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MCAST

MCAST Manual of Administrative Procedures

Chapter 15: Student and Staff Grievances

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(*) Signed approval sheets are archived at the QA Office

Document change history			
B	DCN #	Date released	Change originator
	84/2021	20.07.2021	Ms Sandra Cortis
Change history			
<ul style="list-style-type: none"> Extracted document from MOP Chapter 1 and transferred to a new stand-alone chapter (Chapter 15) All instances referring to the <i>Deputy Principal Responsible for the Grievance Office</i> have been changed to refer to <i>Senior Grievance Officer</i> 			

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Document users are encouraged NOT to retain printed a hard copy of this document. If however a hard copy of this document is required the user is to confirm the current revision.

Continuous Improvement

Procedures are meant to be 'living' documents that need to be implemented and maintained. If the procedure does not reflect the current, correct work practice, it needs to be updated!
Contact your Deputy Principal or QA Office on Ext 7121 today!

In the case of a conflict in the interpretation between the Manual of Procedures and the Collective Agreement(s), the Collective Agreement(s) shall prevail.

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1.1. Policy

- 1.1.1. The Malta College of Arts, Science and Technology (MCAST) spares no effort to ensure that all its community members, including full-time and part-time students and staff, operate in a conducive environment where they can live together guided by sound values of inclusion and respect in the light of social and cultural diversity.
- 1.1.2. In any human community, there are incidences of disagreement, when individuals or groups feel the need of voicing a divergent opinion, dispute decisions or distance themselves from sharing their community's ideals due to lack of self-confidence in obtaining their entitlements. Conflicts may lead to many other problems, including increased liabilities, negative publicity, and possibly lawsuits. A positive approach when handling concerns and complaints results in a better culture on MCAST Campus, where students and staff are the major beneficiaries of a more harmonious and authentic community spirit.
- 1.1.3. The scope for establishing the MCAST 'Grievance Office' is to address such issues. This office has the role of assisting MCAST students and staff to share and obtain advice about their concerns, complaints and grievances. The 'Grievance Office' seeks, above all, to promote and facilitate a culture of truthful dialogue in obtaining a solution for minor disagreements at source. Whenever it is necessary, the Senior Grievance Officer guides the complainant and the other party to reach an informal resolution to the satisfaction of all concerned. In cases of a more serious nature, the complainant is entitled to opt for a formal grievance procedure, where the Senior Grievance Officer investigates the grievance until a fair solution is reached.
- 1.1.4. Any grievance presented to the 'Grievance Office' under the formal procedure must be in writing. Only one grievance procedure may be employed for the same grievance. The Grievance Office is totally committed to the investigation of any grievance impartially, while priority is given to the communication of the Grievance Office's recommendations within realistic time frames throughout the process.
- 1.1.5. This policy aims to ensure that problems among the MCAST community are dealt with in a timely manner, fairly and consistently. The Grievances' procedure enhances the transparency of the entire process. The 'Grievance Office' provides additional support for vulnerable MCAST members who may need more guidance in their individual circumstances.
- 1.1.6. The Principal has the right to take the final decision in disciplinary matters or termination of employment.

1.2. Grievances at MCAST

- 1.2.1. The MCAST Grievance Office provides its services to all registered MCAST full-time and part-time students and staff. The overall aim is to actively promote and safeguard their well-being by dealing with their grievances and offering fair and adequate counsel to assist in bringing grievances to a satisfactory closure for the benefit of all concerned.
- 1.2.2. MCAST employees and students may contact the MCAST Grievance Office by phone (23987130), by email (sandra.cortis@mcast.edu.mt) or by visiting the Grievance Office at Reno C Borg Building, Administration, Ground Floor Building, Ground Floor. All meetings require that complainants set up an appointment with the Senior Grievance Officer responsible for the MCAST Grievance Office.

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- 1.2.3. The MCAST Grievance policy and procedure have five underpinning principles:
- full respect to the human dignity of all concerned,
 - handling of grievances under the strictest confidentiality,
 - priority given to agreements reached through informal procedures,
 - transparency of communication, and
 - the complainants' entitlement to be accompanied by any one other person of his/ her choice during the grievance hearing sessions.
- 1.2.4. Irrespective of their age, all complainants may opt to have another person of their own choice accompanying them during the proceedings of the MCAST Grievance Office.
- 1.2.5. Grievances are generally handled at the MCAST Grievance Office or on the MCAST main or satellite campuses.
- 1.2.6. A grievance is considered as an official expression of a complaint that may be resolved (a) through a discussion between the parties concerned, (b) between the parties with the assistance of the Senior Grievance Officer, or (c) through the formal Grievance Procedure.
- 1.2.7. The Grievance Office deals with all grievances in a timely manner, fairly and with the strictest confidentiality.
- 1.2.8. The formal grievance procedure is generally staggered over these five consecutive steps:
- initial commitment to close a grievance through an informal resolution,
 - the option to go for a formal grievance procedure when a solution is not reached through an informal procedure
 - the formal grievance hearing sessions conducted in a spirit of dialogue and reconciliation between the parties involved,
 - the final opinion of the Senior Grievance Officer, which is then presented to the MCAST Principal & CEO for his endorsement or otherwise, and
 - the complainant's entitlement to appeal.
- 1.2.9. When it is evident that an MCAST employee and / or student has to resort to the formal grievance procedure, the complainant has to fill in Document Form A (Formal Grievance Application Form) with all the relevant details. Lack of details and signature on this Form may delay unnecessarily the handling of a grievance.
- 1.2.10. The Senior Grievance Officer will refer immediately any grievances that are related directly to her to the MCAST Principal & CEO.
- 1.2.11. The MCAST President or his representative is the Chairperson of the Grievances Appeals Board. The MCAST President, as Chairperson of the MCAST Grievances Appeals Board, may choose a member from the MCAST Deputy Principals or the MCAST Board of Governors who are in no way involved in the grievance.
- 1.2.12. The investigation of all grievances and the Final Opinion of the Senior Grievance Officer responsible for the MCAST Grievance Office takes into consideration the MCAST regulations, policies and procedures, local legislation if and when applicable, such as the GDPR and the Education Act.
- 1.2.13. When the Grievance Office receives a grievance, the Senior Grievance Officer acknowledges the receipt of the grievance. This acknowledgment also includes the Unique Reference Number (URN) allocated for the grievance, which consists of the calendar year in digits, a hyphen and the number of the grievance in sequence of submission.
- 1.2.14. All basic complainant's data is registered on the 'Register of URNs.'

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- 1.2.15. Any grievance that directly involves the Senior Grievance Officer shall be referred to the MCAST Principal and CEO. The complainant shall be informed about this change.
- 1.2.16. Prior to any form of investigation regarding any grievance submitted to the MCAST Grievance Office, the Senior Grievance Officer will send by email a copy of the MCAST Grievance Policy & Procedure to the complainant. The Senior Grievance Officer invites the complainant for an initial clarification meeting to ensure that there is a clear and commonly agreed understanding of the alleged grievance.
- 1.2.17. The Senior Grievance Officer has the discretion to advise the complainant to discontinue the grievance in case the alleged grievance lacks any supporting evidence or when it is clearly established that the alleged complaint has no grounds to justify its investigation, or in cases when the grievance is 'void and frivolous' beyond reasonable doubt.
- 1.2.18. When it results at the initial meeting between the Senior Grievance Officer and the complainant that what is being reported is a matter that requires advice or some form of other in-house or external professional support, the Senior Grievance Officer will indicate the way forward to the complainant by suggesting the most appropriate way forward for the well-being of the complainant.
- 1.2.19. The Senior Grievance Officer will inform the party / parties against whom the grievance is addressed.
- 1.2.20. When it results that a grievance is already being investigated by another in-house and / or external competent body, such as the courts, the Senior Grievance Officer suspends the Grievance Office's investigation and informs the complainant about such decision.
- 1.2.21. When it is established that the complainant would like to opt for the formal grievance procedure, the Senior Grievance Officer will send Form A – the Formal Grievance Procedure Form to the complainant, which the latter is expected to return to the MCAST Grievance Office filled in as indicated and duly signed.
- 1.2.22. The MCAST Grievance Office will keep a record of all documents, meetings and correspondence related to each grievance. A copy of all the above documentation is replicated on an external storage system.
- 1.2.23. The Senior Grievance Officer shall compile a Final Opinion report. Once this is concluded, it is forwarded to the MCAST Principal & CEO for his final endorsement, suggested amendments or complete refusal.
- 1.2.24. After the completion of the Final Opinion Report, the Senior Grievance Officer meets the MCAST Principal & CEO to clarify any issues regarding the grievance prior to the MCAST Principal & CEO's decision. The MCAST Principal & CEO puts his endorsement signature in Section B of the Grievance Office's Final Opinion Report when he is in agreement with the Final Opinion.
- 1.2.25. The Senior Grievance Officer informs in writing the complainant about the outcome of his / her grievance.
- 1.2.26. Complainants who may wish to appeal against the MCAST Grievance Office Final Opinion may do so by immediately informing the MCAST Principal & CEO about their intention to contest the Final Opinion.
- 1.2.27. In any appeal, the Senior Grievance Officer will automatically forward all its findings and conclusions about the contested grievance report to the Chairperson of the MCAST Grievance Appeals Board.