

# Complaints Policy

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## **BRITISH AMERICAN DRAMA ACADEMY**

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# Complaints Policy

BADA is committed to considering and investigating genuine complaints from students. BADA defines a complaint as being an expression of dissatisfaction by one or more students about its actions or lack of actions in a certain area, or about the standard of service it provides, or that is provided on BADA's behalf, which warrants a response.

The majority of cases are satisfactorily resolved through informal discussions without the need for a formal complaint to be made. We emphasise the importance of you seeking informal and early resolution wherever possible.

Where it is appropriate to make a complaint, you should raise the matter yourself: this procedure is not intended to be used by a third party making a complaint on your behalf.

## Procedure

### Stage 1 – Informal Resolution

BADA is committed to a swift resolution of complaints. Wherever possible, these are best resolved directly and should be raised as near as possible to the point of occurrence.

You should initially try and talk to the relevant member of staff to try and resolve the problem before taking it further. These might include the following:

- For a complaint relating to the course: The Dean
- For a complaint relating to a financial matter: The Finance Director
- For a complaint relating to discrimination, bullying or harassment: The Dean or (if staff) The Managing Director.

If the complaint concerns any of the people listed above, you are encouraged to speak either to any other listed above or contact the Chair of the Board of Trustees.

The person approached as above will listen and discuss informally the nature of the complaint, will make a written record of your concerns and complaints, and record the date on which these were received.

If the matter cannot be resolved within 14 working days (or as soon as reasonably practicable thereafter during holidays), or if the outcome of the discussion is that no resolution can be agreed to your satisfaction, you will be advised of the opportunity to submit a formal complaint.

Although you are not obliged to do so, BADA would normally expect you to wait for the outcome of the informal stage before making a formal complaint under Stage 2.

## **Stage 2 – Formal Resolution**

Should a complaint not be dealt with to your satisfaction informally, you may initiate a formal complaint. This complaint should be made in writing and submitted to Managing Director (or if in regard to the Managing Director, to the Chair of the Board of Trustees).

The Managing Director (or nominee) will undertake an investigation into the complaint. The Managing Director (or nominee) will normally have 28 days from the date of receipt of the complaint (or as soon as reasonably practicable thereafter during holidays) to investigate and respond in writing.

Written records will be kept of all meetings and interviews held in relation to the complaint.

Once the Managing Director (or nominee) is satisfied that, so far as is reasonably practicable, all relevant facts have been established, they will form a judgment and inform you thereof in writing. The letter will also inform you of your right to move to Stage 3 of this Procedure if you remain dissatisfied with the outcome.

## **Stage 3 – Hearing**

If you choose to proceed to Stage 3 following a failure to reach resolution at Stages 1 and 2, you should set out full details of your complaint in writing to the Chair of the Board of Trustees within 14 days of receipt of a decision at Stage 2.

The Chair of the Board will acknowledge receipt of the complaint and schedule a meeting as soon as practicable and within 14 working days (or as soon as reasonably practicable thereafter during holidays).

The Chair will convene a Complaints Panel to consider the complaint at a hearing.

The Complaints Panel will be made up of at least three individuals not directly involved in the matters detailed in the complaint, and independent of the Executive of BADA.

If the Panel deems it requires further particulars of the complaint, it may ask for such particulars to be submitted in advance of the hearing. Such particulars shall be supplied to the Panel no later than 5 days before the hearing.

The complainant may be accompanied to the hearing if they wish.

If possible, the complaint will be resolved by the Panel without the need for further investigation. Where any further investigation may be required, the Panel will decide as to how such an investigation may be carried out.

After due consideration, the Panel will reach a decision. The Panel's decision will be communicated in writing within 7 working days. The decision of the Panel is final.

## **Academic Complaints**

### **Academic Care**

Students with questions about their work at BADA are encouraged to share any concerns they may have with the Dean or the Managing Director, both of whom maintain an 'open door' policy to all students and faculty.

### **Dispute Resolution**

Ideally any issues relating to the aspects of classroom practice discussed above should be resolved within the classroom. Should that prove impossible then the matter must be referred to the Dean of BADA. After an informal meeting with all concerned parties, the Dean will endeavour to arrive at a resolution to the difficulty that can be agreed by all concerned. Should that be unsatisfactory to all or any of the parties then there will be a more formal adjudication. Everyone involved will be required to submit their concern in writing to the Dean by an agreed date.

The Dean will then convene a meeting of two members of the BADA faculty and chair that meeting to consider the written submissions and question all parties about this written evidence. The Dispute Committee will be bound to produce their final adjudication, which will be binding on all parties, within five days of this hearing.

### **The 'Right to Reply'**

Once a student has received their grade and evaluation should they wish to challenge any or all of them they may make an appeal to the Dean who will firstly contact the member(s) of faculty and explain the student's concerns. The faculty member will be asked whether she/he/they would wish to reconsider her/his/their decision in the light of these concerns.

There is no obligation on any faculty member to revise their original decision and nor will BADA bring any kind of pressure on them to do so.

If a student continues to contest BADA's decision then they may appeal in writing to the BADA Grading Appeals Committee which consists of the Dean, a senior member of faculty and a notetaker. The committee will take evidence either in person or in writing from both sides in the dispute. The Appeals Committee will reach a judgement on the matter and its decision will be final and binding.

## **Whistleblowing**

Whistleblowing policies are for the use of staff and relate to the reporting of certain types of wrongdoing. The wrongdoing that the whistle-blower discloses must be in the public interest. This means it must affect others, for example the general public.

### **Complaints that count as whistleblowing**

Whistle-blowers are protected by law if they report any of the following:

- a criminal offence, for example fraud
- someone's health and safety is in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the company is breaking the law, for example does not have the right insurance
- you believe someone is covering up wrongdoing.

### **Complaints that do not count as whistleblowing**

Personal grievances (for example bullying, harassment, discrimination) are not covered by whistleblowing law, unless the particular case is in the public interest. Any such grievances should be reported under appropriate BADA policies, such as BADA's Bullying, Sexual Assault and Harassment Policy, Equality and Diversity Policy, or Grievance and Disciplinary Policy.

## **Procedure**

In the first instance, any member of BADA staff should contact the Managing Director, or, if relating to the Managing Director, the Chair of the Board of Trustees.

You should set out the background, context and history of your concern, giving names, dates and places where possible as well as the reason for your concern. You may also raise a concern via the telephone or arrange to meet in person.

You may contact the Managing Director, or, if relating to the Managing Director, the Chair of the Board of Trustees for advice as to how matters of concern may be taken forward.

You will be invited to provide a written summary of your concerns, and the Managing Director, or, if relating to the Managing Director, the Chair of the Board of Trustees will carry out an initial assessment as to the scope of investigation needed.

You will be kept informed with regards to process and as to whether any further information is required.

The action that BADA will take depend on the nature of the concern raised and may, depending thereon be investigated internally or referred to an external agency or body.

It is important that the nature of the disclosure and any subsequent investigation is kept confidential.

Any concern raised will be subject to thorough investigation within a reasonable timeframe. The individual raising the concern will be kept informed of progress and, wherever possible and subject to any third-party rights, will be informed of the resolution.

## **External Procedure**

If internal procedures have been exhausted, or in the following circumstances, you may be entitled to raise a concern directly with an external agency or body:

Where you reasonably believe that,

- Exceptionally serious circumstances justify it.
- That BADA would conceal or destroy the relevant evidence.
- If you believe that you would be victimised by BADA.

## **Protection from Reprisal or Victimisation**

A whistleblower is protected by law. You will not be treated unfairly or lose your job because you 'blow the whistle'.

Staff or faculty can access further information regarding 'Whistleblowing' at Protect (formerly 'Public Concern at Work'):

Website: [Protect - Speak up stop harm \(protect-advice.org.uk\)](https://protect-advice.org.uk)

Contact: [Contact our Advice Line - Protect - Speak up stop harm \(protect-advice.org.uk\)](https://protect-advice.org.uk).