services will perform an initial assessment of the complaint and will refer it to the most appropriate part of the Institute for resolution.
- 3 **Review:** Once a decision is made in a complaint matter, a student may request a review of the decision. Reviews are performed by an appropriate senior officer in the part of the Institute to which the complaint pertains as specified in the Student Review and Appeal Policy and Student Review and Appeal Procedures.
- 4 **Appeal:** If a student is dissatisfied with the outcome of a review, and they meet one of the prescribed appeal grounds in the Student Review and Appeal Policy, they may lodge an appeal through the Institute's appeals process as specified in that policy.

5.2. Informal resolution of issues

Students are expected to attempt to resolve matters in good faith at the local level, where it is reasonable and appropriate to do so, before lodging a complaint.

Students are encouraged to specifically name their issues and, if possible, propose solutions. Once a student has identified the issues and thought about solutions, either by themselves or with the help of a support service or person, they are encouraged to speak directly with the staff member or student responsible for the particular issue if they feel safe and comfortable to do so.

Students may seek assistance from support services in conducting conversations with other students or staff members, which may include mediation if appropriate and acceptable to all parties.

The staff member who becomes aware of a student issue:

- Should endeavour to resolve the issue to the satisfaction of all parties if possible
- May refer the issue to a manager or supervisor from within the Institute/Portfolio area if appropriate
- May request Student Policy and Integrity Services arrange mediation, if appropriate and acceptable to all parties, or



- Where the matter is not suitable for informal resolution, or where any of the parties believe that a matter may be serious and/or complex, contact Student Policy and Integrity Services as soon as practicable for advice.

In attempting to resolve a student issue at the local level, the relevant staff member may employ a range of strategies, including but not limited to:

- Preliminary enquiries and seeking advice if required
- Problem-solving and remedial intervention
- Referral to other staff or support services, such as Health, Counselling and Disability Services
- Facilitated discussions between parties
- Referring the student, or the complaint, to Student Policy and Integrity Services.

Informal resolutions are achieved with the agreement of both the student who raised the issue and the person with whom they had the issue. They do not involve a ruling by a higher authority.

Accurate and complete records of informal resolutions must be created and maintained by the staff member involved in the resolution.

An informal resolution involving a decision communicated in writing is considered a determination or decision by the Institute that may be reviewed in accordance with the Student Review and Appeal Procedures without proceeding to a formal complaint. Informal resolutions not involving a written decision can be lodged as a formal complaint if the informal resolution proves unsuccessful.

Not all matters are suitable for informal resolution. Matters involving allegations of serious misconduct should not be addressed informally and should be referred to the formal complaints process.

5.3. Lodging a formal complaint

If an issue cannot be, or is not suitable to be, resolved informally, students may make a complaint using the Institute's lodgement process.

Complaints will be acknowledged in writing as soon as possible following receipt.

Students may obtain assistance in formulating their complaint from Student Assist or from any other third party of their choosing (e.g. advocacy groups, legal representatives, friends or family members). However, complaints must be lodged in a student's own words and under their own name. Complaints may be lodged on students' behalf by Student Assist,



but complaints lodged by external third parties (e.g. legal representatives or parents) will not be accepted.

Students may lodge a complaint as a group, but the person lodging the complaint must provide evidence of all named students' consent to the lodgement of the complaint.

When making a complaint, students should:

- Clearly state the nature and details of the complaint and provide any facts or documentation regarding it
- Provide details of informal attempts to resolve the matter or the reasons for bypassing the informal resolution process
- Propose the outcome sought. Students should be aware that not all complaints will result in the outcome they seek.

Complaints must be raised in a timely fashion. Generally, the Institute will not consider complaints lodged more than 6 months after the issue occurs unless the Institute considers that the circumstances warrant it.

5.4. Complaint preliminary assessment and triage

When a complaint is lodged, a preliminary assessment and triage are performed by Student Policy and Integrity Services. This involves:

- Prioritising complaints for action
- Determining what type of complaint is involved – academic, administrative, behavioural, or other
- Liaising with Health, Counselling and Disability Services if the complaint relates to an allegation of sexual harassment or sexual assault
- Assessing the nature and substance of the complaint
- Ensuring that the complaint does not duplicate or substantially overlap with any legal action underway on the same matter and
- Determining the correct referral point for complaint resolution.

In assessing the complaint, Student Policy and Integrity Services may:

- Contact the student and any other party/parties to a complaint in order to gather information
- If warranted, refer the matter immediately to the appropriate authority to impose without-prejudice interim measures to protect the safety and well-being of any parties in accordance with the Sexual Harassment and Sexual Assault Prevention and Response Policy



- If appropriate, contact the student to propose that an informal resolution be attempted (if it has not been)
- Seek to clarify information relevant to the matter
- Provide further information on the complaint process and next steps to the student
- Provide relevant information arising from the complaint as feedback to the Institute/ Portfolio area
- Refer the matter to a different Institute process or service if it is not actually a complaint (e.g. fee issues, admissions matters, academic progress, misconduct, safer community etc.)
- Dismiss the complaint if it is out of time, vexatious, without merit or otherwise represents an abuse of process.

Preliminary assessment of complaints will be done in a timely fashion, commencing no later than 10 Institute business days after the complaint is received.

Students will receive notification of either the outcome or the proposed next steps with their complaint within 28 Institute business days after the complaint is received.

5.5. Investigations

A formal investigative process may be used:

- Where the person with responsibility for addressing the complaint believes it is warranted or would be useful, or
- Where Student Policy and Integrity Services assesses the complaint as being of a seriousness or complexity that an investigative process is necessary.

Where an investigative process is used, an investigator will be appointed by the Senior Student Policy and Integrity Advisor in consultation with the relevant senior officer. This may be an internal or external person but will be a person with appropriate skills and training to conduct the investigation and with no conflict of interest or prior involvement in the matter.

Where the complaint involves allegations of sexual harassment or sexual assault, the Institute will engage appropriately trained investigators to ensure any investigation is undertaken in a trauma-informed model.

The investigator will:

- Conduct the investigation with due regard to procedural fairness, timeliness, and the individuals' safety and well-being
- Notify the parties of the investigation





- Seek sufficient particulars of the alleged conduct to enable the complaint/concern to be factually investigated
- Provide the respondent (if any) with a summary of allegations and/or a statement of the alleged conduct v. provide the respondent (if any) with an opportunity to respond to the complaint and/or alleged conduct
- If possible and appropriate, interview the parties and any witnesses
- Review any relevant documentation, and viii. prepare a report setting out the complaint, how the investigation was conducted, relevant facts, and findings, and present this to the relevant decision-maker.

The investigation will result in a decision by the decision-maker, which will be communicated to the student. The decision and the reasons for it will be recorded by Student Policy and Integrity Services.

5.6. Decisions in complaint matters

A complaint that is addressed as a formal complaint matter will be found to be either:

- Substantiated
- Substantiated in part or
- Not substantiated.

A determination that the complaint is substantiated wholly or in part may lead to any combination of the following outcomes, or any other outcome appropriate in the circumstances:

- Rectification of administrative or academic error
- Implementation of a negotiated solution
- A direction of no contact by any means or for any reason
- Intervention by an academic staff member
- Referral to another process within the University (e.g. student progress process)
- Misconduct action.

Decisions in complaint matters must be communicated to the student as soon as is practicable once the decision has been made.

5.7. Review of complaint decisions

A student who is dissatisfied with the outcome of their complaint may request a review of the decision as specified in the Student Review and Appeal Policy.

The review process is detailed in the Student Review and Appeal Procedures.



5.8. Appeals of complaint decisions

A student who remains dissatisfied after the review may appeal the review decision if they have one or more relevant grounds as specified in the Student Review and Appeal Policy.

The appeals process is detailed in the Student Review and Appeal Procedures.

5.9. Information management and recordkeeping

Full and accurate records will be kept of all complaint, review and appeals matters, their investigation (if relevant) and their resolution.

Student Policy and Integrity Services will ensure that key information is captured centrally for each complaint that is lodged via the complaints process.

Staff involved in complaint matters at any level must also ensure that full and accurate information is recorded regarding the complaint and any resolution reached.

Deidentified complaints data will be reported in a regular and systematic manner.

