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# Complaints Policy

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## Complaints, Enquiries about Results, and Appeals (Examinations)

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**bbodance 2023-24**

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## 1. Introduction

This document sets out the policy and procedures for complaints, enquiries about results and appeals for bbdance qualifications which are recognised by Ofqual and Qualifications Wales. These qualifications comprise:

- Graded Examinations in Dance (Levels Entry, 1-3)
- Vocational Graded Examinations in Dance (Levels 2-4)
- Certificates (Level 3)
- Diplomas in Dance Teaching (Levels 4-6)

The policy does not cover:

- complaints which are not directly related to the above qualifications
- general issues in the management of privately-owned dance schools in which bbdance has no legitimate role (i.e. is not directly related to the school's Centre status).

## 2. Definitions

For the purposes of this policy:

- An **enquiry about a result** questions the mark awarded to a student or group of students
- A **complaint** records dissatisfaction with procedures and processes linked to a recognised qualification (examination or teaching qualification). Complaints are not related to marks or grades achieved in an assessment or examination
- An **appeal** records dissatisfaction and challenges the outcome of an *enquiry about a result or complaint*.

## 3. Scope

In accordance with regulatory requirements, appeals may be made in relation to:

- Marks awarded to candidates
- Decisions concerning Reasonable Adjustments and Special Considerations
- The outcome of a decision made in relation to malpractice or maladministration – please see our Malpractice and Maladministration Policy for further information.

## 4. Eligibility

The following people are eligible to make an enquiry about a result, complaint or appeal:

- Head of Centre (for examinations)
- Trainee Teacher (a student enrolled on a teaching qualification)

Complaints may also be made by:

- A Registered Teacher contracted by a Centre

Please note that examination candidates/parents/guardians/carers cannot directly make an enquiry about a result or appeal but should liaise with the Head of Centre who will act on their behalf.

For teaching qualifications, students who are enrolled on a Diploma in Dance Teaching may make an enquiry, complaint or appeal, as set out in the terms of this policy.

## 5. Timing

An enquiry about a result, complaint or appeal must normally be made within three weeks of the date of the event, examination, receipt of result or decision (whichever is most relevant).

## 6. Costs/Fees

A fee will be charged for enquiries about results and appeals. Fees are not charged for dealing with complaints. Details of fees can be found on the bbodance website. The fee will be refunded if the enquiry or appeal is upheld.

## 7. Enquiries about Results (Stage 1)

bbodance undertakes rigorous procedures to ensure that marks and results adhere to level descriptors and mark schemes published in the specification for each qualification. All marks and reports are checked for accuracy before being sent out to teachers or candidates. Marks are also internally moderated using statistical analysis or by the Internal Moderator's attendance during an examination. For these reasons, enquiries regarding the accuracy of a mark/s should be rare occasions and not routine.

If a Head of Centre or Trainee Teacher wishes to gain further information on the reasons for a mark, a Result Enquiry Request may be submitted. This form can be found on the bbodance website and, once completed, should be returned to the Qualifications Manager. Requests will be acknowledged within 5 working days and bbodance will respond within twenty working days.

When submitting a Result Enquiry Request, the Head of Centre or Trainee Teacher should identify the reasons for challenging the mark/s and, where possible, provide evidence supporting the enquiry. Requests may challenge decisions made under Reasonable Adjustments or Special Considerations, whereby the examination structure or content has been changed to support a student's needs and/or additional marks have been awarded/not awarded.

## 8. Enquiries about Results (Stage 2)

Where an enquiry uncovers a clerical error, the matter will be dealt with promptly and the correct result will be recorded by the Qualifications Manager. Should the enquiry raise more complex concerns regarding the reliability of an examination result or results, the enquiry will be forwarded to the Regulatory and Quality Assurance Advisor and/or External Moderator who will respond to the person making the enquiry within five working days and instigate a full investigation.

## 9. Investigations Relating to Enquiries about Results

Investigations are undertaken by the Regulatory and Quality Assurance Advisor supported by the Qualifications Manager. Evidence is collated from relevant parties and assessed. On conclusion of the investigation, the Regulatory and Quality Assurance Advisor will make **one** of the following recommendations:

- i. The enquiry is not upheld due to **insufficient evidence**; the mark will not be changed
- ii. The enquiry is upheld on the basis of an **inaccurate mark**; the mark will be adjusted and a new certificate issued (if relevant)

- iii. The enquiry is upheld on the basis of **procedural irregularities** and the candidate/s will be entitled to a re-examination

Where an enquiry is not upheld, the Head of Centre or Trainee Teacher can submit an application for an appeal (see Section 14).

## 10. Moderation and Re-examinations

Moderation (of Digital Examinations) or Re-examinations (Live Examinations) can only be authorised by the Regulatory and Quality Assurance Adviser. Arrangements for re-examination will follow standard bbodance examination procedures with additional conditions as follows:

- A different examiner will be appointed; the new examiner will not be given information on the reason for the moderation / re-examination or the original results
- A moderation will be undertaken using the same Examination footage as the original Examination
- The re-examination will be undertaken at the same Centre as the original examination
- A *Re-examination Agreement Form* must be signed by the teacher, the student/s (if aged 18 years or over) or parent/guardian/s
- The re-examination will not take place until the above form/s have been signed and received by bbodance
- Students will not be charged a fee for re-examination but are liable for their own travel and/or accommodation costs
- Following re-examination, the decision of the examiner is final.

## 11. Moderation and Re-examination Results

Following a re-examination, students will be given the option to:

- Accept the new examination result and rescind the Certificate awarded for the original examination: a new Certificate will be issued with the date of the re-examination and the change of award where required
- Accept the original examination result and maintain the Certificate already issued.

## 12. Complaints

Complaints which relate to bbodance examinations or teaching qualifications should be made in writing to the Regulatory and Quality Assurance Advisor. All complaints will be treated seriously. Where possible, evidence should be provided. Should it be deemed necessary, the Regulatory and Quality Assurance Advisor will request evidence in order to assess the validity of the complaint.

Complaints can be made against any aspect of the delivery and assessment of a qualification. The following people are eligible to make a complaint concerning an examination or qualification:

- A student (above the age of 18 years)
- The parent/guardian of a student under the age of 18
- A Head of Centre
- A bbodance Registered Teacher who is a current member of bbodance

Before making a formal complaint, it may be beneficial to discuss a problem or issue with the Qualifications Manager, Head of Teaching Qualifications or Regulatory and Quality Assurance Advisor (as relevant)

This is particularly the case where the complaint indicates a dissatisfaction with a mark and should begin with a Result Enquiry Request.

Examples of complaints include dissatisfaction with pre-examination decisions and/or arrangements made for a Reasonable Adjustment, in which the Head of Centre does not feel due procedures have been followed or that the arrangements are insufficient to the needs of the student in a forthcoming examination.

Any complaint made with reference to a suspected or actual case of malpractice or maladministration will be dealt with in accordance with our Malpractice and Maladministration Policy.

Every effort will be made to deal with any complaint internally, however, bbodance has the right to involve a third party such as the Council for Dance, Drama and Musical Theatre (CDMT, formerly CDET) or a national regulator (Ofqual or Qualifications Wales) should the issue have wider implications for the profession.

Anonymous complaints, where the identity of the complainant is not revealed, will not be processed.

## 13. Procedure for Complaints

- The complaint is received and acknowledged by the Regulatory and Quality Assurance Advisor within 5 days of receipt
- Relevant persons are informed of the complaint and asked to provide a written response/evidence within 14 days
- The complaint is assessed by the Complaints Panel comprising three of the following staff members: Regulatory and Quality Assurance Advisor, Head of Teaching Qualifications, Qualifications Manager, CEO Artistic and/or CEO Operations. Should any of these members of staff be involved in the complaint, she/hewill be replaced by a teaching member who has no personal interest in the complaint outcome
- The Panel's formal response is sent to the complainant within a further 14 days

Where the complaint is upheld, any necessary action is authorised by the Regulatory and Quality Assurance Advisor. Should the complaint reveal a failure in policy or procedure, immediate action will be taken to protect other learners and a full Report submitted to the Quality Assurance Committee or Board of Trustees, whichever meeting comes first. Where necessary, the Regulatory and Quality Assurance Advisor is authorised to convene an extraordinary meeting of the QAC to prevent any future recurrence.

Where a complaint identifies a significant error or event which requires Notification, the relevant regulators will be contacted.

Where a complaint is not upheld, the complainant may have the right to appeal, providing the complaint refers to one of the three categories for appeal set out below.

## 14. Appeals

Appeals can only be made following the outcome of an enquiry about a result or a complaint and must relate to one of the following three contexts:

- Appeals against results
- Appeals against decisions made in relation to a Reasonable Adjustment or Special Consideration
- Appeals against malpractice and maladministration decisions

Appeals against results, a Reasonable Adjustment or Special Consideration can only be made by the Head of Centre (for examinations) or Trainee Teacher enrolled on a Diploma in Dance Teaching. Students/parents/guardians should make representation to the Head of Centre where the student was examined. The Head of Centre will determine the validity of the application for appeal and submit the relevant documentation, including statements from students/parents/guardians as appropriate.

Appeals against decisions made in cases of malpractice or maladministration may be made by:

- A Head of Centre
- A bbodance Registered Teacher who works at a Centre
- A student (or their parent/guardian if under the age of 18) who has been affected by the outcome of an investigation into malpractice or maladministration.

An Application for an Appeal form can be found on the bbodance website and must be completed in full. The applicant must indicate clearly whether the appeal relates to results, Reasonable Adjustments/Special Considerations or malpractice/maladministration by ticking the relevant box. Applications which do not specify the appeal context will not be accepted. Before submitting an appeal application, a Head of Centre or Trainee Teacher may wish to discuss the issue with the Regulatory and Quality Assurance Advisor or Head of Teaching Qualifications. Such discussions can sometimes provide a resolution without the need for an appeal.

Applications for an appeal must be submitted to a Chief Executive Officer who will convene an Appeals Panel. The Panel will be chaired by the CEO (if they were not a panel member) or Executive Chairman and include at least one external member who is not an employee or member of bbodance.

The Panel will consider the outcome of the original enquiry or complaint, together with any additional evidence supplied by the person making the appeal and any previous cases or precedents. The Panel will uphold regulatory guidance on the appeals process and, where necessary, seek advice from an independent advisor or external regulator (Ofqual or Qualifications Wales) before making a decision.

The outcome of the appeal will be communicated to the relevant parties in writing within twelve calendar weeks of receipt of the Application for Appeal. The decision of the Appeal Panel is final. All appeals outcomes will be reported to the bbodance Board of Trustees. Claimants who are dissatisfied with the outcome of an appeal may refer the issue to the relevant regulator, depending on the nature of the appeal (see Section 15 below).

Where the outcome of an appeal points to a failure in the delivery and assessment of a qualification, the CEO will take immediate action to correct, mitigate or prevent the impact on other learners and centres. Any necessary changes will be made to ensure that the failure does not recur.

## 15. Further Avenues of Appeal

If the outcome of an appeal conducted by the bbodance Appeal Panel based on any of the three contexts detailed above and below is considered unsatisfactory by a student, Registered Teacher or Head of Centre, a further appeal can be made to the following regulatory authority; Ofqual in England and Qualifications Wales in Wales.

Contexts for appeal:

- Appeals against results
- Appeals against decisions made in relation to a Reasonable Adjustment or Special Consideration
- Appeals against malpractice/maladministration decisions

## 16. Confidentiality and Anonymity

All information relating to enquiries, complaints or appeals is treated as confidential unless bbodance needs to release information under relevant laws, including the Data Protection Act 2018 and the Freedom of Information Act 2000.

Where the outcome of a complaint or appeal has identified an occurrence of malpractice or maladministration, bbodance will inform other Awarding Bodies/Organisations in writing.

Where possible, bbodance will protect the identity of the claimant, however, this may limit the extent of the investigation and potential resolutions. Anonymous enquiries or complaints in which the identity of the claimant is not known, will not be processed.

bbodance may pause or cease an investigation if there is a likelihood of legal, criminal or civil proceedings or confidential information has been shared with third parties, including social and traditional media.

## 17. Contact Information

### **bbodance HQ:**

Ensign House  
Battersea Reach  
Juniper Drive  
London SW18 1TA

Tel: 020 8748 1241

### **Ofqual:**

Spring Place  
Herald Avenue  
Coventry  
CV5 6UB

Tel: 0300 303 3344

### **Qualifications Wales:**

Q2 Building, Pencarn Lane,  
Imperial Park, Coedkernew  
Newport  
NP10 8AR

Tel: 01633 373 222

***Date of next review: August 2024***