

# Academic Grievance Policy and Procedures

Sydney Theatre Management Pty Ltd trading as Sydney Theatre School (STS).  
ABN: 64 112 467 348 and ACN: 112 467 348

## 1. Definitions

1.1. For the purposes of this document the following applies:

1.1.1. **The Act** refers to the *Higher Education Support Act 2003*

1.1.2. **Student/s** refers to all persons enrolled in a VET unit of study that meets the course requirements under subclause 45(1) of Schedule 1A of the Act who are, or would, be entitled to VET FEE-HELP or VSL assistance under clause 43 of Schedule 1A of the Act.

1.1.3. **Complainant** refers to Students (as defined above) who have lodged an academic complaint with STS.

1.1.4. **Academic grievance** is a problem, concern or complaint from a student in regard to academic matters at STS, including the formal assessment of their performance in relation to progress through their course of study.

1.1.5. **Academic matters** are those matters relating to student progress, formal assessment and awards in a course of study.

1.1.6. **Assessment** refers to formal assessments as provided to students in writing after the completion of an assessment task and/or at the end of the academic year.

1.1.7. **Discrimination** means unfair or inequitable treatment of a person as a consequence of their involvement in a grievance under this policy and procedure.

1.1.8. **Victimisation** includes any unfavourable treatment of a person as a consequence of their involvement in a grievance under this policy and procedure.

1.1.9. **Staff member or staff** for the purposes of this policy and procedure means any employee of STS and any visiting staff, contractor or consultant to STS.

1.1.10. **Respondent** is the individual(s) against whom the complaint is made.

1.1.11. **Confidentiality** means limiting disclosure of information relating to a grievance to as few people as possible, and only to those who are legitimately involved in the process of resolving the grievance.

1.1.12. **Procedural fairness** means the right to a fair hearing, including the opportunity to present one's case and the right to have any material considered by an unbiased, impartial decision-maker.

## 2. Overview

2.1.1. STS is committed to providing an effective, efficient, timely, fair and confidential academic grievance handling procedure for all students.

2.1.2. Complainants are entitled to access this grievance procedure at the place at which the grievance has arisen, the Complainant's place of residence or mode of study.

2.1.3. Academic matters include those matters which relate to student progress, assessment, course content or awards in a VET course of study.

2.1.4. The aim of this policy and procedure is to resolve issues relating to academic matters.

2.1.5. This policy and procedure is published on the STS website and in the *STS Student Handbook*.

2.1.6. Awareness of this policy and procedure, including how to access and apply the procedure, is reinforced to STS teaching staff during induction, and in the case of new casual and visiting members of staff, through briefings provided by the Managing Director.

### **3. Responsibility**

3.1.1. The Managing Director is responsible for implementation of this policy and procedure and ensuring that all staff are fully trained in its operation and Students and Complainants are made aware of its availability.

### **4. General Principles of grievance handling**

4.1. General principles applying to all stages of this grievance procedure which will be adhered to by STS, are:

4.1.1. Grievances should be treated seriously, expeditiously and sensitively having due regard to procedural fairness, confidentiality and potential for victimisation.

4.1.2. Wherever possible, grievances should be handled as close as possible to their source. This may be influenced by the nature of the grievance and the complainant's wishes.

4.1.3. Students should raise concerns as early as possible after an incident has occurred relating to the grievance.

4.1.4. Wherever possible, grievances should be resolved by a process of discussion, cooperation and conciliation, with the aim of reaching an acceptable outcome that minimises any potential detriment to ongoing work or study relationships.

4.1.5. Both the complainant and the respondent will receive appropriate information, support and assistance in resolving the grievance.

4.1.6. Students should not instigate grievances that are frivolous or malicious.

4.1.7. Staff and students are expected to participate in the grievance handling process in good faith.

4.1.8. Requirements relating to confidentiality and privacy extend to the use and storage of any information and records related to a grievance.

4.1.9. All steps of this grievance procedure concerning the hearing and settlement of grievances shall be free of charge to the student and staff member.

4.1.10. At all steps of the process, reasons and a full explanation in writing for decisions and actions taken as part of the procedures will be given if requested by the complainant and/or respondent.

4.1.11. The Complainant and respondent will have the opportunity to present their case at each stage of the procedure. The Complainant and the respondent have the option of being accompanied/assisted by a third person (such as a family member, friend or counsellor) if they so desire.

4.1.12. The Complainant and the respondent will not be discriminated against or victimised.

4.1.13. At all stages of the process, discussions relating to complaints, grievances and appeals will be recorded in writing. Reasons and a full explanation in writing for decisions and actions

taken as part of this procedure will be provided to the Complainant and/or the respondent if requested.

- 4.1.14. Records of all grievances will be kept for a period of five years. These records will be kept strictly confidential and stored at the registered office of STS located at 45, Chippen Street, Chippendale, NSW 2008.

## 5. Informal Grievance Procedure

- 5.1. Prior to initiation of a formal grievance procedure, STS has an informal process to address the concerns of a complainant. This informal process is not a mandatory component of the formal grievance procedure. This process involves following steps:
  - 5.1.1. When a student has a grievance about any academic matter, defined above, he or she should first discuss the matter with the relevant member of the teaching staff. If the student still has concerns then he/she should discuss it with the Course Director.
  - 5.1.2. In the case of a student with a complaint about an assessment, he/she must raise the matter with the Course Director within seven days of the student sighting the **written assessment during the year** and within seven days of the date of their letter advising of **end-of year results**.
  - 5.1.3. A grievance raised through this channel will be usually dealt with within seven days of receipt of the grievance. The Course Director will respond to a request for a discussion about an **end-of-year result** within three working days, unless there are exceptional circumstances.
  - 5.1.4. A student is entitled to access his/her general file through the Course Director.
  - 5.1.5. In most cases STS expects that an informal discussion between the parties should result in a prompt and mutually acceptable resolution of the matter. If requested the Course Director will provide details of the resolution to the student in writing.
  - 5.1.6. Following resolution of a grievance dealt with, the Course Director will inform the respondent and will make a file note outlining the nature of the complaint and the action taken in relation to grievances dealt.

## 6. Formal Grievance Procedure

### 6.1. Stage One

- 6.1.1. Formal grievances should be submitted in writing to the Course Director of Sydney Theatre School – 45 Chippen Street, Chippendale, NSW 2008.
- 6.1.2. The Course Director of STS will then assess the grievance, determine the outcome and advise the Complainant in writing of his/her decision within 7 days.
- 6.1.3. The Complainant will be advised of their right to access stage two of this procedure if they are not satisfied with the outcome of Stage One.

### 6.2. Stage Two

- 6.2.1. If the Complainant is not satisfied with the outcome of Stage One they may lodge an appeal in writing with the Managing Director of Sydney Theatre School.
- 6.2.2. The Managing Director will conduct all necessary consultations with the Complainant and other relevant persons and make a determination of the appeal. The Complainant will be advised in writing of the outcome of their appeal, including the reasons for the decision, within 10 working days of the submission of the appeal. The Complainant be advised of their right to progress to Stage Three of the grievance procedure if they consider the matter unresolved.

### **6.3. Stage Three**

- 6.3.1. If the Complainant is not satisfied with the outcome of Stage Two they may, after exhausting all internal processes and within 20 days from the date of appeal outcome, request that the matter be referred for external review. The complainant must inform the Administration Manager in writing of their decision to proceed with an external dispute resolution process.
- 6.3.2. Students who wish to lodge an external appeal or complaint against the decision of the internal grievance process can contact:
- New South Wales  
Community Justice Centres  
1800 990 777  
[www.cjc.nsw.gov.au](http://www.cjc.nsw.gov.au)
- 6.3.3. Sydney Theatre School will request an independent mediator from Community Justice Centres be appointed to resolve the dispute. This process will take no longer than 30 days. Sydney Theatre School will bear all costs of this mediation process.
- 6.3.4. The complainant may request another person to accompany them during this mediation process.
- 6.3.5. If the independent mediator makes recommendations in relation to a grievance they have reviewed, the mediator will forward those recommendations to the Managing Director within 14 days. The Managing Director will ensure that the recommendations are implemented within 30 days of the receipt of the mediator's report.

### **6.4. Stage Four**

- 6.4.1. If a grievance still remains unresolved after the external dispute resolution process, the complainant may decide to refer the matter to an external agency such as The Anti-Discrimination Board or The Office of Fair Trading.
- 6.4.2. Any areas for improvement which arise or where a complaint is found to be substantiated are documented for action and rectification.

## **7. Confidentiality**

- 7.4.1. To ensure strict confidentiality, as few people as possible should handle the complaint. Requirements relating to confidentiality and privacy extend to the use and storage of any information and records related to a grievance.
- 7.4.2. Where a person's duty involves receiving information and documentation for reporting to appropriate people, they are, under normal circumstances, protected from liability for defamation by the defence of 'qualified privilege'.
- 7.4.3. The law requires that persons act reasonably and in good faith and disclose information only to those legitimately involved in resolving the grievance. Unnecessary disclosure may also incur liability for breach of confidentiality. Both federal and state legislation place a high premium on the maintenance of confidentiality and all of STS's practices will uphold these principles.
- 7.4.4. Records of all grievances, applications for review of decisions and outcomes of the grievance will be kept for a period of five years. These records will be kept strictly confidential and filed in a separate file (not kept on the student or staff file, unless they result in disciplinary action). Parties to the complaint will be allowed supervised access to these records.

## **8. Monitoring and Evaluation**

- 8.4.1. The operation of this policy and procedure will be monitored and a review carried out in 2018.

## **9. Publication**

- 9.4.1. This *Academic Grievance Policy and Procedure* will be made available to Students enrolled with Sydney Theatre School through publication on the website [www.sydneytheatreschool.com](http://www.sydneytheatreschool.com) and is contained in the student handbook.

This policy was approved by the governing body of Sydney Theatre Management Pty Ltd T/A Sydney Theatre School – Directors Mark Matthews and Megan Matthews - on 22nd December 2017.

### **Version 3**

**Date of Policy – 22nd December 2017**