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POLICY ON INTERNAL COMPLAINT COMMITTEE

INSTITUTE OF ADVANCE MANAGEMENT AND RESEARCH

(Approved By AICTE, New Delhi and Affiliated to AKTU, Lucknow)

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Policy of Internal Complaint Committee

1.0 Definitions

The Institute of Advanced Management and Research, Ghaziabad (IAMR) is committed to providing a safe and respectful work and study environment for all its members. As part of this commitment, IAMR has established an Internal Complaints Committee (ICC) to address complaints related to harassment, discrimination, or any other form of misconduct within the institution.

The Internal Complaints Committee (ICC) is a statutory body mandated by the AICTE to address and resolve complaints of sexual harassment within educational institutions, including technical institutions. The ICC is responsible for receiving complaints, conducting inquiries, and recommending appropriate actions in accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, and the guidelines issued by the AICTE. The ICC is composed of members representing various stakeholders, including faculty, staff, students, and external experts, and is required to ensure a safe and supportive environment free from sexual harassment for all members of the institution.

An Internal Complaints Committee (ICC) is a formal body established within an organization, typically comprising representatives from various departments or sectors, responsible for receiving, investigating, and resolving complaints related to harassment, discrimination, or other forms of misconduct. The ICC is mandated to ensure compliance with organizational policies, as well as relevant laws and regulations, while fostering a culture of respect and professionalism within the organization.

An Internal Complaints Committee (ICC) is an internal mechanism established by an organization to handle complaints of harassment, discrimination, or other inappropriate behavior within the workplace. The ICC is tasked with receiving complaints, conducting impartial investigations, and recommending appropriate actions to address and resolve the issues raised. The committee plays a crucial role in promoting a safe and inclusive work environment and upholding the organization's values and principles.

2.0 Jurisdiction

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This policy applies to all members of IAMR, including faculty, staff, students, and visitors. It covers complaints of harassment, discrimination, or misconduct occurring on IAMR premises or in any IAMR-related activities.

3.0 The Complaint Committee

Implementation of the policy will be achieved through the following structure :

As per the guidelines of the All India Council for Technical Education (AICTE), the composition of the Internal Complaints Committee (ICC) typically includes the following members:

Chairperson: A senior faculty member or administrator appointed by the institution's head, such as the Director or Principal.

Two Faculty Members: Appointed by the institution's head from different departments or disciplines.

One Non-Teaching Staff Representative: Elected or nominated by the non-teaching staff of the institution.

One Student Representative: Elected or nominated by the student body of the institution. This member should preferably be a woman.

One External Expert: A legal professional or expert in the field of gender studies, social work, or related areas. This individual is appointed by the institution's head and may provide guidance and expertise during the investigation process.

4.0 POWER AND DUTIES OF COMPLAINT COMMITTEE

The Internal Complaints Committee (ICC) typically possesses several powers to effectively carry out its responsibilities in addressing complaints of harassment, discrimination, or misconduct within an organization. These powers may include:

Receiving Complaints: The ICC has the authority to receive complaints of harassment, discrimination, or misconduct from any member of the organization, including employees, students, or other stakeholders.

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Conducting Investigations: The ICC is empowered to conduct thorough and impartial investigations into the complaints it receives. This includes gathering evidence, interviewing relevant parties, and reviewing documentation or other pertinent information.

Maintaining Confidentiality: The ICC has the responsibility to maintain confidentiality throughout the investigation process to protect the privacy of the complainant, respondent, and witnesses involved.

Issuing Summons and Notices: The ICC may issue summons or notices to individuals involved in the investigation process, requiring their participation and cooperation.

Examining Witnesses: The ICC has the authority to examine witnesses and gather testimony to establish facts relevant to the complaint under investigation.

Requesting Documents and Records: The ICC may request and review documents, records, or other evidence relevant to the investigation.

Making Recommendations: Based on its findings, the ICC has the power to make recommendations for appropriate actions or remedies to address the complaint, including disciplinary measures, counseling, training, or other interventions.

Imposing Disciplinary Actions: In cases where the complaint is substantiated, the ICC may recommend disciplinary actions against the respondent, such as warnings, suspension, termination of employment, or other appropriate measures.

Monitoring Compliance: The ICC may monitor the implementation of its recommendations and ensure compliance with organizational policies, as well as relevant laws and regulations.

Providing Support and Assistance: The ICC is responsible for providing support and assistance to both the complainant and the respondent throughout the investigation process, including guidance on available resources and support services.

Maintaining Records: The ICC is tasked with maintaining records of complaints received, investigations conducted, and actions taken, ensuring transparency and accountability in its proceedings.

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Reporting to Management: The ICC may be required to provide periodic reports to the management or governing body of the organization on its activities, findings, and recommendations for addressing complaints.

Overall, the ICC plays a crucial role in promoting a safe and respectful work or study environment and ensuring that complaints of harassment, discrimination, or misconduct are addressed in a fair and transparent manner.

The ICC shall have the following responsibilities:

- Receive and investigate complaints of harassment, discrimination, or misconduct.
- Conduct impartial investigations in a timely manner.
- Maintain confidentiality throughout the investigation process.
- Provide support and guidance to both the complainant and the respondent.
- Make recommendations for appropriate disciplinary action, if necessary.
- Monitor the implementation of any corrective measures.

5.0 Procedure for making Complaints and Conducting Enquiry

Any member of IAMR who believes they have been subjected to harassment, discrimination, or misconduct may file a complaint with the ICC. Complaints should be submitted in writing to the Chairperson of the ICC and should include details of the incident(s) and any supporting evidence.

Upon receiving a complaint, the ICC shall conduct a thorough investigation, which may include interviews with the complainant, the respondent, and any witnesses. Both the complainant and the respondent shall have the opportunity to present their side of the story and provide any evidence or witnesses to support their case.

Both the complainant and the respondent shall have the right to appeal the decision of the ICC within a specified timeframe. Appeals shall be heard by an Appeals Committee appointed by the Director, which may uphold, modify, or overturn the decision of the ICC.

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6.0 Conducting an Enquiry By the Complaint Committee

Receipt of Complaint: Upon receiving a complaint, the Complaint Committee should acknowledge receipt promptly and inform the complainant about the process that will be followed.

Preliminary Assessment: The Committee should conduct a preliminary assessment of the complaint to determine its jurisdiction, seriousness, and whether it warrants a formal investigation. If the complaint falls within the Committee's purview, the Committee proceeds to initiate the inquiry process.

Appointment of Inquiry Panel: The Committee appoints an Inquiry Panel consisting of members responsible for conducting the investigation.

The Panel should ideally include individuals with relevant expertise and diverse perspectives.

Notification to Parties Involved: The complainant and the respondent(s) are notified about the initiation of the inquiry process, along with the details of the allegations against the respondent(s).

Gathering Evidence: The Inquiry Panel gathers evidence relevant to the complaint, including documents, emails, witness statements, and any other pertinent information. Interviews may be conducted with the complainant, the respondent(s), and any witnesses identified during the investigation.

Interviews and Statements: The Panel conducts interviews with the complainant, the respondent(s), and witnesses separately to gather their statements and perspectives.

Interviews should be conducted in a private and confidential setting, ensuring the comfort and safety of all parties involved.

Maintaining Confidentiality: The Committee ensures confidentiality throughout the investigation process to protect the privacy and integrity of the parties involved and the investigation itself.

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Impartiality and Fairness: The Panel conducts the inquiry with impartiality and fairness, ensuring that all parties are given equal opportunity to present their case and respond to allegations.

Documentation: The Panel meticulously documents all evidence collected, statements obtained, and actions taken during the inquiry process.

Analysis and Deliberation: The Panel analyzes the evidence collected and deliberates on the findings to determine whether the allegations are substantiated.

Drafting the Inquiry Report: Based on the findings of the investigation, the Panel prepares a comprehensive Inquiry Report detailing its findings, conclusions, and recommendations.

Submission of Inquiry Report: The Inquiry Report is submitted to the Complaint Committee for review and consideration.

Decision and Action: Based on the recommendations provided in the Inquiry Report, the Complaint Committee makes a decision on the appropriate action to be taken, which may include disciplinary measures, counseling, training, or other interventions.

Communication of Decision: The decision of the Complaint Committee is communicated to the complainant, the respondent(s), and other relevant parties in a timely and respectful manner.

Follow-Up and Monitoring: The Complaint Committee may monitor the implementation of its recommendations and follow up on any further actions required to address the complaint effectively.

7.0 Interim Redressal

Interim redressal by the Internal Complaints Committee (ICC) involves taking provisional measures to address a complaint while an investigation is ongoing. These measures aim to provide immediate relief or protection to the complainant or other affected parties until a final decision is reached. Examples include temporary relocation, no-contact directives, suspension or leave, counseling, workplace accommodations, training programs, and monitoring compliance. These measures are designed to ensure fairness, confidentiality, and due process throughout the investigation process.

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8.0 Punishment and Compensation

In the context of the Internal Complaints Committee (ICC), punishment and compensation may be considered as outcomes or consequences resulting from the findings of an investigation into a complaint of harassment, discrimination, or misconduct.

Punishment:

If the ICC finds the respondent(s) guilty of harassment, discrimination, or misconduct based on the evidence presented during the investigation, it may recommend disciplinary actions or sanctions.

These disciplinary actions may include warnings, reprimands, suspension from duties or academic activities, demotion, termination of employment, or expulsion from the institution, depending on the severity of the offense and the organization's policies.

The purpose of punishment is to hold the perpetrator(s) accountable for their actions, deter future misconduct, and ensure a safe and respectful environment for all members of the institution.

Compensation:

In addition to disciplinary measures, the ICC may also recommend compensation or restitution to the complainant for any damages, losses, or harm suffered as a result of the harassment, discrimination, or misconduct.

Compensation may include financial compensation for lost wages, medical expenses, counseling or therapy costs, or other tangible losses incurred by the complainant.

Compensation may also extend to non-financial remedies such as an apology, a written acknowledgment of the harm caused, or changes in policies or procedures to prevent similar incidents from occurring in the future.

The purpose of compensation is to provide redress for the harm suffered by the complainant and to restore their dignity, well-being, and sense of justice.

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It's important for the ICC to consider the specific circumstances of each case, the impact of the misconduct on the complainant, and any relevant organizational policies or legal requirements when determining appropriate punishment and compensation. The ICC should ensure that its decisions are fair, proportionate, and guided by principles of justice and equity.

9.0 Addressing frivolous complaints

In dealing with frivolous complaints, the ICC can:

- Assess the complaint promptly.
- Gather evidence and document findings.
- Communicate with the complainant, explaining the determination.
- Offer guidance on the appropriate use of the complaint process.
- Provide education on filing genuine complaints and consequences for frivolous ones.
- Impose disciplinary action if the complaint was made in bad faith.
- Review procedures periodically for improvements.

10.0 Minutes of Meeting

The Complaint Committee shall Prepare an MOM giving full accounts of activities twice a year and forward a copy thereof to the Director who shall report to the Governing Body of the Institute.

11.0 Monitoring and Reviewing

I. The Institute Complaint Committee will send MOM to the Board Of Governors through Director.

II. In the above mentioned MOM, Confidentiality of the complaints will be maintained.

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