

## IMPERIAL SOCIETY OF TEACHERS OF DANCING

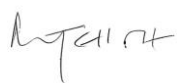
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### Complaints policy and procedure

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Michael Elliott, Chair of Council

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## Complaints policy and procedure

### 1 Introduction

This policy and procedure document relates to concerns and complaints about the conduct and performance of ISTD members, trustees, employees and contractors. This includes complaints about the conduct of examiners; however, this policy and procedure does not cover enquiries or appeals about examination results. For these enquiries, the relevant policy is the Enquiries and Appeals about Results policy and procedure which is available on the ISTD website (<https://www.istd.org/documents/enquiries-and-appeals-policy/enquiries-appeals-last-page-rev-rki2bp.pdf>).

The ISTD strives for high standards in all its endeavours and welcomes feedback from members, learners, stakeholders and anyone who works with us, on all aspects of our activity. Such feedback is invaluable in helping us evaluate and improve our work.

Other policies and procedures that might be of relevance are:

- Member Agreement/Professional Code of Conduct
- ISTD Rules and Standing Orders
- Members' Disciplinary policy and procedure
- ISTD Centre Agreement
- Enquiries and Appeals about Results policy and procedure
- Malpractice policy and procedures
- Whistle-blowing policy and procedure

The objectives of our Complaints policy and procedure are to:

- Ensure everyone knows how to make a complaint and how a complaint will be handled.
- Ensure that complaints are dealt with consistently, fairly, and sensitively within clear time frames.
- Provide individuals with a fair and effective way to complain about our work and the work of our Approved Dance Centres and members.
- Ensure that complaints are monitored to improve our services.

## 2. Policy

### 2.1 Complaints Policy Statement

The ISTD:

- Values all the Approved Dance Centres (ADCs) / Members delivering our qualifications and the Learners who undertake them.
- Is committed to providing a high quality and efficient service.
- Recognises that people delivering or undertaking our qualifications
  - have the right to raise concerns or complaints about our services
  - have the right to access clear information on how to voice concerns and complaints.

- Will take seriously any concern or complaint and will look into it promptly, fully, objectively, efficiently and courteously, for resolution as quickly as possible within the stated time frame.
- Will treat complaints as confidential, where possible.
- Will record, store and manage all complaints accurately and in accordance with the requirements of the Data Protection Act 2018, UK-GDPR and the ISTD's Confidentiality Policy.
- Will inform the complainant of the results of the investigation and any right of appeal.
- Will inform the complainant of any action that will be implemented in order to ensure that there is no re-occurrence.
  
- Will keep a register of all complaints, which will be reviewed regularly by the Board of Trustees (ISTD Council).
- Will report on an annual basis, the number of complaints received, the outcomes and any actions taken.

Our Complaints procedure is open to everyone who receives or requests a service from the ISTD, its Approved Dance Centres and its Members, and to people acting on their behalf. This policy is published on our website for anyone who wishes to see it.

Our Complaints procedure will be part of the process of monitoring the quality, effectiveness and non-discriminatory nature of our services.

All staff, members, volunteers, and Board of Trustees members are required to read, understand and comply with this policy and its procedure.

## **2.2 Commitment to our Regulatory Requirements**

Our policy considers the requirements of the relevant regulatory authority's rules (i.e., Charity Commission and Information Commissioner's Office) and Conditions of Recognition (i.e., Ofqual, Qualification Wales and CCEA Regulation).

Where the regulators notify us of failures that have been discovered in the assessment process or other activities of another awarding organisation, we will review whether or not a similar failure could affect our own processes and arrangements.

## **3 Approved Dance Centres and Members' Responsibility**

We advise that our Approved Dance Centres and Members should take all reasonable steps to ensure that their staff involved in the management and delivery of our qualifications, and learners, are aware of the contents of this policy and that our Approved Dance Centres and Members have a complaint handling procedure and appeals process in place to deal with complaints from learners and parents/caregivers. If an individual is unhappy about a service or activity being delivered by an Approved Dance Centre or Member, they must first go through the Approved Dance Centre or Member's complaints process before bringing the matter to the Society.

## **4 Concern or Complaint**

Taking concerns seriously at the earliest stage will reduce the likelihood of their developing into formal complaints.

If you have any concerns about our work or the work of our Approved Dance Centres and / or members, please tell the member / employee or their manager as soon as possible, so they can quickly understand your concerns and try to put things right.

If you are not happy with the response to your concern and / or want to make a formal complaint, please follow the procedure below.

## **5 Definition of a complaint**

It is important to establish the difference between a concern and a complaint. A complaint is a formal expression of dissatisfaction by an individual, whether justified or not.

An individual may make a complaint if they feel the ISTD, an Approved Dance Centre or a Member has:

- Failed to provide a service or an acceptable standard of service or made a mistake in the way the service was provided.
- Failed to act in a proper way.

This policy and procedure relate only to complaints received about the ISTD, its employees and contractors, its members or its Approved Dance Centres.

## **6 Complaints Procedure**

**6.1** The ISTD aims to resolve the majority of complaints quickly and satisfactorily, resolving any issue with the member or employee about whom the complaint or concern has been raised. The complaint may be resolved quickly by way of an apology or by an acceptable explanation to the person who has raised the complaint or concern, or by doing a simple action, e.g., correcting a genuine mistake.

### **6.2 Complaints against an Approved Dance Centre/Member:**

(See Appendix A: High Level Process Map: Complaints against Approved Dance Centre/Member)

**6.2.1** All Approved Dance Centres have gone through a rigorous approval process and confirmed to be bound by the Centre Agreement to ensure that they have the required resources, policies and procedures in place to deliver the ISTD teaching qualifications.

**6.2.2** All registered ISTD teachers have to complete the relevant teaching qualification in the faculty in which they wish to teach, and they have to retain their annual membership of the ISTD in order to enter candidates for examinations. In this way, they are kept up to date with any changes and developments in their field and have the opportunity to attend training events.

**6.2.3** The ISTD is responsible for its qualifications and specifications, and related examination and assessment of them. The ISTD is not responsible for matters relating to teaching within a school or college. All ISTD Approved Dance Centres and Members are expected to conform to the Centre Agreement and ISTD Member Agreement / Professional Code of Conduct respectively; however, the administration of their business is a matter between the learner (or their representative) and the Approved Dance Centre / teacher.

**6.2.4** If a complaint relates to the conduct or performance of the Approved Dance Centre or a teacher, the Approved Dance Centre or school or college at which they are employed will have its own in-house complaints procedure which the complainant should follow in the first instance. In-house complaints procedures typically involve a three-stage process which include an informal resolution stage, a formal resolution stage, and an appeal stage which involves escalating the complaint to the ISTD.

### **6.2.5 Escalating the complaint to the ISTD**

A complaint lodged with an Approved Dance Centre or a school or college should be escalated to the ISTD if:

- a) The complaint has been addressed in accordance with the school / college's in-house procedure and the complainant is not satisfied that the outcome has been fairly and equitably arrived at; or
- b) The complainant has lodged a complaint with the school or college in accordance with its in-house procedure and the school / college has failed to address the complaint properly in accordance with its own procedure.

To escalate the procedure to the ISTD, the complainant will need to submit evidence that the Approved Dance Centre / school / college has reached a conclusion that is unfair, or that it has failed to adhere to its own procedure.

In exceptional cases it may be appropriate to lodge a complaint against an Approved Dance Centre or a teacher with the ISTD without first lodging the complaint in accordance with the procedure of the school or college at which they are employed. If a complainant thinks that they might have reason to lodge their complaint directly with the ISTD, they should first contact the Policy and Governance Manager via [complaints@istd.org](mailto:complaints@istd.org) to discuss their reason.

## **6.3 The ISTD's Complaints procedure**

The ISTD's Complaints procedure will apply when complaints have been escalated to the ISTD in accordance with 6.2.4 (above), and in all cases where the subject of the complaint is a trustee, examiner, or a department or employee of the ISTD.

The ISTD will in the first instance seek to negotiate a satisfactory outcome to the complaint by informal means. In such instances we ask complainants to raise their concerns informally with the person concerned, or their direct line manager, at the earliest opportunity. Should this not be appropriate or should an informal resolution have been sought but not obtained, a formal complaint should be lodged as detailed below.



### **6.3.1 Submitting a formal complaint**

The complaint should be detailed in writing either by letter or email to the appropriate address as indicated below. The complaint should include the complainant's name and address, the nature and date of the complaint and how they want to see it resolved (see Appendix B, Complaints Form). If required, a Complaints Form can be requested and can be sent to the complainant or collected by the complainant.

The ISTD will work with complainants to try to resolve the issues which have been raised. This will sometimes involve the relevant manager (i.e., the manager to whom the complaint should be sent as described in 6.4 and 6.5 below) within the ISTD having a conversation with the complainant to explore possible outcomes and identify the outcome(s) which the complainant hopes to achieve. Sometimes, by having such conversations, it is possible to resolve matters by informal means, even after they have been raised formally. Where it is not possible to achieve a resolution to the satisfaction of the complainant by informal means, the following formal procedures will apply.

### **6.4 Complaints against the examiner: Stage 1**

(See Appendix C: Complaints against Society/examiner)

Concerns about exam results are investigated not under this procedure but by the Quality Assurance Department, under the Enquiries and Appeals about Results procedure. Where there is a concern or complaint about both the conduct of and the results awarded by an examiner, both procedures may apply; there may be separate investigations into both matters, and if appropriate, there may be some communication between the respective investigators.

**6.4.1** Any teacher/parent/guardian/candidate wishing to complain about the conduct of an examiner on the examination day can do so directly to the ISTD or through the teacher that entered the candidate for the examination.

**6.4.2** The complaint should be detailed in writing either by letter or email to Policy and Governance Manager at 22-26 Paul Street, London, EC2A 4QE, [complaints@istd.org](mailto:complaints@istd.org).

**6.4.3** On receipt of the written or email complaint, the Policy and Governance Manager will record and acknowledge it within 10 working days. An investigation will be undertaken (see Appendix D – Investigation Protocol), involving all relevant people, and where necessary appropriate action will be taken.

**6.4.4** The Policy and Governance Manager will communicate the outcome in writing directly to the complainant within 40 working days.

### **6.5 Complaints against ISTD Trustees or employees; complaints escalated to the ISTD: Stage 1**

(See Appendix C: High Level Process Map: Complaints against Society/examiner)

**6.5.1** The complaint should be detailed in writing either by email to [complaints@istd.org](mailto:complaints@istd.org) or by letter to the Policy and Governance Manager at 22-26 Paul Street, London, EC2A 4QE.

**6.5.2** The Policy and Governance Manager will acknowledge the complaint within 10 working days and will inform the CEO, or appropriate Director or Head of Department.

**6.5.3** An investigation will be undertaken (see Appendix D – Investigation Protocol), involving all relevant people, and where necessary appropriate action will be taken.

**6.5.4** The Policy and Governance Manager will communicate the outcome in writing directly to the complainant within 40 working days.

**6.5.5** The CEO will be made aware of all complaints against officers and employees of the ISTD. The Chair of Council will be made aware of all complaints against Trustees.

**6.5.6** Complaints against the CEO will be investigated by the Chair of Council under this or the Whistleblowing policy.

**6.5.7** Complaints against the Chair will be investigated by the Vice Chair of Council under this or the Whistleblowing policy.

## **6.6 Appeals: Stage 2**

**6.6.1** Acceptable grounds for appeal include:

- a) The complainant has evidence to submit which was not available at Complaints Stage 1, or which was not considered during the original investigation.
- b) The complainant has evidence that the original investigation and response was not conducted in accordance with the Society's Complaints procedure.

**6.6.2** Stage 2 appeals should be detailed in writing to the CEO at 22-26 Paul Street, London, EC2A 4QE, [ceo@istd.org](mailto:ceo@istd.org), stating clearly the grounds for appeal. Appeals should be sent within 30 working days of receiving the outcome of the original complaint.

**6.6.3** The CEO will respond in writing within a further 40 working days.

## **6.7 Appeals: Stage 3**

**6.7.1** Acceptable grounds for appeal include that the complainant has evidence that the CEO failed to consider evidence that the complainant had submitted.

**6.7.2** Stage 3 appeals should be detailed in writing to the Chair of Council at 22-26 Paul Street, London EC2A 4QE, [chair@istd.org](mailto:chair@istd.org), clearly stating the grounds for appeal. Stage 3 appeals should be sent within 30 working days of receiving the outcome of the Stage 2 appeal.

**6.7.3** The Chair will respond in writing within a further 60 working days.

## **6.8 Extending time frames**

Occasionally investigations may take longer than outlined above, particularly if the complaint is complex. Should this be the case a holding letter will be sent after ten working days and a final date given for a conclusion to be reached.

## **6.9 Complaints lodged outside the UK**

This procedure also applies to complaints lodged outside of the United Kingdom; however, the stated time frames may not be practicable to achieve. Where this is the case, the ISTD will seek to agree time frames with the complainant.

## **6.10 Disciplinary action against a member**

**6.10.1** In the case of potential disciplinary action against a member, a report will, if appropriate, be referred to the Conduct and Complaints Committee for recommendation on action. The Conduct and Complaints Committee will operate according to the procedure detailed in the *ISTD Rules and Standing Orders* and will appoint a Disciplinary Board which will consist of one Trustee, one Member representative of the Society and one external advisor, and a note taker will be appointed by the Chair of the Disciplinary Board. The Policy and Governance Manager will support the process, in line with established procedures, and ensure it is appropriately resourced. In accordance with the Members' Disciplinary Procedure, within 14 days after the complaint has been referred, the CEO (or person delegated by the CEO) will send to the member written notice of not less than 30 days of the time and place at which the Disciplinary Board will meet.

If the outcome of the Disciplinary Board meeting is that the complaint is proved to be legitimate, the Disciplinary Board will decide the most appropriate action in accordance with the Members' Disciplinary procedure. Where practicable, the complainant and the Member will be informed within ten working days of that decision. Please note the outcome determined by the Disciplinary Board will be final. The findings and the outcome of the Disciplinary Board will also be reported to the next meeting of the Council.

**6.10.2** Where an investigation results in a complaint being upheld and the circumstances do not warrant formal disciplinary action, e.g., for single transgressions or for transgressions which are judged to be of minor impact) it may be determined, in accordance with the members' Disciplinary procedure, that the matter need not be referred to the Conduct and Complaints Committee, and that informal actions should be implemented, e.g., that the Member should be required to undertake training, or that a coach or mentor should be allocated with a view to addressing and improving the Member's conduct.

## **6.11 Disciplinary action against an employee**

If the outcome of a complaint against an employee of the Society indicated that disciplinary action should follow, the Society's Staff Disciplinary policy and procedures will apply.

## **6.12 Further redress**

If the complainant believes that the complaint has not been dealt with in accordance with these procedures, they may complain to the Regulators: Ofqual, Qualifications Wales, CCEA for Northern Ireland, the Information Commissioner's Office (ICO), or the Charity Commission. They may choose to seek advice from one of the following:

- A legal representative
- Citizens Advice Bureau

## **7 Monitor and review**

All complaints are monitored and reviewed, with recommendations for any changes to procedures and policies made annually to Council.

## **8 Anonymous complaints**

Complaints received anonymously will be recorded and considered, but action may be limited if further information is required to ensure a full and fair investigation.

## **9 Matters raised by indirect means**

Matters of concern can sometimes come to the attention of the ISTD without them having been raised directly by a complainant. For example, there might be a reference in a post on a social media platform to something about which the ISTD should be concerned, in relation to the conduct of one or more of its members, Trustees or employees. The ISTD reserves the right to investigate concerns which come to its attention in such ways.

## **10 Vexatious correspondence**

The Society considers vexatious complaints seriously. The Society considers these types of complaints to involve persistent inappropriate contact from a complainant, for example:

- A complainant deemed to be abusive or threatening, or making unreasonable demands either during a telephone conversation, face-to-face meeting or in written correspondence, including on social media.
- A complainant repeatedly contacting staff via telephone or email in a given working day without offering new evidence or information
- A complainant refusing to supply evidence to support complaints.

If at any time a complainant engages in verbal or written correspondence (including on social media) that could be deemed vexatious, the Society reserves the right to cease contact with the complainant in relation to the relevant matter.

## **11 Confidentiality and Data Protection**

Complaints are an important tool which, alongside data provided by exit surveys, stakeholder surveys, user feedback and focus groups, allow us to learn about the services we provide. They provide a useful source of information about how people see our services and how we are serving them. To ensure we can learn from complaints the following data will be collected:

- Name and address
- Name of person dealing with the complaint
- Date of complaint and response
- Nature of complaint
- Action(s) taken/recommendations made in response to the complaint
- Lessons learnt.

To process a complaint the ISTD will hold personal data about the complainant, which the complainant provides, and which other people give in response to the complaint. We will hold this data securely and only use it to address the complaint. The identity of the person making the complaint will only be known to those who need to consider the complaint and will not be revealed to other people or made public. However, it may not be possible to preserve confidentiality in some circumstances, for example, where relevant legislation applies, or allegations are made which involve the conduct of third parties. All communication related to complaints will be treated confidentially and details will only be disclosed to those directly concerned with the matters raised, except where express permission to communicate with third parties has been given.

The records of any communication will be kept on file and destroyed in a secure manner at a time (usually six years after the complaint was closed) appropriate and in line with the Society's Data Retention Policy. The complainant may request that records of the complaint are removed at any time.

Under the Data Protection Act 2018, a complainant may make a Subject Access Request to enable them to see relevant personal data that we have collected in relation to the complaint.

In accordance with the requirements of the relevant regulators, information and records related to complaints may be made available to the regulators on request.

## **12 Review Arrangements**

In line with our self-evaluation arrangements, this policy is reviewed annually. The review process will consider end-user and regulatory feedback and best practice. The Society will also consider a review as a result of a 'trigger' linked to an outcome of a particular investigation.

## **13 Contact details**

If you believe that your complaint has not been dealt with in accordance with this procedure, you may complain to the appropriate Regulator, the ICO or the Charity Commission. Please find the following contact details below:

### **The Regulator in England**

Office of Qualifications and Examinations Regulation (Ofqual) Spring Place, Coventry Business Park, Herald Avenue, Coventry, CV5 6UB  
Tel: 0300 303 3344, Email: [public.enquiries@ofqual.gov.uk](mailto:public.enquiries@ofqual.gov.uk)

### **The Regulator in Wales**

Qualifications Wales, Q2 Building, Pencarn Lane, Imperial Park, Newport, NP10 8AR  
Tel: 0333 077 2701, Email: [contact@qualificationswales.org](mailto:contact@qualificationswales.org)

### **The Regulator in Northern Ireland**

Council for the Curriculum, Examinations and Assessment (CCEA) 29 Clarendon Road, Clarendon Dock, Belfast, BT1 3BG

Tel: 02890 261200, Email: [info@ccea.org.uk](mailto:info@ccea.org.uk)

**The Information Commissioner's Office**

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow,  
Cheshire SK9 5AF

Tel: 0303 123 1113

<https://ico.org.uk/global/contact-us/live-chat/>

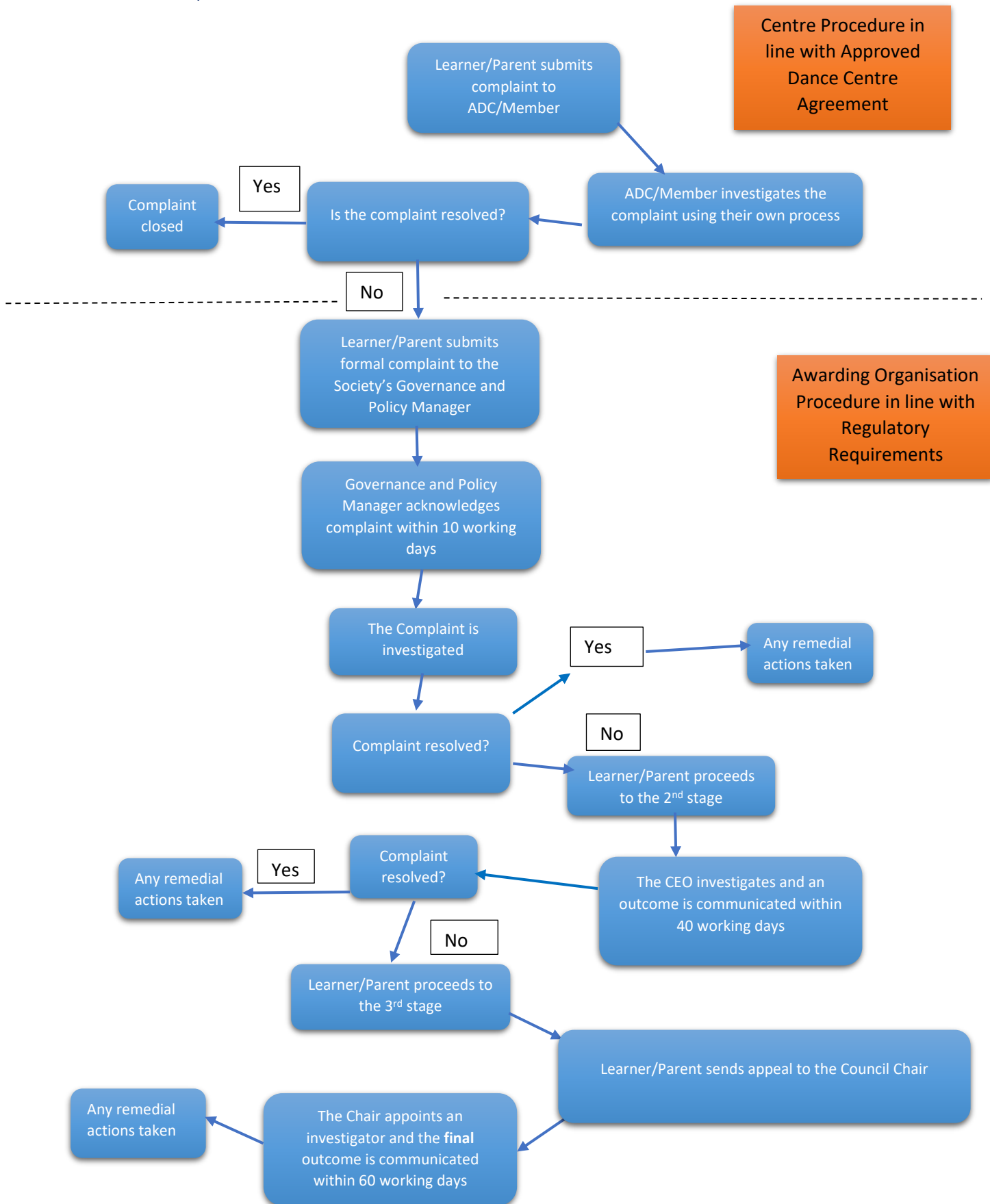
**The Charity Commission**

Charity Commission, PO Box 211, Bootle L20 7YX

<https://www.gov.uk/complain-about-charity>

## Appendix A High-Level Process Map – Complaints against Approved Dance Centre/Member

Please note: if remedial action includes potential disciplinary action, the relevant ISTD procedures will apply as indicated in the Complaints Procedure



## **Appendix B**

### **Complaints Form**

*The ISTD will, in most cases, try to resolve complaints by informal means in the first instance. If this has not been achieved, please use this form to provide details of your complaint, which will then be addressed in accordance with the ISTD's Complaints Policy and Procedure.*

**Please complete this form and return it to:** Policy and Governance Manager, ISTD, 22-26 Paul Street, London, EC2A 4QE.

#### **Complainant's details**

Name:

Date:

Address:

#### **Details of the person, establishment or department about whom you wish to complain:**

Name:

Designation:

Place of work:

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#### **Please provide below:**

- 1 a detailed description of your complaint, including dates, times and locations of relevant incidents and events, affected parties, witnesses and details of relevant correspondence (if possible, please provide copies of any relevant correspondence).
- 2 A description of any steps you have taken to date to achieve a resolution to your complaint.
- 3 A description of the resolution that you are seeking.

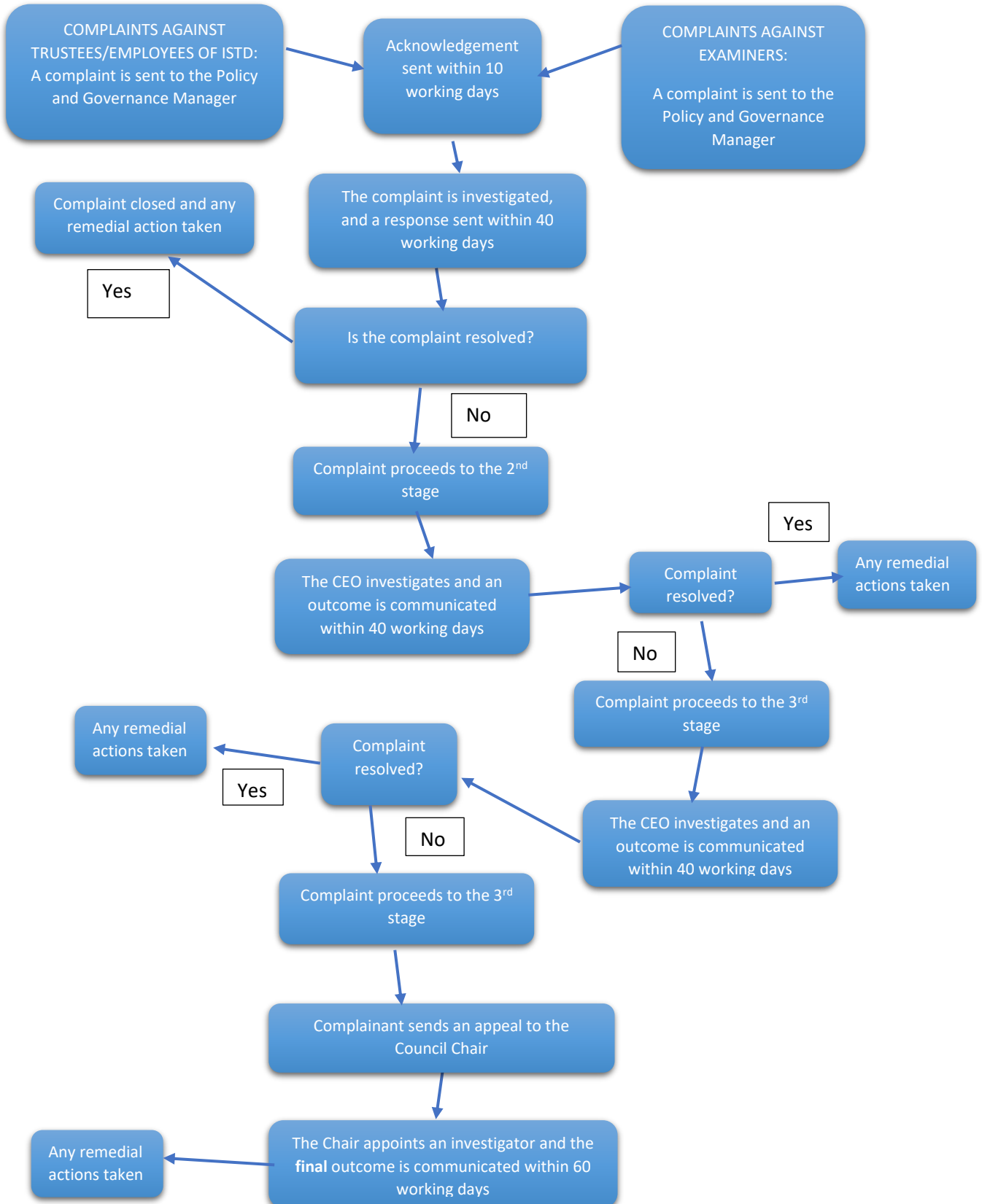
*Please use additional sheets if necessary.*



## Appendix C

### High-Level Process Map – Complaints against Society/Examiner

Please note: if remedial action includes potential disciplinary action, the relevant ISTD procedures will apply as indicated in the Complaints Procedure



## **Appendix D**

### **ISTD Investigation Protocol**

The Society will use investigation methodologies that it considers appropriate for your complaint, in order to conclude the matter as swiftly and effectively as possible, whilst being fair to all relevant parties.

The following are the main techniques we may apply (please note that this is not an exhaustive list):

- Structured interview(s)
- Statement(s) of events
- A request for a written response from the Member
- A request for a written response from the Examiner
- A request for visual evidence, e.g., on social media