

Customer Complaint Policy & Procedure

1. POLICY STATEMENT

- 1.1 The Royal Academy of Dance (RAD) is a membership organisation. Our members are expected to uphold the aims and objectives of the RAD, and to conduct themselves in a professional manner in accordance with the Bye-Laws of the RAD and the Code of Conduct that applies to all members of the RAD as both may be amended from time to time.
- 1.2 The RAD aims to ensure that no one should have cause to make a complaint about the services provided by the RAD to its customers, or by one of its members and which term includes all its registered teachers, but should a complaint be made it will be dealt with in an efficient, impartial and courteous manner in accordance with this Customer Complaints Policy and Procedure ("Policy").
- 1.3 The RAD will in all its dealings with any third party that brings a complaint act fairly, and without bias or prejudice and in accordance with all legal requirements and the rules of any regulatory authority that may govern its operations or in the case of individual members their dance business or practice of teaching dance.
- 1.4 Anyone who makes a complaint ("Complainant") under this Policy can be assured they will not be subjected to unfavourable treatment or victimisation whether or not the complaint is upheld.

2. COMPLAINT CRITERIA

- 2.1 Where a complaint concerns any services that the RAD directly provides to a customer the Complainant should follow the procedure set out in section 4 of this Policy.
- 2.2 If a Complainant is dissatisfied with any aspect of a members dance work or practises when teaching dance or their management of a dance school, before raising a complaint with the RAD, the Complainant's concerns should in the first instance be raised direct with the member, or their employer (e.g. the principal of the school where they work) with a view to resolving the issue at a local level. Only if the Complainant remains dissatisfied at the conclusion of any attempts to resolve the matter locally, or the matter is not one that is capable of local resolution, should the Complainant raise the matter as a formal complaint with the RAD under this Policy. In such an event the Complainant should follow the procedure set out in section 4 of this Policy.
- 2.3 All members are expected to uphold the RAD's Code of Conduct which is available at www.rad.org.uk. The RAD will, subject to paragraphs 2.4 to 2.6 below investigate alleged breaches of the Code of Conduct and any allegations of "unfitting conduct" that is embodied within the RAD's *Charter* and *Byelaws* and which may include, without limitation, the member:

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- 2.3.1 falsely describing themselves as being a registered teacher (RTS) when not entitled to do so;
 - 2.3.2 falsely describing themselves as holding any title, certificate, diploma, degree or other award granted by the RAD when not entitled to do so;
 - 2.3.3 being convicted of a criminal offence and given a sentence of imprisonment;
 - 2.3.4 being found by the Board of the RAD to have been guilty of conduct or other malpractice which may discredit the RAD; and / or
 - 2.3.5 being declared bankrupt.
- 2.4 Where the complaint concerns any of the above matters, the Complaints Officer may refer the matter to the Chief Executive of the RAD with a recommendation that the complaint is appropriate for being dealt with under the RAD Disciplinary Rules and Procedures and in which case no further action may be taken in respect of the complaint pending the decision of the Chief Executive and the final conclusion of any disciplinary proceedings against the member which will include any Conduct Hearing or Appeal Hearing. In such an event the Complainant will be notified of this fact, including what if any further information is required from them in accordance with paragraph 4.3 of section 4 below.
- 2.5 Where the subject of the complaint concerns a member who is also a member of another organisation that regulates a member's teaching or dance practice or business, a complaint should also be made to that other membership body in accordance with the complaints procedure of that membership body. The Complainant should give to the RAD details of the date the complaint was notified to the other membership body, the name of that membership body and any contact details of the person at the membership body dealing with their complaint. The RAD may at its sole discretion take no further action in respect of the complaint made by the Complainant pending a decision being made on the complaint by that other membership body and in which case the Complainant will be notified of this fact.
- 2.6 Where the complaint relates to alleged malpractice or fraud on the part of the member of RAD examination/test/pass certificates or other materials relevant to assessing the standard of any student, the RAD may at any time it considers it to be appropriate report the matter to the police authorities or other regulatory authority that may govern the member's entitlement to practice as a teacher of dance before undertaking any further investigation into the complaint made and in which case the Complainant will be notified of this fact.

3. SCOPE OF RAD'S COMPLAINTS JURISDICTION AND AUTHORITY

- 3.1 The RAD has no jurisdiction or authority to deal with any contractual disputes that arise between a Complainant and a member or any complaint relating solely to the members management of their own dance school or business, or any dance school or business in which they are employed or engaged.

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- 3.2** Accordingly, the RAD will not intervene in such matters. Examples of this type of complaint include: scale of tuition charges, cancellation policy, refund on fees policy, a student's readiness to be entered for an examination, contracts/informal agreements between members and/or teachers relating to pay, school purchases or any franchise agreement. All such complaints should be raised direct with the member or their dance school.
- 3.3** The RAD will not normally intervene where the complaint against a member is one that is subject to ongoing legal proceedings by the Complainant or relates to conduct that has been reported to the police authorities for investigation either by the RAD or by the Complainant, or criminal proceedings are already underway in respect of the conduct that is the subject of the complaint.
- 3.4** The RAD cannot intervene in or make any ruling in relation to the behaviour of any member who sets up their business close to other dance schools and establishments. This is a commercial matter that is entirely outside the scope of the RAD's jurisdiction and authority to regulate the conduct of its members.
- 3.5** Any complaint which does not fall within the scope of the RAD's jurisdiction and authority under this Policy will be rejected. If there is any doubt as to whether a complaint meets the criteria for consideration under this Policy please email info@rad.org.uk setting out as much information as is possible to enable a determination as to whether the complaint is appropriate for consideration under this Policy.

4. CUSTOMER COMPLAINT PROCEDURE

- 4.1** A Complainant who wishes to raise a formal complaint about a member should write to their national office; see the accompanying list of contact details. If there is not a national office in the Complainant's country of residence they should send their complaint to the RAD Headquarters in London.
- 4.2** Customer Complaint Procedure
- 4.2.1** The complaint must be in writing, dated and signed by the Complainant. Emailed complaints are acceptable provided the Complainant's full name and postal address details are included. Anonymous complaints will not be considered or dealt with under this Policy.
- 4.2.2** The complaint must include the name of the member concerned with a factual explanation of the alleged incident, and be accompanied by any supporting documentation and details of any action already taken to resolve the complaint.

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- 4.2.3 The complaint must not be more than two months after the alleged incident or incidents, unless the Complainant was not aware of their existence at the time they occurred, or the circumstances were such that they could not reasonably have been aware of such incident or incidents, or where the complaint has the potential to bring the RAD's name into disrepute and/or the Complaints Officer concludes that the time lapse will not prejudice a full and fair investigation into the complaint.
- 4.2.4 The RAD will endeavour to acknowledge the complaint within seven working days of receipt.
- 4.2.5 The complaint will be referred to a person nominated by the RAD as its Complaints Officer for the complaint who will consider whether the complaint meets the criteria under this Policy, the time limits and is based on admissible grounds for investigation. If the complaint is considered to be one over which the RAD has no jurisdiction, the RAD will endeavour to notify the Complainant of this fact with an explanation as to why it has no jurisdiction within 21 working days.
- 4.2.6 If the Complaints Officer considers that the complaint falls within the RAD's jurisdiction and authority an investigation will be carried out. If the complaint involves a member who has knowledge or information about the complaint, or that member is the subject of the complaint, the RAD will endeavour to notify the member or members of the complaint made within 21 working days unless there are exceptional circumstances for not doing this. For example, the information would prejudice any criminal proceedings that may be instigated or are already in progress or there are concerns about the safety of the Complainant or any third party.
- 4.2.7 The member who is the subject of the complaint will be sent a notice of the complaint which will provide details of the complaint against them, including any supporting evidence and documentation, unless there are exceptional circumstances for not providing the same, for example, the information would prejudice any criminal proceedings that may be instigated or are already in progress or there are concerns about the safety of the Complainant or any third party.
- 4.2.8 The member will be expected to respond and state their case and provide any relevant information or evidence in support as soon as is reasonably possible and in any event within 14 working days of the date the notice of the complaint was sent to them.
- 4.2.9 Upon completion of all such investigations as the Complaints Officer considers necessary and appropriate into the complaint, the Complaints Officer will write to the Complainant setting out their findings and, if

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appropriate, any recommendations made to the member to resolve the issue or issues that were the subject of the Complainant's complaint, any action taken or to be taken against the member. The findings letter will normally be sent as soon as is reasonably practicable following the conclusion of the investigations into the complaint and the RAD will endeavour to do this no later than one month after the conclusion of the investigation.

- 4.2.10 If it is anticipated that the investigation will be due to exceptional circumstances, including circumstances outside the control of the RAD, the Complaints officer will keep the complainant informed and give an estimation of the time period by which steps under this Policy will be taken.
- 4.3 Where a complaint against a member is upheld and found to relate to conduct that could give rise to breach of the RAD Bye-laws or Code of Conduct it may be appropriate for action to be taken against the member under the RADs Disciplinary Rules and Procedures and in which case the Complainant will be notified of this fact. In such an event all information received from the Complainant and the member will be made available to the person or panel nominated to hear the alleged breaches of the RAD Bye-laws and Code of Conduct under the Disciplinary Rules and Procedures. The Complainant may be required to provide further information for this purpose including providing a witness statement, but will not be required to attend any Conduct or Appeal Hearing. The Complainant will have no right to attend any Conduct or Appeal Hearing, or to be informed of sanction or decision made at the conclusion of any such hearing.

5. CONFIDENTIALITY

- 5.1 All complaints will be treated confidentially. The personnel to whom details of the complaint may be released will be restricted to:
- 5.1.1 The RAD's staff member to whom the complaint was sent and the Complaints Officer and Complaints Assistant.
 - 5.1.2 The RAD staff member's and Complaint Officer's line manager, if in the opinion of the Complaints Officer such publication is necessitated by the nature or severity of the complaint.
 - 5.1.3 The member who is involved in or who is the subject(s) of the complaint.
 - 5.1.4 Members of any Conduct or Appeal Hearing convened under the RAD Disciplinary Rules and Procedure and any staff member who provides administrative support in the conduct of any such hearings.
 - 5.1.5 The Chief Executive and should he consider this to be appropriate the RAD Board.

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- 5.2 The RAD will not normally disclose the name of the Complainant outside those specified in paragraphs 5.1.1 to 5.1.5, although it may have to undertake wider disclosure in the event of any widespread investigation being necessary or in order to provide information in any investigation being undertaken by a police authority or regulatory authority that governs the operations of RAD or the member's dance business or teaching practice or as may be required by law.
- 5.3 The Chief Executive reserves the right to nominate someone in place of the stated post holders in 5.1.1 to 5.1.5 when in his/her opinion is absolutely necessary.
- 5.4 The outcome of any hearing, including any sanction imposed on the member may, depending on the conduct and circumstances giving rise to the Conduct Hearing, be reported on the RAD website and in the RAD's publications, *Dance Gazette*, *Focus on Members* and *Focus on Exams*, or any other publication deemed by the RAD to be appropriate.

6. MONITORING AND REVIEW

- 6.1 Complaints and Appeals received in accordance with the RAD's Customer Complaints Policy and Procedure are statistically monitored and action taken as appropriate.
- 6.2 The Customer Complaint Policy and Procedure is reviewed on an annual basis for approval and ratification by the Board of Trustees.