



Complaints, enquiries about results, and appeals

1 Introduction

- 1.1 This document sets out the policy of the Royal Academy of Dance (RAD) Examinations Board with respect to complaints, enquiries about results, and appeals.
- 1.2 We hope that candidates, teachers, and others who use our services will have no cause to complain about the quality of the service or the results which they receive; but nonetheless, we will act fairly, courteously, legally and without bias or prejudice in all such matters, and those who choose to submit a complaint, enquiry about a result, or appeal will not be disadvantaged in any way by so doing.

2 Definitions

- 2.1 An *enquiry about a result* questions on whatever grounds, the mark awarded to a candidate or group of candidates.
- 2.2 A *complaint* records dissatisfaction with examinations procedures and processes, but does not explicitly question marks awarded.
- 2.3 If a *complaint* subsequently develops into an *enquiry about a result*, the matter will be treated as an enquiry about a result from that point onwards.
- 2.4 Customers who are dissatisfied with the outcome of a complaint or an enquiry about a result may, if they have grounds for so doing, lodge a formal *appeal*. An appeal may not be lodged until the appropriate initial stages have been completed (see Sections 4, 5 and 6 below).
- 2.5 All communication received by the Examinations Board concerning complaints and enquiries about results is in the first instance reviewed by the Examinations Business and Customer Service Manager. Where necessary, the Examinations Business and Customer Service Manager decides, on the basis of the content of the communication, whether the communication is to be treated as a complaint or an enquiry about a result, and co-ordinates and directs the subsequent investigations, processes and response accordingly.

3 Eligibility

- 3.1 The following people are eligible to lodge a complaint or enquiry concerning RAD examinations:
 - 3.1.1 a candidate
 - 3.1.2 where a candidate is under the age of 18, the parent / guardian of the candidate

- 3.1.3 an Applicant
 - 3.1.4 an RAD Registered Teacher, who is a current Member of the Royal Academy of Dance
 - 3.1.5 the Principal of a Registered School, or a person acting on behalf of the Principal such as a School secretary or administrator.
- 3.2 Where the complaint or enquiry about a result relates to a specific examination or examinations, only those with a direct and vested interest in the examination(s) may lodge the complaint or enquiry. For example, an RAD Registered Teacher may only lodge a complaint or enquiry about a result in respect of a candidate where they have been named on the examination entry form for that candidate.
- 3.3 Complaints, enquiries about results, and appeals should generally be made within three months of the event referred to (eg. the date of examination, or receipt of results). Normally, it will not be possible to investigate satisfactorily matters which took place more than three months before the date of correspondence. However, in the interests of good customer service, every effort will be made to do so where possible.

4 Complaints

- 4.1 Complaints about, or related to, examinations, examiners, Centre Approval, Reasonable Adjustments, Special Consideration, malpractice, and all services provided by the Examinations Board should be made in writing to the Examinations Business and Customer Service Manager, setting out in detail the nature of the complaint and the reasons for making it.
- 4.2 All complaints must be made on the record. Anonymous complaints will not be processed.
- 4.3 Complaints must be directed to the Examinations Business and Customer Service Manager. Should a complaint be received by another RAD office or member of RAD staff, it will normally be forwarded to the Examinations Business and Customer Service Manager, unless the content of the communication specifies otherwise.
- 4.4 Complaints in respect of qualifications accredited by SQA Accreditation may be sent directly to SQA Accreditation at any stage. In this event the RAD undertakes to comply fully with any investigation undertaken by SQA Accreditation in respect of the complaint.
- 4.5 Complaints should be submitted within ten working days of the circumstances relating to the complaint.
- 4.6 All complaints submitted to the Examinations Business and Customer Service Manager by letter will be acknowledged within seven working days of receipt and all complaints submitted by email will be acknowledged within two working days of receipt. Where complaints are submitted to other RAD offices for forwarding, acknowledgement may take longer.
- 4.7 Complaints will be investigated according to the procedures set out in Section 6 below.

5 Enquiries about results

- 5.1 *Clerical Check*

- 5.1.1 All results are clerically checked and reviewed before issue; therefore enquiries concerning their accuracy should not normally be necessary. However, teachers, candidates or parents/guardians may apply for a further administration, data entry and monitoring check to ensure that all procedures have been carried out appropriately and that marks have been accurately reported.
- 5.1.2 Applications for a Clerical Check should be made to the Examinations Business and Customer Service Manager or relevant RAD office using form RES/I, available from the RAD website, within ten working days of receiving the result(s).
- 5.1.3 The RAD will carry out the check and respond within ten working days.
- 5.1.4 A fee is payable for this service, which should be enclosed with the request. Details of current fees can be found on RAD websites. If it is found that an error has been made on the part of the RAD, the fee will be refunded.

5.2 *Clerical Check and Report*

- 5.2.1 If a teacher, candidate, or parent / guardian wishes to have further information regarding the reasons for a result, a Result Enquiry Report may be requested.
- 5.2.2 Result Enquiry Reports are available for all Solo Performance Awards and examinations except the Solo Seal Award. Result Enquiry reports are not available for Class Awards.
- 5.2.3 This request should be sent to the Examinations Business and Customer Service Manager or appropriate RAD office on form RES/I, available from RAD websites, within ten working days of receiving the result.
- 5.2.4 The RAD will acknowledge the request within seven working days and respond within forty working days. This will include a clerical check as in 5.1 above and a written report on each candidate concerned.
- 5.2.5 A fee is payable for each candidate report which should be enclosed with the application. Details of current fees can be found on RAD websites. If it is found that a clerical error has been made on the part of the RAD, the fee will be refunded and the result form, certificate and medal, if appropriate, will be re-issued.

5.3 *Other enquiries about results*

- 5.3.1 Where communication is received which questions a result or results received, the Examinations Board (or relevant RAD office) will normally recommend that, as a first stage in the process of investigation, the procedures outlined in 5.1 and 5.2 above are followed.
- 5.3.2 Where the communication refers to results received by a substantial number of candidates, and/or where the communication raises other substantive matters of concern, and/or if the Clerical Check procedures have already been completed, the Examinations Business and Customer Service Manager may, at his/her sole discretion, decide to bypass the initial Clerical Check stages and proceed as outlined in Section 6 below. In these circumstances, the Examinations Business and Customer Service Manager will respond to the person raising the enquiry within seven working days (for enquiries submitted by letter), or two working days (for enquiries submitted by email) indicating that a full investigation will be carried out.

- 5.3.3 Communication as outlined in 5.3.2 above must be made on the record; anonymous communication will not be processed.
- 5.3.4 Communication must be directed to the Examinations Business and Customer Service Manager. Where it is received by another RAD office or member of RAD staff, it will normally be forwarded to the Examinations Business and Customer Service Manager, unless the content of the communication specifies otherwise.

6 Investigations

- 6.1 All complaints, and (where appropriate) enquiries about results, will be investigated thoroughly, and conducted in a fair and impartial manner.
- 6.2 The investigation will be co-ordinated by the Examinations Business and Customer Service Manager, who will seek advice and input from other relevant colleagues, such as the Chair of the Panel of Examiners and Head of Syllabus Development, the Examinations Results Quality Assurance Manager, and the Director of Examinations, as necessary and appropriate. Evidence will be gathered from relevant sources including examiners, examination attendants, and RAD office staff, together with detailed consideration of any points raised by the complainant / person raising the enquiry. Where appropriate, evidence will also be gathered from statistical and/or contextual analysis of the results.
- 6.3 In the course of investigating any complaint / enquiry, the RAD will not normally contact pianists, or take account of their views or comments. In exceptional circumstances however, particularly when complaints make specific reference to pianists, this may be necessary.
- 6.4 A response to all complaints / enquiries will be sent within forty working days of receipt. The response will be full and detailed, and will address all substantive points made by the complainant / person raising the enquiry, as well as indicating any action to be taken as a result of the complaint / enquiry.
- 6.5 If the complainant / person raising the enquiry is dissatisfied with the response, they may lodge an appeal, provided they have grounds for doing so (see Section 7 below).
- 6.6 The possible outcomes of the investigation are as follows:
- 6.6.1 No further action to be taken
 - 6.6.2 An apology made and an undertaking to take the issues raised into account
 - 6.6.3 An offer of free Result Enquiries for one or more candidates
 - 6.6.4 A retrospective Special Consideration mark to be applied (see *Reasonable Adjustments and Special Consideration policy and procedures*).
 - 6.6.5 An offer made to re-examine candidate(s) at no additional charge and as soon as possible.

In all cases detailed reasons for the conclusions arrived at will be given.

7 Appeals

- 7.1 The RAD will endeavour to resolve all complaints and enquiries about results without recourse to the formal appeals procedure; however, where progression to appeal becomes necessary, all appeals, if properly lodged, will be dealt with in an impartial and transparent manner.
- 7.2 An Appeal may only be lodged following the completion of either the Complaints or Enquiry procedures as detailed above in Sections 4, 5 and 6, and where at least one of the grounds for appeal in Section 7.3 below is cited.

7.3 Grounds for appeal

7.3.1 The appellant has grounds for appeal if s/he alleges, contends, or can provide evidence that:

7.3.1.1 there have been procedural or professional irregularities, bias, prejudice or lack of professional standards on the part of an examiner, member(s) of the Examinations Board staff or committees; or

7.3.1.2 there have been circumstantial irregularities, or factors outside the control of either the appellant or the RAD, which have led to an unfair or inaccurate decision having been made which disadvantages a candidate or candidates; or

7.3.1.3 the RAD did not apply procedures consistently or procedures were not followed properly and fairly.

7.3.2 Appeals which are made solely on the basis of disagreement with an examiner's professional judgement will not be accepted. This is because the nature of practical dance examinations is such that candidates are assessed on a performance at one moment in time which does not produce lasting evidence, thus making it impractical to conduct an objective and meaningful investigation.

7.4 Eligibility

Only the person who made the initial complaint or enquiry about a result may lodge an appeal.

7.5 Types of appeal:

7.5.1 An appeal against the response to a complaint may only be lodged where there are appropriate grounds for appeal as defined in 7.3.1 above. The appeal must be lodged within ten working days of receipt of the response (see 6.5 above).

7.5.2 An appeal against the outcome of an enquiry about a result may only be lodged if the procedures outlined in Section 6 above have been completed in full, and where there are appropriate grounds for appeal as defined in 7.3.1 above. The appeal must be lodged within ten working days of receipt of the response to the enquiry (see 6.5 above).

7.6 Submission of appeal

7.6.1 Appeals must be made in writing to the Examinations Business and Customer Service Manager and be accompanied by the relevant fee, which is included in the fees table published on the RAD website.

7.6.2 Receipt of the appeal will be acknowledged within seven working days where it is sent by letter and within two working days where it is sent by email.

7.7 *Content and form of the appeal*

7.7.1 The communication from the appellant must

7.7.1.1 clearly set out the grounds for appeal

7.7.1.2 include all information which the appellant wishes the RAD to consider in the course of the investigation.

7.7.1.3 be accompanied by any relevant documentary evidence, such as a copy of the candidate's result form

7.7.1.4 specify the action the appellant expects the RAD to take and/or the redress which they consider appropriate.

7.8 *Consideration of Appeals*

7.8.1 The evidence for all appeals will be considered by an Appeals Panel.

7.8.2 An Appeals Panel will normally consist of the Chief Executive, Director of Examinations, Chair of the Panel of Examiners and Head of Syllabus Development, Examinations Business and Customer Service Manager, and an independent person who is neither an employee, examiner, Registered Teacher or Trustee of the RAD, nor in any other way connected with the RAD.

7.8.3 The precise composition of the Appeals Panel will depend on the nature of the appeal, but in no circumstances will it include any individual who has any *personal* interest in the decision being appealed. All members of the Appeals Panel will be persons who have appropriate competence in considering the appeal.

7.8.4 The RAD aims to resolve an appeal within forty working days of receipt of the appeal. It may, however, be necessary to extend this period if key personnel are unavailable. In this case, the appellant will be notified in writing.

7.8.5 The appellant will be notified of the outcome in writing within seven working days of the decision being made.

7.9 *Outcome of appeals*

7.9.1 *Appeals against the outcome of an enquiry about a result:* The possible outcomes are as follows:

7.9.1.1 The appeal is denied.

7.9.1.2 The appeal is upheld, and an offer is made to re-examine candidate(s) at no additional charge and as soon as possible. The examiner for a re-examination will not be the examiner who conducted the original examination.

7.9.1.3 The appeal is upheld, and an adjustment is made to the mark awarded.

7.9.2 *Appeals against the response to a complaint:* The possible outcomes are as follows:

7.9.2.1 The appeal is declined.

7.9.2.2 The appeal is upheld, and suitable action is taken by the committee in accordance with the nature and circumstances of the complaint and the grounds for appeal.

7.9.3 If an appeal is upheld, the fee will be refunded.

7.9.4 In all cases, a letter will be sent to the appellant which clearly sets out the detail of the investigation, and includes a full explanation of the outcome.

7.9.5 Depending on the nature of the appeal, and if the circumstances forming the grounds for the appeal are deemed to have also affected other candidates, either in the same examination set or same centre, action will be taken to ensure that such candidates are afforded the same treatment as the candidate who is the subject of the appeal.

7.9.6 Should there be no response from the appellant within twenty working days of communicating the outcome of the appeal, the appeal will be considered closed.

7.10 *Independent Review:*

7.10.1 Should the appellant not be satisfied with the outcome of the appeal, they may, as a final arbitration, seek an independent review of the appeal process and outcome.

7.10.2 An independent person not connected with the RAD will conduct the review.

7.10.3 No further fees will be charged for the review.

7.10.4 With the exception of cases covered in Section 7.10 below, the findings of the review will be final.

7.11 *SQA Accreditation:*

7.11.1 Where the subject of the appeal relates to a qualification accredited by SQA Accreditation, the appellant may progress the matter to SQA Accreditation following the Independent Review stage outlined in Section 7.9 above, where the independent person finds against the appellant.

7.11.2 Where the complaint originated from a public body in Scotland, such as a Further Education (FE) College or local authority centre, the appellant may escalate their appeal to the Scottish Public Service Ombudsman (SPSO) once the public body's and the RAD's complaints procedures (where appropriate) have been exhausted. The SPSO will not consider complaints about academic decisions, such as the outcome of an assessment. Complaints should have been raised within the previous 12 months.

The SPSO's Further Education Colleges Model Complaints Handling Procedure can be found at <http://www.valuingcomplaints.org.uk/wp-content/media/The-Further-Education-Model-Complaints-Handling-Procedure.pdf>

8 Monitoring and data protection

- 8.1 Where the application of the appeals process leads the RAD to discover a failure in its assessment processes, the RAD will take all reasonable steps to
- 8.1.1 identify any other learner who has been affected by the failure
 - 8.1.2 correct, or where it cannot be corrected, mitigate as far as possible the effect of the failure; and
 - 8.1.3 ensure that the failure does not recur in the future.
- 8.2 All communication related to complaints, enquiries and appeals will be treated with appropriate confidentiality and details will only be disclosed to those within the Academy who, by virtue of their role, have a need to be informed of the nature of the enquiry and/or the outcome. In general, this will include the relevant Regional or National office which may be copied into a letter of reply (see 4.3 and 5.3.4 above), except where the complainant specifically requests otherwise.
- 8.3 The records of any communication will be kept on file and destroyed at a time appropriate and in line with the data protection policy of the Royal Academy of Dance. A summarised record of the appeal will be held confidentially on the RAD electronic membership record.
- 8.4 Anonymous details of complaints, enquiries and appeals may be kept separately for reference at a later date in order to ensure consistency of decision making in future cases.
- 8.5 In accordance with the requirements of the qualifications regulators, information and records related to complaints, enquiries and appeals may be made available to the regulators on request.

9 Monitoring and review

- 9.1 This policy is monitored on a regular basis by the Examinations Regulatory and Standards Committee
- 9.2 The policy is reviewed on an annual basis and is signed off by the Director of Examinations as Chair of the Examinations Regulatory and Standards Committee.

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Circulation:

- Regional and national offices
- RAD websites
- Examinations regulators



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