

## **What is the Private Education Mediation - Arbitration Scheme?**

The Private Education Mediation - Arbitration Scheme is jointly drawn up with the Singapore Mediation Centre (SMC), and the Singapore Institute of Arbitrators (SIArb), and is designed to provide students and private education institutions (PEI) a quick and affordable way of resolving their disagreements.

The Scheme follows a mediation-arbitration model of alternative dispute resolution procedure.

### **Mediation**

Mediation is a means of dispute resolution in which the parties to a dispute engage the assistance of an impartial third party (called the Mediator) to facilitate negotiations between them with a view to resolving their dispute privately and in an amicable manner.

### **Arbitration**

Arbitration is a process by which the parties of a dispute submit their differences to one or more impartial parties for a final and binding decision. Being an orderly proceeding, arbitration is substantially less formal than court proceedings. Arbitration under the Private Education Mediation - Arbitration Scheme is a paper-based proceeding under which each party submits his representation to the Arbitrator for consideration. Confidentiality is ensured and the disputes are resolved in a cost-effective and expeditious manner. It is an alternative to dispute resolution by litigation in a court of law.

## **Types of disputes which can be referred to the Private Education Mediation - Arbitration Scheme**

Disputes which can be referred to the Private Education Mediation - Arbitration Scheme include unsatisfactory services provided by PEIs, fee refunds, disciplinary issues and quality of courses and teachers.

If you are unsure if your complaint is suitable for dispute resolution, you can approach SSG where our officers would be able to advise you.

### **What to do if I have a dispute?**

As a first course of action, you are encouraged to approach your school directly to resolve your complaints at the earliest opportunity. If the matter remains unresolved or if you are not unsatisfied with the outcome, you may approach SSG for help.

Our officers will review the complaints and may refer you to the Private Education Mediation - Arbitration Scheme.

### **Procedure for Dispute Resolution**

If you wish to initiate the dispute resolution process, you will be required to fill up an application form, stating the nature of your dispute. The application form will then be sent to SMC, who will contact you and the school for an appropriate date to hold the mediation session.

Before the day of mediation, the parties involved will exchange through the SMC a concise summary of the case, as well as copies of relevant documents referred to in the summary that the parties wish to rely on during mediation.

At the end of Day 1 of mediation, if the parties are able to arrive at an agreement, the mediator will draw up a settlement agreement and close the case. However if there is no settlement, you can decide if you wish to proceed to the arbitration stage, which is a paper-based review of the dispute. The arbitrator may call for a hearing if he deems it to be necessary.

You will be required to submit a request to SI Arb to commence arbitration, and within 14 working days of receiving the request, the PEI will submit to SI Arb their defence. You have another 14 working days to submit your reply to SI Arb upon receiving the PEI's defence.

For a documents-only arbitration, the arbitrator will publish his arbitral award within 60 days from the commencement of the arbitration, while if a hearing was held, the arbitrator will publish his award within 90 days from the commencement of the arbitration.

### **Fees for Dispute Resolution**

The fees of the dispute resolution process are as follows:

<b>Process</b>	<b>Amount of claim</b>	<b>Total fees</b>	<b>Amount student pays</b>	<b>Amount PEI pays</b>
Mediation	Less than or equal to \$30,000	\$720	\$144	\$576
	Above \$30,000 and up to \$100,000	\$2,300	\$460	\$1,840
Arbitration For documents-only arbitration	Less than or equal to \$60,000	Administration fees \$500 + Arbitrators' fees of 20% of the claim, subject to a minimum of \$600 and a maximum of \$2,400	10% of total fees	90% of total fees
	Above \$60,000	Administration fees \$1,500 + Arbitrators' fees of 10% of the claim, subject to a maximum of \$25,000	10% of total fees	90% of total fees
For arbitration where hearing is conducted	Less than or equal to \$60,000	Administration fees \$500 + Arbitrators' fees of 40% of the claim, subject to a minimum of \$1,000 and a maximum of \$4,800	10% of total fees	90% of total fees
	Above \$60,000	Administration fees \$1,500 + Arbitrators' fees of 20% of the claim, subject to a maximum of \$50,000	10% of total fees	90% of total fees