

British Dance Council Complaints Policy – Revised 24/3/2023

1 Introduction

This policy and procedure document relates to concerns and complaints about the conduct and performance of British Dance Council (BDC) Member Organisations, Directors, Licence Holders, employees and contractors.

The BDC strives for high standards in all its endeavours and welcomes feedback from Member Organisations, Licence Holders, employees 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:

- BDC Articles of Association
- BDC Rule Book
- BDC Safeguarding Policy
- BDC Equity, Diversity and Inclusivity Policy

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 the work of the BDC and the work of BDC Licence holders.
- Ensure that complaints are monitored to improve our services.

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2 Statement and Commitment

2.1 Complaints Policy Statement

The British Dance Council:

- Is committed to providing a high quality and efficient service.
- Recognises that people participating in BDC approved championships, competitions, or events
 - 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 and the BDC'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 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 BDC and its Member Organisations, 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 Member Organisations, Directors, Licence Holders, staff and volunteers are required to read, understand and comply with this policy and its procedures.

2.2 Commitment to our Regulatory Requirements

Our policy considers the requirements of the relevant regulatory authority's rules (i.e. Information Commissioner's Office).

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 Licence Holders, Directors, Honorary Members and Member Organisations' Responsibility

3.1 Licence Holders, Directors and Honorary Members

We advise that our Licence Holders, Directors and Honorary Members are familiar with all of the BDC Policies. They can be accessed on the BDC website:

www.britishdancecouncil.com

3.2 Member Organisations

We advise that BDC Member Organisations should take all reasonable steps to ensure that their staff involved in the management and delivery of BDC competitions, championships and approved events are aware of the contents of this policy and that BDC Member Organisations have a complaint handling procedure and appeals process in place to deal with complaints from their members. If an individual is unhappy about a service or activity being delivered by one of the BDC Member Organisations, they must first go through the Member Organisation's complaints process before bringing the matter to the BDC.

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 Licence Holders or Member Organisations, please tell a person in authority 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 you 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. A complaint must be received in writing by the Council office.

An individual may make a complaint if they feel the BDC, a Member Organisation, or one of our Licence Holders, has:

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

This policy and procedure relate only to complaints received about the BDC, its employees and contractors, its Members or its Licence Holders.

6 Complaints Procedure

6.1 The BDC 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.

Complaints received by the Council must be investigated for validity by the President and Vice President or the F&GP Committee before any action is authorised. If a complaint is deemed to be outside of the Council's jurisdiction or without grounds, then no further action will be authorised. If the complainant wishes to appeal this decision, they would need to adhere to the 'Grounds for an Appeal' as referenced in this policy.

6.2 Complaints against a BDC Member Organisation by another Member Organisation

6.2.1 On receipt of a complaint from any Member Organisation that the conduct of any other Member Organisation is unbefitting of a member of the BDC, or has brought the Council into disrepute, or that the Member Organisation has materially breached the Articles of Association, the Board or the President,

Vice-President and Secretary, shall as soon as reasonably practicable appoint a Disciplinary Committee consisting of no fewer than 3 Directors. These Directors shall not be conflicted in any way related to the complaint, complainant, or the Member Organisation which is the subject of the complaint.

6.2.2 If the matter is a safeguarding complaint, then the BDC Safeguarding Policy will take precedence. If the matter is surrounding an issue of Equity, Diversity or Inclusivity, then the BDC EDI Policy may also be applied if applicable. If there are issues in the complaint that are subject to confidentiality, then the BDC Confidentiality Policy will be applied.

6.2.3 Provided the Disciplinary Committee is satisfied that there is a prima facie case to answer, the Disciplinary Committee shall within 30 days receipt of the complaint:

- i) Appoint a date, time and place at which a hearing for the complaint shall be conducted.
- ii) Give written notice, (containing sufficient detail), of the complaint and the hearing, together with copies of all supporting documents to the complainant and the Member Organisation which is the subject of the complaint.
- iii) Seek written representations from the Member Organisation which is the subject of the complaint. These representations should be supplied to the Disciplinary Committee no less than 5 days prior to the hearing.

6.2.4 The Disciplinary Committee may seek written submissions, evidence and representations from any person other than the Member Organisation which is the subject of the complaint. Copies of all submissions, evidence and representations must be received by the Disciplinary Committee along with the other documentation. These will also be distributed to the complainant and the Member Organisation which is subject to the complaint no less than 15 days prior to the hearing in order to allow for further responses.

6.2.5 At the Hearing:

- i) The Member Organisation which is subject to the complaint, (acting by a duly authorised representative of its governing body), shall be entitled to call witnesses and make oral submissions to the Disciplinary Committee. Such witnesses may be examined by the Disciplinary Committee and the representative.
- ii) The Member Organisation which is subject to the complaint may be legally represented.

6.2.6 The Disciplinary Committee shall notify the Board of its decision in writing (with a copy to the Member Organisation subject to the complaint, the complainant and any other person the Disciplinary Committee considers should receive a copy) within 10 days of the hearing. Such written notice shall include reasons for the decision and the Disciplinary Committee's recommendations to the Board that there is no case to answer or of the penalty (if any) that should be imposed upon that Member Organisation. A recommendation that the Member Organisation has no case to answer may include a recommendation that the Complainant pay the reasonable costs incurred by the Member Organisation in preparing for and attending the Hearing. The penalties that may be imposed upon a Member Organisation by the Board are a reprimand, a fine, and expulsion from the Council.

6.2.7 The Member Organisation which is subject to the complaint may appeal against the Disciplinary Committee's recommendation using the Appeal Process.

6.3 Complaints against a Director of the Board:

6.3.1 On receipt of a complaint that the conduct of Director is unbefitting of a Director of the BDC, or has brought the Council into disrepute, or that the Director has materially breached the BDC Rules or the Articles of Association, the Board or the President, Vice-President and Secretary, shall as soon as reasonably practicable appoint a Disciplinary Committee consisting of no fewer than 3 Directors. These Directors shall not be conflicted in any way related to the complaint, complainant, or the Director who is the subject of the complaint.

6.3.2 If the matter is a safeguarding complaint, then the BDC Safeguarding Policy will take precedence. If the matter is surrounding an issue of Equity, Diversity or Inclusivity, then the BDC EDI Policy may also be applied if applicable. If there are issues in the complaint that are subject to confidentiality, then the BDC Confidentiality Policy will be applied.

6.3.3 Provided the Disciplinary Committee is satisfied that there is a prima facie case to answer, the Disciplinary Committee shall within 30 days receipt of the complaint:

- i) Appoint a date, time and place at which a hearing for the complaint shall be conducted.
- ii) Give written notice, (containing sufficient detail), of the complaint and the hearing, together with copies of all supporting documents to the complainant and the Director who is the subject of the complaint.
- iii) Seek written representations from the Director who is the subject of the complaint. These representations should be supplied to the Disciplinary Committee no less than 5 days prior to the hearing.

6.3.4 The Disciplinary Committee may seek written submissions, evidence and representations from any person other than the Director who is the subject of the complaint. Copies of all submissions, evidence and representations must be received by the Disciplinary Committee along with the other documentation. These will also be distributed to the complainant and the Director who is subject to the complaint no less than 15 days prior to the hearing in order to allow for further responses.

6.3.5 At the Hearing:

- i) The Director who is subject to the complaint shall be entitled to call witnesses and make oral submissions to the Disciplinary Committee. Such witnesses may be examined by the Disciplinary Committee and the Director who is subject to the complaint.
- ii) The Director who is subject to the complaint may be legally represented.

6.3.6 The Disciplinary Committee shall notify the Board of its decision in writing (with a copy to the Director who is subject to the complaint, the complainant, and any other person the Disciplinary Committee considers should receive a copy) within 10 days of the hearing. Such written notice shall include reasons for the decision and the Disciplinary Committee's recommendations to the Board that there is no case to answer, or of the penalty (if any) that should be imposed upon that Director. A recommendation that the Director has no case to answer may include a recommendation that the Complainant pay the reasonable costs incurred by the Director in preparing for and attending the Hearing. The penalties that may be imposed upon a Director by the Board are a reprimand, a claim to the Director for reparatory costs, and a recommendation to the Council for the expulsion from the Board.

6.3.7 The Director who is subject to the complaint may appeal against the Disciplinary Committee's recommendation using the Appeal Process.

6.4 Complaints against the President of the Council:

6.4.1 On receipt of a complaint that the conduct of the President has behaved in a way that is unbecoming of a Director of the BDC, or has brought the Council into disrepute, or has materially breached the BDC Rules or the Articles of Association, the Board or the Vice-President and Secretary, shall as soon as reasonably practicable appoint a Disciplinary Committee consisting of no fewer than 3 Directors. These Directors shall, where possible, be not be conflicted in any way related to the complaint, complainant, or the President who is the subject of the complaint.

6.4.2 The remaining process will follow items 6.3.2 to 6.3.7 above.

6.5 Complaints against the Vice-President of the Council:

6.5.1 On receipt of a complaint that the conduct of the Vice-President has behaved in a way that is unbecoming of a Director of the BDC, or has brought the Council into disrepute, or has materially breached the BDC Rules or the Articles of Association, the Board or the President and Secretary, shall as soon as reasonably practicable appoint a Disciplinary Committee consisting of no fewer than 3 Directors. These Directors shall, where possible, be not be conflicted in any way related to the complaint, complainant, or the Vice-President who is the subject of the complaint.

6.5.2 The remaining process will follow items 6.3.2 to 6.3.7 above.

6.6 Complaints against Honorary Members of the Council:

6.6.1 On receipt of a complaint that the conduct of an Honorary Member has behaved in a way that is unbecoming of an Honorary Member of the BDC, or has brought the Council into disrepute, or has materially breached the BDC Rules or the Articles of Association, the Board or the President, Vice-President and Secretary, shall as soon as reasonably practicable appoint a Disciplinary Committee consisting of no fewer than 3 Directors. These Directors shall, where possible, be not be conflicted in any way related to the complaint, complainant, or the Honorary Member who is the subject of the complaint.

6.6.2 The remaining process will follow items 6.3.2 to 6.3.7 above.

6.7 Complaints against a Competitor Licence Holder of the Council:

6.7.1 On receipt of a complaint that a Competitor Licence Holder of the BDC has behaved in an unsporting manner, has brought the Council into disrepute, or has materially breached the BDC Rules, the President and/or Vice-President shall decide on the appropriate action. If both the President and Vice-President have a conflict of interest in the matter, then the matter would be referred to the Board of Directors.

6.7.2 If the matter is a safeguarding complaint, then the BDC Safeguarding Policy will also be applied. If the matter is surrounding an issue of Equity, Diversity or Inclusivity, then the BDC EDI Policy will also be applied. If there are issues in the complaint that are subject to confidentiality, then the BDC Confidentiality Policy will be applied.

6.7.3 A letter will be sent to the Competitor to advise them of the complaint, and ask them to make written submissions to the Council if they wish to refute the complaint.

6.7.4 Once in receipt of all submissions, if it is decided that there is a prima facie case to answer, the BDC shall take one of the following courses of disciplinary action based on the type of complaint:

- i) A letter of warning explaining the reasons for the warning, and clearly stating the potential consequences if any re-occurrence were to happen.
- ii) A suspension of the Competitor's Licence until the matter raised in the complaint has been satisfactorily resolved.
- iii) A proportionate financial claim to provide sufficient compensation for the issue raised in the complaint. Any such claim will be subject to payment within 30 days of the issuance of the claim.
- iv) A revocation of the Competitor's Licence.

6.7.5 The Competitor, on receipt of the decision, will have the right to appeal the decision made. In that case, they will follow the Appeal Process.

6.8 Complaints against a Adjudicator Licence Holder of the Council:

6.8.1 On receipt of a complaint that a Adjudicator Licence Holder of the BDC has not carried out their duties in a correct and professional manner, has brought the Council into disrepute, or has materially breached the BDC Rules, the President and/or Vice-President shall decide on the appropriate action. If both the President and Vice-President have a conflict of interest in the matter, then the matter would be referred to the Board of Directors.

6.8.2 If the matter is a safeguarding complaint, then the BDC Safeguarding Policy will also be applied. If the matter is surrounding an issue of Equity, Diversity or Inclusivity, then the BDC EDI Policy will also be applied. If there are issues in the complaint that are subject to confidentiality, then the BDC Confidentiality Policy will be applied.

6.8.3 A letter will be sent to the Adjudicator to advise them of the complaint, and ask them to make written submissions to the Council if they wish to refute the complaint.

6.8.4 Once in receipt of all submissions, if it is decided that there is a prima facie case to answer, the BDC shall take one of the following courses of disciplinary action based on the type of complaint:

- i) A letter of warning explaining the reasons for the warning, and clearly stating the potential consequences if any re-occurrence were to happen.
- ii) A suspension of the Adjudicator's Licence until the matter raised in the complaint has been satisfactorily resolved.
- iii) A proportionate financial claim to provide sufficient compensation for the issue raised in the complaint. Any such claim will be subject to payment within 30 days of the issuance of the claim.
- iv) A revocation of the Adjudicator's Licence.

6.8.5 The Adjudicator, on receipt of the decision, will have the right to appeal the decision made. In that case, they will follow the Appeal Process.

6.9 Complaints against a Promoter Licence Holder of the Council:

6.9.1 On receipt of a complaint that a Promoter Licence Holder of the BDC has not carried out their duties in a correct and professional manner, has brought the Council into disrepute, or has materially breached the BDC Rules, the President and/or Vice-President shall decide on the appropriate action. If

both the President and Vice-President have a conflict of interest in the matter, then the matter would be referred to the Board of Directors.

6.9.2 If the matter is a safeguarding complaint, then the BDC Safeguarding Policy will also be applied. If the matter is surrounding an issue of Equity, Diversity or Inclusivity, then the BDC EDI Policy will also be applied. If there are issues in the complaint that are subject to confidentiality, then the BDC Confidentiality Policy will be applied.

6.9.3 A letter will be sent to the Promoter to advise them of the complaint, and ask them to make written submissions to the Council if they wish to refute the complaint.

6.9.4 Once in receipt of all submissions, if it is decided that there is a prima facie case to answer, the BDC shall take one of the following courses of disciplinary action based on the type of complaint:

- i) A letter of warning explaining the reasons for the warning, and clearly stating the potential consequences if any re-occurrence were to happen.
- ii) A suspension of the Promoter's Licence until the matter raised in the complaint has been satisfactorily resolved.
- iii) A proportionate financial claim to provide sufficient compensation for the issue raised in the complaint. Any such claim will be subject to payment within 30 days of the issuance of the claim.
- iv) A revocation of the Promoter's Licence.

6.9.5 The Promoter, on receipt of the decision, will have the right to appeal the decision made. In that case, they will follow the Appeal Process.

6.10 Complaints against a Scrutineering Licence Holder of the Council:

6.10.1 On receipt of a complaint that a Scrutineering Licence Holder of the BDC has not carried out their duties in a correct and professional manner, has brought the Council into disrepute, or has materially breached the BDC Rules, the President and/or Vice-President shall decide on the appropriate action. If both the President and Vice-President have a conflict of interest in the matter, then the matter would be referred to the Board of Directors.

6.10.2 If the matter is a safeguarding complaint, then the BDC Safeguarding Policy will also be applied. If the matter is surrounding an issue of Equity, Diversity or Inclusivity, then the BDC EDI Policy will also be applied. If there are issues in the complaint that are subject to confidentiality, then the BDC Confidentiality Policy will be applied.

6.10.3 A letter will be sent to the Scrutineer to advise them of the complaint, and ask them to make written submissions to the Council if they wish to refute the complaint.

6.10.4 Once in receipt of all submissions, if it is decided that there is a prima facie case to answer, the BDC shall take one of the following courses of disciplinary action based on the type of complaint:

- i) A letter of warning explaining the reasons for the warning, and clearly stating the potential consequences if any re-occurrence were to happen.
- ii) A suspension of the Scrutineer's Licence until the matter raised in the complaint has been satisfactorily resolved.

iii) A proportionate financial claim to provide sufficient compensation for the issue raised in the complaint. Any such claim will be subject to payment within 30 days of the issuance of the claim.

iv) A revocation of the Scrutineer's Licence.

6.10.5 The Scrutineer, on receipt of the decision, will have the right to appeal the decision made. In that case, they will follow the Appeal Process.

6.11 Complaints against a person who is a member of a Member Organisation, but not a Licence Holder of the Council:

6.11.1 On receipt of a complaint concerning a member of a BDC Member Organisation, but who is not a Licence Holder of the BDC, the President and Vice-President, shall decide on the appropriate action.

6.11.2 The complainant will be contacted to confirm that they accept the matter being referred to the appropriate BDC Member Organisation to which the member is a member. If the complainant agrees to this course of action, the matter will be referred, and all relevant documentation will be forwarded to the BDC Member Organisation. The BDC Member Organisation will be asked to regularly update the BDC on the progress of the complaint handling in order to ensure that the matter is being correctly processed.

6.11.3 If the matter is a safeguarding complaint, then the BDC Safeguarding Policy will also be applied. If the matter is surrounding an issue of Equity, Diversity or Inclusivity, then the BDC EDI Policy will also be applied.

6.11.4 If the complainant is not happy for the matter to be referred, then the BDC will not be legally in a position to act, and the complainant would be advised that they should take their own complaint to the relevant authorities.

6.12 Complaints against a member of staff or a contractor of the British Dance Council:

6.12.1 On receipt of a complaint that a member of staff or a contractor hired by the BDC has not carried out their duties in a correct and professional manner, has brought the Council into disrepute, or has materially breached the BDC Rules or Articles of Association, the Board or the President and Vice-President shall decide on the appropriate action.

6.12.2 If the matter is a safeguarding complaint, then the BDC Safeguarding Policy will take precedence. If the matter is surrounding an issue of Equity, Diversity or Inclusivity, then the BDC EDI Policy may also be applied if applicable. If there are issues in the complaint that are subject to confidentiality, then the BDC Confidentiality Policy will be applied.

6.12.3 As soon as reasonably practicable, the BDC will appoint a Disciplinary Committee consisting of no fewer than 3 Directors. These Directors shall not be conflicted in any way related to the complaint, complainant, or the person who is the subject of the complaint.

6.12.4 Provided the Disciplinary Committee is satisfied that there is a prima facie case to answer, the Disciplinary Committee shall within 30 days receipt of the complaint:

- i) Appoint a date, time and place at which a hearing for the complaint shall be conducted.
- ii) Give written notice, (containing sufficient detail), of the complaint and the hearing, together with copies of all supporting documents to the complainant and the person who is the subject of the complaint.

iii) Seek written representations from the person who is the subject of the complaint. These representations should be supplied to the Disciplinary Committee no less than 5 days prior to the hearing.

6.12.5 The Disciplinary Committee may seek written submissions, evidence and representations from any person other than the Director who is the subject of the complaint. Copies of all submissions, evidence and representations must be received by the Disciplinary Committee along with the other documentation. These will also be distributed to the complainant and the person who is subject to the complaint no less than 15 days prior to the hearing in order to allow for further responses.

6.12.6 At the Hearing:

i) The person who is subject to the complaint shall be entitled to call witnesses and make oral submissions to the Disciplinary Committee. Such witnesses may be examined by the Disciplinary Committee and the person who is subject to the complaint.

ii) The person who is subject to the complaint may be legally represented.

6.12.7 The Disciplinary Committee shall notify the Board of its decision in writing (with a copy to the person who is subject to the complaint, the complainant, and any other person the Disciplinary Committee considers should receive a copy) within 10 days of the hearing. Such written notice shall include reasons for the decision and the Disciplinary Committee's recommendations to the Board that there is no case to answer, or of the penalty (if any) that should be imposed upon that person. A recommendation that the person has no case to answer may include a recommendation that the Complainant pay the reasonable costs incurred by the person in preparing for and attending the Hearing. The penalties that may be imposed by the Board are a reprimand, a fine, and termination of the employment contract from the Council.

6.12.8 The person who is subject to the complaint may appeal against the Disciplinary Committee's recommendation using the Appeal Process.

7 Submitting a Complaint to the British Dance Council

7.1 Submission Process

7.1.1 A notice of an intention to complain should be submitted in writing either by email to secretary@britishdancecouncil.com or by letter to the BDC Secretary at Unit 9, The 1929 Shop, Merton Abbey Mills, Watermill Way, London, SW19 2RD.

7.1.2 The Secretary will supply an official complaint form by immediate return. The complainant will need to supply their name, address and contact details to register an official complaint.

7.1.3 The Complainant will then fill in the official BDC complaint form.

7.1.4 If the complaint involves the Secretary directly, the complaint form can instead be submitted to the following email address of the President: president@britishdancecouncil.com.

7.1.5 Once the complaint form has been received, the complainant will be assigned a unique Complaint Reference Number, which will be used in all subsequent correspondence.

7.1.6 Any additional relevant supporting evidence to support the complaint can then be submitted using the Unique Reference Number.

7.1.7 The processes outlined in section 6 of this document will then begin.

8 Appeal Process

8.1 Grounds for an Appeal

8.1.1 Acceptable grounds for appeal include:

- i) The complainant has evidence to submit which was not available at the first stage of the complaint process, or at the hearing, or which was not considered during the original investigation.
- ii) The complainant has evidence that the original investigation and response was not conducted in accordance with the BDC's Complaints Policy.

8.2 Appeal Process

8.2.1 An appeal may be lodged against the Board, President, Vice-President or Disciplinary Committee's recommendation by notice in writing delivered to the Secretary within 10 days of the issue of the Disciplinary Committee's recommendation. The notice of Appeal shall contain a statement of the grounds on which the Appeal is brought.

8.2.2 When an Appeal is made against the recommendation of the Disciplinary Committee, the President shall appoint an Appeal Committee consisting of no fewer than 3 Directors, none of whom shall have served upon the Disciplinary Committee and none of whom shall be in a position of conflict of interest in any way related to the complaint, complainant, or the person who is the subject of the original complaint.

8.2.3 The Appeal Committee shall appoint a date, time and place on and at which the Appeal shall be conducted (provided that the Appeal Hearing shall be held no later than 30 days after the date of receipt of the notice of Appeal by the Secretary).

8.2.4 The Appeal Committee may seek submissions, evidence and representations from any person at any time. provided that copies of all such submissions, evidence and representations are received by the Disciplinary Committee and distributed to the person who is subject to the original complaint, the complainant no less than 10 days prior to the hearing in order to prepare any further responses.

8.2.5 At the Appeal Hearing:-

- i) The person subject to the original complaint shall be entitled to make oral submissions in relation to the grounds for the Appeal.
- ii) The person subject to the original complaint may be legally represented.

8.2.6 The Appeal Committee shall notify the person subject to the original complaint of its decision in writing within 28 days of the Appeal Hearing. Such written notice shall include reasons for the decision and shall either confirm the recommendation of the Disciplinary Committee or substitute the recommendation (including a recommendation as to the payment of costs by the Complainant or the relevant penalty) of the Appeal Committee.

8.2.7 Subject to the provisions of this Article, the Disciplinary and the Appeal Committees shall regulate their proceedings as they see fit.

8.2.8 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 10 working days and a final date given for a conclusion to be reached.

9 Further redress

If the complainant believes that the complaint has not been dealt with in accordance with these procedures, they may complain to a relevant government authority. They may also choose to seek advice from one of the following:

- A legal representative
- Citizens Advice Bureau

10 Monitor and review

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

11 Matters raised by indirect means

Matters of concern can sometimes come to the attention of the BDC 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 BDC should be concerned, in relation to the conduct of one or more of its Member Organisations, Directors or Employees. The BDC reserves the right to investigate concerns which come to its attention in such ways.

12 Vexatious Correspondence

The BDC considers vexatious complaints seriously. The Council 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 Council reserves the right to cease contact with the complainant in relation to the relevant matter.

13 Confidentiality and Data Protection

Complaints are an important tool which, alongside data provided by 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 BDC 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 deemed to be affected by the matters raised. Any such person or organisation which is advised of the complaint will be required to preserve confidentiality.

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 Council'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 the BDC 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.

14 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 BDC will also consider a review as a result of a 'trigger' linked to an outcome of a particular investigation.