



CERTIFICATED AWARDS  
FOR  
THEATRE TECHNICIANS

**Policy statement**

**Complaints Procedures for participants in ABTT Training**

**Informal Procedure**

1. The ABTT will endeavour to address and satisfy any complaint, grievance or dispute in a prompt, informal and amicable manner wherever possible. If a participant in ABTT training believes there is cause for complaint, she/he should immediately discuss the issue with the tutor, ABTT Training Co-ordinator, or ABTT Membership Administrator.
2. Should the matter not be resolved to the satisfaction of the complainant, she/he should discuss the complaint with the Chairman of the ABTT Training and Education Committee who will attempt to resolve the problem within 14 days.
3. Only if the matter has not been resolved to the satisfaction of the complainant via direct discussion as outlined above may it be raised for consideration under the ABTT Training Formal Complaint Procedure.

**Formal Procedure**

4. A complaint must be submitted in writing to the Chairman of the ABTT Training and Education Committee (ABTT TEC). The submission must be made within 14 days following the completion of the informal process.
5. The chairman of the ABTT TEC will seek to resolve the matter on the basis of the documentation provided after having sought further information from the persons involved in the complaint or may, at her /his discretion, call a hearing normally within 15 working days from the receipt of the written complaint, at which the complainant and other persons involved may submit their cases. The constitution of any panel and the procedure for the hearing will be communicated to all parties prior to the hearing.
6. The complainant may be accompanied by a person of her/his choice at a meeting but must inform the Chairman of the ABTT TEC as to who the person will be at least 48 hours before the hearing takes place.
7. The Chairman of the ABTT TEC's decision will be communicated in writing to the complainant as soon as practicable after the complaint is received. The complainant will be advised of the further steps that she/he might take if dissatisfied with the outcome.

8. It is recognised that circumstance may arise where the subject of a complaint may be the Chairman of the ABTT TEC or a member of the panel of a hearing. In such cases the student should seek advice from the Company Secretary who will ensure that the case is dealt with by another party.

### **Appeals Procedure**

9. In cases where the complainant is dissatisfied with the investigation and outcome of the complaint, she/he may appeal to the Chairman of the Council of the Association of British Theatre Technicians (Chairman).
10. The request for such an appeal should be made in writing to the Chairman within 7 days of the intimation of the decision by the Chairman of the ABTT TEC.
11. The only competent grounds of appeal by an individual against the decision of the formal procedure are that:
  - i. new evidence has emerged which could not have been produced during the formal procedure;
  - ii. there has been defective procedure during the formal procedure;
  - iii. the disposal by Chairman of the ABTT TEC was perverse.
12. The details of the grounds of appeal must specify what new evidence has emerged and why it was not produced during the formal procedure, or in which respects the procedure was defective or in what way the disposal was perverse, as the case may be.
13. The Panel shall normally consist of the Chairman, who shall be the Chairman of the Panel and two of the Directors of the Association of British Theatre Technicians.
14. The Panel will review the circumstances of the case and will, if necessary, take further advice. The Panel may seek to resolve the matter on the basis of the documentation provided or may call a hearing, normally within 15 working days of receipt of the request for an appeal, at which both the complainant and any other persons involved may present their individual cases.
15. The Panel's decision will be communicated to the complainant in writing by the Chairman as soon as practicable after the decision is made.
16. For those individuals participating in ABTT Training but who have not registered for the ABTT Training Awards Scheme accredited by the Royal Scottish Academy of Music and Drama, the Panel's decision will be final.

17. For those individuals who have registered for the ABTT Training Awards Scheme accredited by the Royal Scottish Academy of Music and Drama a final appeal may be made to the Academy under the Appeals Procedure provided in their Complaints Procedure for Students.

## **12. Complaints Procedure for Students**

### 12.1 Introduction

- 12.1.1 This procedure is designed for use by matriculated and enrolled students or groups of students (see 12.3.5 below) who wish to make a complaint about any area of the Academy's operation which provides an individual student or group of students with a definable service.
- 12.1.2 'Service' provision would include academic provision, academic support services, student services, Client Services, Technical Services and any of the Academy's Offices.
- 12.1.3 This procedure should be used to make complaints about the non-operation or inefficient operation of the service.
- 12.1.4 This procedure should not be used to make complaints about academic decisions relating to the progress of students and examination results. These should be addressed through the RSAMD Code of Procedure for Appeals.
- 12.1.5 Students who bring complaints will not be disadvantaged for having brought a complaint. However there could be serious consequences if a complaint is subsequently deemed to have been frivolous, vexatious, untrue or made in bad faith (see 12.3.8 or 12.4.7).
- 12.1.6 Complaints from students who are dissatisfied in their dealings with the RSAMD Students' Union or claim to be unfairly disadvantaged by reason of having exercised their right not to be members of the Union will normally be dealt with under the Union's own Complaints Procedure.

### 12.2 Policy

- 12.2.1 The Royal Scottish Academy of Music and Drama will make every reasonable effort to deal promptly and efficiently with all complaints.
- 12.2.2 All complaints will be judged on their individual merits and will be treated as confidential, within the constraints outlined in the procedure, unless the complainant has clearly indicated otherwise.

- 12.2.3 All complaints will be thoroughly and objectively investigated.
- 12.2.4 In accordance with the RSAMD's Equal Opportunities policy, all complainants will be treated equally regardless of their status and will not be treated adversely as a result of their making a complaint.
- 12.2.5 The RSAMD seeks to resolve students' grievances as near to their source as possible and believes that most are capable of resolution without recourse to formal procedures. To this end, the RSAMD considers that its ability to deal effectively with grievances depends principally on the readiness of all its staff to make themselves available to students, to listen to complaints and to try to address the points raised quickly and in the most appropriate way.
- 12.2.6 Students may, if they so wish, be accompanied by a person of their choice, at any stage in the following processes.

### **12.3 Informal Procedure**

- 12.3.1 It is at the informal level that the Academy expects that individual grievances will be resolved amicably.
- 12.3.2 If an individual student has cause for complaint, she/he should take it up immediately with the Principal Study Teacher, Head of Department, Course Leader, Personal Tutor or other appropriate member of staff.
- 12.3.3 It is expected that the majority of complaints will be resolved informally whereby the member of staff will see the complainant and attempt to resolve the problem.
- 12.3.4 Should the matter not be resolved to the satisfaction of the complainant, she/he should then take up the complaint with the Dean of Drama or the Associate Director of Music as appropriate who will attempt to resolve the problem within 7 working days.
- 12.3.5 Where a group of students wish to make a joint complaint it may not be helpful to take it up with the person who may appear to be responsible for the problem. It should thus be taken to the Dean of the School of Drama or the Associate Director of Music as appropriate who will attempt to resolve the problem.

- 12.3.6 The Dean of Drama or Associate Director of Music will record the date of receipt of the complaint, the nature of the complaint and the subsequent actions taken to resolve the matter.
- 12.3.7 The student(s) will be asked to sign that it is a true record and that the matter has been resolved satisfactorily.
- 12.3.8 Where the Dean of Drama or the Associate Director of Music consider a complaint to be frivolous or vexatious the case will be reported to the Director of Finance and Administration who will investigate the matter. If the complaint is confirmed as frivolous or vexatious the complainants may face disciplinary action [see para. 11, page 28]. (A frivolous complaint is one that is trivial or without serious content; a vexatious complaint is one that is primarily intended to vex, harass or harm the subject of the complaint rather than to secure a remedy).

#### **12.4 Formal Procedure**

- 12.4.1 Students are advised that, before lodging a formal complaint, they obtain advice and support either from the Academy Counsellor or the RSAMD Students' Union.
- 12.4.2 Only where a matter has not been resolved to the satisfaction of the complainant(s) by means of the informal process detailed in 12.3, the complainant(s) may raise the matter through the Academy's formal complaints procedure.
- 12.4.3 A student, or group of students in the case of a joint complaint, of the School of Drama must submit the complaint in writing to the Associate Director of Music; a student, or group of students in the case of a joint complaint, of the School of Music must submit the complaint in writing to the Dean of Drama. The submission must be made within 7 working days following completion of the informal process.
- 12.4.4 The Associate Director of Music or Dean of Drama will seek to resolve the matter on the basis of the documentation provided after having sought further information from the persons involved in the complaint or may, at her/his discretion, call a hearing, normally within 15 working days from receipt of the written complaint, at which the student and other persons involved may submit their cases. The constitution of any panel and procedure for the hearing will be communicated to all parties prior to the hearing.

- 12.4.5 The complainant may be accompanied by a person of her/his choice at a meeting but must inform the Associate Director of Music or Dean of Drama, as appropriate, who the person will be, before the hearing takes place. In the case of a joint complaint one person should be nominated by the group to act as spokesperson (being someone not involved in the matter of concern) and be accompanied by up to two of the complainants.
- 12.4.6 The Associate Director of Music's or Dean of Drama's decision will be communicated in writing to the complainant as soon as practicable after the complaint is received. This will normally be within 15 working days, or where a hearing has been called, within 10 working days following the conclusion of the hearing. The complainant(s) will be advised of the further steps which she/he or the group might take if dissatisfied with the outcome.
- 12.4.7 Where the Dean of Drama or the Associate Director of Music consider a complaint to be untrue or made in bad faith (e.g. spite) the case will be reported to the Director of Finance and Administration who will investigate the matter. If the complaint is confirmed as untrue or made in bad faith the complainants will face disciplinary action [see para.11, page 28].

## 12.5 **Alternative Adjudicator**

- 12.5.1 It is recognised that circumstances may arise where the subject of a complaint may be the person to whom the complaint would normally be made. In such cases the student should seek advice from the Academic Registrar who will ensure that the case is dealt with by another party.

## 12.6 **Appeals Procedure**

- 12.6.1 In cases where the complainant(s) is/are dissatisfied with the investigation and outcome of the complaint, she/he/they may appeal to the Complaints Appeals Panel.
- 12.6.2 The request for such an appeal should be made in writing to the Academy's Academic Registrar within 7 days of the intimation of the decision by the Associate Director of Music or the Dean of Drama.\*

- 12.6.3 The only competent grounds of appeal by a student or group of students against the decision of the formal procedure are that:
- i. new evidence has emerged which could not have been produced during the formal procedure;
  - ii. there has been defective procedure during the formal procedure;
  - iii. the disposal by the Associate Director of Music/Dean of Drama was perverse.
- 12.6.4 The details of the grounds of appeal must specify what new evidence has emerged and why it was not produced during the formal procedure, or in which respects the procedure was defective or in what way the disposal was perverse, as the case may be.

*\*NB: In the event of intimation being by post, the date of intimation will be 2 days (excluding Sundays) after the date of posting.*

- 12.6.5 The Panel shall normally consist of the Principal who shall be the Chairman, one of the three Directors and the President of the Students' Union.
- 12.6.6 The Panel will review the circumstances of the case and will, if necessary, take further advice. The Panel may seek to resolve the matter on the basis of the documentation provided or may call a hearing, normally within 15 working days of receipt of the request for an appeal, at which both the complainant and any other persons involved may present their individual cases.
- 12.6.7 The Panel's decision, which will be final, will be communicated to the complainant in writing by the Academic Registrar as soon as practicable after the decision is made.

## **12.7 Recording and Monitoring**

At the conclusion of the formal procedures all relevant documentation will be lodged with the Director of Finance and Administration. Each complaint will be monitored in the context of the Equal Opportunities Policy.

## **12.8 Monitoring of any Remedial Action**

It is the responsibility of the appropriate Director of School to confirm to the investigator of the complaint that any remedial action that has been identified by the process has, in fact, been implemented.



## **12.9 Action**

Any action of a disciplinary nature taken as a result of the implementation of the complaints procedure will be in accordance with the RSAMD's Student Disciplinary Procedure and/or Staff Disciplinary Rules and Procedure.

## **12.10 Disclaimer**

Although the Academy will make every reasonable effort to provide appropriate facilities, amenities and services, students should note that such provision may be affected by conditions which prevail from time to time. In such circumstances, the Academy cannot accept responsibility for a level of service which may be less comprehensive than that provided normally.

## **Association of British Theatre Technicians**

### **ABTT Training Equal Opportunities Statement**

ABTT Training operates an Equal Opportunities Policy and within the constraints of available resources and in accordance with current legislation, the Association endeavors to grant equality of opportunity to all staff and participants regardless of gender, sexual orientation, race, ethnic origin, disability, marital status or religious belief and not to discriminate against them through the application of any unjustifiable factor.

### **ABTT Training Sexual, Racial and Disability Harassment Policy**

The Association deplores all forms of sexual, racial or disability harassment and seeks to ensure that the working environment is sympathetic to all its training staff and participants. It has adopted a procedure which includes examples of the type of behavior that is unacceptable and provides employees and participants who are the victims of sexual or racial or disability harassment with a means of redress. Implementation of the policy is the duty of all Directors, Officers and employees of the Association. All employees and contractors are expected to comply.

## **EQUAL OPPORTUNITIES**

### **POLICY**

Within the constraints of available resources and in accordance with current legislation ABTT Training endeavours to grant equality of opportunity to all staff and participants, regardless of gender, sexual orientation, ethnic origin, disability, marital status or religious beliefs and not to discriminate against them through the application of any unjustifiable factor.

### **PROCEDURE**

1. Equal opportunity is about good employment practices and efficient use of our most valuable asset, our employees. Every Director, Officer and employee has personal responsibility for the implementation of the policy. Any instance of doubt about the application of the policy or other questions should be addressed to the Chairman of the ABTT TEC, as should any requests for special training.
2. The Association will not unlawfully discriminate on grounds of gender, sexual orientation, ethnic origin, disability, marital status or religious beliefs through the application of any unjustifiable factor.
3. The policy applies to the advertisement of jobs, recruitment and appointments, training, conditions of work, pay and every other aspect of employment. The policy also applies equally to the treatment of training

participants. Staff involved in recruitment in particular should request training if they have any doubt about the application of this policy.

4. Employees should note that the imposition of a condition or requirement which has an adverse impact on someone, because his or her sex, race or marital status, etc. is more likely to be affected by it, will also be unlawful unless it can be justified on grounds of the needs of the service provided by ABTT Training. (By way of example a height requirement of 5' 10" will eliminate some men, but proportionately more women, and so be unlawful.) In all such situations the Chairman of the ABTT TEC should be consulted.
5. Employees or participants who are disabled or become disabled during their employment or training activity should inform the Association and advise ABTT Training of any "reasonable adjustments", as defined in the Disability Discrimination Act 1995, to their employment or working or training conditions which they consider to be necessary or which they consider would assist them in the performance of their duties or in the participation of training. Careful consideration will be given to any proposals of this nature and, where reasonable and reasonably practicable, such adjustments will be made. A failure to consider properly or make a reasonable adjustment is unlawful discrimination. There may however be circumstances where it will not be reasonable or reasonably practicable for ABTT Training to accommodate those proposals and where less favourable treatment may be justified in accordance with the statutory provisions.
6. Any member of staff may use the grievance procedure to complain about discriminatory conduct, except in cases of harassment where the procedure set out in ABTT Training's Harassment Policy and Procedure should be used. No individual will be penalised for raising such a grievance unless it is untrue and made in bad faith.
7. Training participants should use the ABTT Training Participants Complaints Procedure, except in cases of harassment where the procedure set out in the ABTT Training's Harassment Policy and Procedure should be used. No individual will be penalised for raising such a grievance unless it is untrue and made in bad faith.
8. Any employee who discriminates unlawfully on the grounds of race, sex or disability will be subject in appropriate circumstances to the Association's disciplinary procedure. In serious cases, such behaviour may be deemed to constitute gross misconduct and, as such, may result in summary dismissal in the absence of mitigating circumstances.
9. All employees, job applicants and training participants will be invited to complete a form denoting their sex, ethnic origin and disabilities which will be used only for the purpose of monitoring the effectiveness of the Association's Equal Opportunities Policy.

## **Association of British Theatre Technicians**

### **SEXUAL, RACIAL AND DISABILITY HARASSMENT**

#### **POLICY**

The Association deplures all forms of sexual, racial or disability harassment and seeks to ensure that the working environment is sympathetic to all its employees and training participants. The following procedure includes examples of the type of behaviour that is unacceptable and provides employees and training participants who are the victims of sexual or racial or disability harassment with a means of redress. Implementation of the policy is the duty of all Directors and Officers of the Association. All employees and contractors are expected to comply.

#### **PROCEDURE**

##### **Introduction**

1. Sexual harassment at work is unlawful, and both the Association and the harasser may be held liable for such unlawful actions and be required to pay damages. Sexual harassment can reduce the effectiveness of the Association by undermining the confidence of all employees and training participants, creating a threatening environment, and increasing sickness absence and labour turnover. Employees and training participants have the right to work and train in an environment free from sexual intimidation.
2. Racial harassment at work is also unlawful and, as with sexual harassment, both the Association and the harasser may be held liable. It also creates a threatening environment and all staff and training participants have the right to work and train in an environment free from racial intimidation.
3. Intentional racial or sexual harassment is also a criminal offence punishable by imprisonment or a fine.
4. Disability harassment at work is also unlawful and, as with sexual and racial harassment, both the Association and the harasser may be held liable. Disabled employees and training participants have the right to work and train in an environment free from harassment attributable to their disability.

##### **Examples of Harassment**

5. Sexual harassment takes many forms, from relatively mild sexual banter to actual physical violence. Employees and training participants may not always realise that their behaviour constitutes sexual harassment; they must recognise that what is acceptable to one employee or participant may not be acceptable to another. Sexual harassment is

unwanted behaviour of a sexual nature by one employee or training participant towards another member of the Association's community. Examples of harassment include:

- (a) Insensitive jokes and pranks related to sex
  - (b) lewd comments about appearance
  - (c) unnecessary body contact
  - (d) displays of sexually offensive material, e.g. pin-ups
  - (e) requests for sexual favours
  - (f) speculation about an employee's private life and sexual activities
  - (g) threatened or actual sexual violence
  - (h) threat of dismissal, loss of promotion, adverse examination results, etc. for refusal of sexual favours.
6. Racial harassment can also take many forms, from relatively minor abuse to actual physical violence. Examples of harassment include:
- (a) insensitive jokes and pranks related to race
  - (b) deliberate exclusion from conversations
  - (c) abusive, threatening or insulting words and behaviour
  - (d) displaying abusive writing and pictures
7. Disability harassment can also take many forms. Examples include:
- (a) insensitive jokes and pranks related to disability
  - (b) deliberate exclusion from conversations
  - (c) abusive, threatening or insulting words and behaviour
  - (d) displaying abusive writing and pictures

The examples above are not exhaustive. Items 5(g) and 5(h) are obvious examples of gross misconduct, punishable by summary dismissal, but other items may constitute gross misconduct depending on the circumstances of the case in question.

## **The Environment**

- 8. The Association prohibits the display of sexually offensive material, e.g. pin-ups and posters, and will, if necessary, ensure that workplaces are inspected and offending material removed.
- 9. All new employees and contractors will be informed of the Association's policy towards sexual, racial and disability harassment at induction training, when it will be stressed that all complaints of sexual, racial or disability harassment will be treated very seriously.
- 10. The Association expects all Directors and Officers to ensure that this policy and procedure is adhered to at all times.
- 11. The Association recognises the sensitive nature of complaints of sexual harassment. Employees and training participants who wish to discuss

such complaints, in confidence, should contact either the ABTT Training Co-ordinator, the Chairman of the ABTT TEC or the Company Secretary.

### **Informal Remedy**

12. An employee or training participant who is a victim of minor sexual, racial or disability harassment is advised to make it clear to the harasser that the behaviour is unacceptable and must stop. If an employee or training participant is unable to do this orally, then a written request (explaining the distress which the behaviour is causing) handed to the harasser may be effective. The persons named above in paragraph 11 can assist employees and students in taking such action.

### **Formal Procedure**

13. Where informal methods fail, or serious harassment occurs, employees and training participants are advised to bring a formal complaint, and should seek assistance, as above, in doing so. The complaint should be made in writing and, where possible, state:

- the name of the harasser
- the nature of the harassment
- dates and times when harassment occurred
- names of witnesses to any incidents of harassment
- any action already taken by the complainant to stop the harassment

The complaint should be sent in confidence to the Chairman of the ABTT TEC or Company Secretary. Should the complaint relate to either of the previous two individuals, it should be sent to the Chairman of the Council of the Association of British Theatre Technicians.

14. Immediately a complaint of harassment has been received, action will be taken to separate the alleged harasser from the complainant; this may involve temporary transfer of the alleged harasser to contact with the complainant, or suspension with pay until the complaint has been resolved.
15. The notified Association Officer handling the complaint will carry out a thorough investigation as quickly as possible, maintaining confidentiality at all times. All employees and training participants involved in the investigation are expected to respect the need for confidentiality. Failure to do so will be considered a disciplinary offence.
16. Copies of statements made by witnesses will be made available to the alleged harasser and the complainant. Witnesses will be encouraged to appear at the complaint hearing if requested by either party. It is acknowledged that some witnesses may be reluctant to do so. In these circumstances the notified Association Officer will, if necessary, adjourn the hearing to ask supplementary questions of witnesses in private.

17. In cases of sexual, racial or disability harassment the complainant may be supported throughout the procedure and hearing by one of the persons named above in paragraph 11. Alternatively, an employee may be supported by a full-time official of a trade union or by any colleague. A training participant may be accompanied by another Member of the Association. The person accused of harassment will also have the right to be accompanied at the hearing by another Member of the Association or a full-time official of a trade union.
18. Where the notified Association Officer concludes that harassment has taken place and proposes that disciplinary action should be taken against the harasser, he or she will ensure that this is done under the Association's disciplinary procedures.
19. The severity of the penalty imposed upon an employee or training participant guilty of harassment will be consistent with those detailed in the disciplinary procedures (e.g. gross sexual harassment will normally result in summary dismissal or termination of training). Where a lesser penalty is appropriate (e.g. a written warning) this may be coupled with action to ensure that the victim is able to continue working or training without embarrassment or anxiety. After discussion with the victim, the notified Association Officer may order the transfer of the harasser to a different work area, or arrange for the amendment of working or training practices to minimise contact between the two parties. If the victim so wishes, his or her own transfer may be arranged, subject to practical limitations. The result of the hearing will be confirmed in writing to both parties.
20. In complaints involving notifiable Association officers the decision will remain solely with the Chairman of the Council of the Association of British Theatre Technicians.
21. If the complainant or alleged harasser is not satisfied about the way a complaint has been handled by the notified Association Officer, he or she may ask for it to be reconsidered by the Chairman of the council of the Association of British Theatre Technicians and in such event the matter shall be dealt with in the same manner as is provided for in paragraph 20 for complaints involving a notifiable Association Officer.
22. An employee or training participant who receives a warning or is dismissed or has his or her training terminated for sexual, racial or disability harassment may appeal in accordance with the Association's appeals procedures.
23. An employee or training participant who brings a complaint of sexual, racial or disability harassment will not be disadvantaged for having brought the complaint. However, if the complaint is untrue and has been brought in bad faith (e.g. spite) disciplinary action will be taken.