

English National Ballet School

Students Complaints Policy and Procedures

Introduction

English National Ballet School is committed to considering and investigating genuine complaints from students. English National Ballet School will seek to learn from the experience of complaints and improve its services.

This complaints policy encompasses English National Ballet School's procedures for student complaints. This policy and its procedures have been designed to operate in accordance with the Office of the Independent Adjudicator's Good Practice Framework for Handling Complaints and Academic Appeals.

In the operation of the processes set out in this Policy the School will remain mindful of its legal obligations, including its duty of care and its obligations under the Equality Act 2010.

This policy will outline:

1. What Constitutes a Complaint?
2. Timeframe for Dealing with Complaints
3. Recording Complaints
4. Stage 1 – Informal Resolution
5. Stage 2 – Formal Resolution
6. Stage 3 – Appeal Panel Hearing
7. Additional Information

A version history of this policy is available at the end of this document.

What Constitutes a Complaint?

1.1. A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the School as a whole, about a specific department or about an individual member of staff. A complaint is likely to arise if the complainant believes that the School has done something wrong or failed to do so something that it should have done or acted unfairly.

1.2. Complainants can be assured that all concerns and complaints will be treated seriously and confidentially. Students will not be penalised for a complaint raised in good faith. A complaint can be made by a parent/guardian of a student (or the student themselves) who is currently at the School or who has left the School within the last three months.

2. Timeframe for Dealing with Complaints

2.1. All complaints will be handled seriously and sensitively. They will be acknowledged within five working days if received during term time and as soon as practicable during holiday periods. It is in everyone's interest to resolve a complaint as speedily as possible: the School will normally complete each of the first two stages of the procedure within 28 school days and as soon as practicable during holiday periods.

2.2. Stage 3, the Appeal Panel Hearing, will normally be completed within a further 28 School days.

3. Recording Complaints

3.1. The School will keep a written record of all complaints throughout the process, whether they are resolved at the preliminary stage or proceed to a panel hearing. At the School's discretion, additional records may be kept which may contain the following information, in accordance with GDPR requirements for the protection of personal data:

- Date when the issue was raised
- Name of complainant (if not the student)
- Name of student
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name of member(s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)

3.2. Correspondence, statements and records relating to individual complaints are to be kept confidential, except where the Secretary of State or a body conducting an inspection under Section 162A of the Education Act 2002 (as amended), or under other legal authority request them, as described in paragraph (k), Part 7, ISI Regulations April 2014.

4. Stage 1 – Informal Resolution

4.1. The School hopes that most complaints can be resolved quickly and informally.

4.2. In the first instance a complaint should normally be made via the Company Manager by contacting the School on 0207 376 7076. The Company Manager will assess the nature of the complaint and refer it to the appropriate person as follows:

- Complaints made in relation to Safeguarding will be forwarded to the Safeguarding Lead.
- Complaints about other areas will be discussed with the Executive Director and a decision made about whether the complaint can be dealt with informally at this stage or it needs to be dealt with under Stage 2 of this procedure.

In many cases, the matter will be resolved promptly by this means to the complainant's satisfaction.

4.3. The designated person dealing with the complaint will make a written record of all concerns and complaints and the date on which they were received, and this will be logged formally for the record. Should the matter not be resolved the complainant will be advised to proceed with their complaint in accordance with Stage 2 of this procedure.

4.4. If a complaint is made against the Executive Director or Artistic Director, it will be referred to the Chair of the Board who is not the subject of the complaint.

5. Stage 2 – Formal Resolution

5.1. If the complaint cannot be resolved on informal basis, the complainant should put their complaint in writing to the Executive Director or Artistic Director. They will decide having considered the complaint the most appropriate course of action.

5.2. In most cases, the Executive Director will ask a member of the Senior Leadership Team to contact the complainant, normally within 7 school days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.

5.3. It may be necessary for a further investigation to be carried out. The Executive Director will usually delegate this investigation to a member of the Senior Leadership Team.

5.4. All correspondence will be logged, and the member of the Senior Leadership Team will make a written record of the discussions for the record.

5.5. Once the Senior Leader is satisfied that, so far as is practicable, all the relevant facts have been established they will report their findings in writing to the Executive Director. The Executive will make a decision and the complainant will be informed of this decision in writing. The Executive Director will also give reasons for the school's decision.

5.6. If the complaint is against the Executive Director or Artistic Director, this will be referred to the Chair of Governors. The Chair of Governors will ask for a full report from either party including all relevant documents. The Chair may also call for a briefing from members of staff and communicate with the complainant.

5.7. Once the Chair is satisfied, as far as is practicable, that all the relevant facts have been established, they will inform the complainant of their decision in writing.

5.8. If the complainant is still not satisfied with the decision, they should proceed to Stage 3 of this procedure.

6. Stage 3 – Appeal Panel Hearing

6.1. If the complainant seeks to invoke Stage 3 (following a failure to reach an earlier resolution) they will be referred to the Executive Director who will call a hearing of the Complaints Panel. The complaints panel will consist of three persons not directly involved in the matters detailed in the complaint and one of whom shall be independent of the management and running of the School.

6.2. The matter will then be referred to the Complaints Panel for consideration. The Executive Director will acknowledge the complaint within 5 school days in writing and this will be logged. A hearing will be scheduled to take place as soon as practicable and normally within 14 School days.

6.3. If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such

particulars shall be supplied to all parties normally not later than 7 School days prior to the hearing.

6.4. The complainant may attend the hearing and be accompanied to the hearing by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.

6.5. If possible, the Panel will resolve the complaint without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.

6.6. After due consideration of all facts they consider relevant, the Panel will report on its findings and make any recommendations arising from the findings.

6.7. The Panel will write to the complainant informing them of its decision and the reasons for it, normally within 7 school days of the hearing. The decision of the Panel will be final. A copy of the Panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the complainant, and, where relevant, the person complained about as well as the Chair of governors and the Executive Director.

6.8. The Alternative Dispute Resolution for consumer Disputes (Competent Authorities and Information) Regulations 2015 require the School to provide you on conclusion of the final stage of the School's complaints procedure with the name and address of an alternative dispute resolution provider who has been certified by the Chartered Trading Standards Institute as competent to resolve consumer disputes. However, please note that the School is not obliged to enter into alternative dispute resolution through this provider.

7. Additional Information

ENBS may suspend, hold in abeyance or terminate proceedings in complaint cases that are being investigated by the police or are subject to judicial proceedings.

ENBS may terminate consideration of a complaint if it considers it to be made without foundation (frivolous) or in bad faith (vexatious). Examples of frivolous or vexatious complaints but not limited to:

- Complaints which are harassing or repetitive
- Complaints designed to cause disruption or annoyance
- Demands for redress which lack any serious purpose of value.

Document Change History

This is Version 3.0 of the English National Ballet School Complaints Policy and Procedures. This policy is for internal and external use.

This policy is subject to regular revision and maintained electronically. Electronic copies are version controlled. The most recent version is listed first.

Version 3.0	Date of Change: 09.04.24
Section Title	Change
Whole Document	Additional information added.
Version: 2.0	Date of Change: 30.08.23
Section Title	Change
Whole Document	General policy review and updates.
Version: 1.0	Date of Change: 09/04/2019
Section Title	Change
Whole Document	Policy Re-formatted.