

ENGLISH TOURING OPERA

Associates' Complaints Procedure

1. About this procedure

1.1 This procedure is for use by individuals engaged by English Touring Opera (the **Company**) who are not employees of the Company. Whereas employees of the Company are entitled to use the Company's Grievance Procedure, this policy is for use by freelancers (including freelance musicians, singers and performers) and casual and seasonal workers.

1.2 This procedure may be used by:

1.2.1 those currently engaged by the Company;

1.2.2 those applying or auditioning to be engaged by the Company; and

1.2.3 those in a pool of freelancers who may be engaged by the Company from time to time.

1.3 Company employees who have a complaint should follow the Company's Grievance Procedure.

1.4 This procedure does not form part of your engagement and may be amended from time to time at the discretion of the Company. In some circumstances, it may be appropriate for the Company to deviate from this procedure.

2. The Company's ethos and feedback

2.1 The Company promotes a positive workplace culture through leading by example in all interactions between colleagues, contractors, freelancers and external stakeholders and beneficiaries.

2.2 The Company actively challenges any behaviours that could be perceived as creating a negative workplace culture. In addition, the Company encourages critical and considered individual and collective reflection on our culture, and offers the opportunity to comment on your experience working with the Company by sending a survey to touring performers and musicians after each season.

3. Raising a complaint

3.1 Often, complaints or issues can be dealt with informally in the first instance. If you feel comfortable doing so, please consider raising any issue or concern that you have with the member of Company staff that is responsible for managing or liaising with you about your engagement or application/audition.

3.2 If your issue or concern cannot be resolved informally or you do not feel comfortable raising it informally, please follow the formal complaints procedure set out below.

4. Formal complaint procedure

4.1 If you would like to raise a formal complaint, please put your complaint in writing and address it to the **[INSERT POSITION]**. Include as much detail as you can about your complaint – including, if relevant, times and places and potential witnesses to the relevant issue. Please also provide any evidence that you have that is relevant to your complaint.

- 4.2 If the [INSERT POSITION] is the subject of or materially involved in your complaint, please address your complaint to the Company's Chief Executive. If your complaint also relates to the Chief Executive, please address your complaint to a member of the Company's Board of Trustees. The names and contact information of the Board of Trustees can be found at [INSERT].

Appointment of manager to investigate and review

- 4.3 Upon receipt of your complaint, the Company will appoint a Company manager of appropriate seniority (having regard to the content of your complaint) to investigate and review your complaint. Where reasonably possible (having regard to the Company's resources), the Company will appoint someone who has had no prior involvement or association with the content of your complaint.
- 4.4 The Company will notify you of the identity of the manager who has been appointed to investigate and review your complaint.

Investigation/review of complaint

- 4.5 The manager appointed to investigate and review your complaint may:
- 4.5.1 arrange a meeting with you to discuss your complaint and learn further details about it from you. If a meeting with you is not arranged, you may request one;
 - 4.5.2 communicate with you by email or telephone to ask for further information from you regarding your complaint;
 - 4.5.3 interview any relevant witnesses or individuals who may have relevant information;
 - 4.5.4 review relevant correspondence and other evidence relevant to your complaint; and
 - 4.5.5 ask you any relevant follow up questions following the investigation and review.
- 4.6 The manager appointed to investigate and review your complaint will endeavour to carry out their investigation within a reasonable timeframe.

Complaint outcome

- 4.7 When the manager appointed to investigate and review your complaint has concluded their investigation, they will provide you with a written outcome.
- 4.8 If your complaint is upheld, appropriate steps will be taken by the Company to rectify the issues raised by you. You will be notified of these steps. If your complaint relates to the actions or behaviour of a member of Company staff, a disciplinary process may be initiated.

5. Appeals

- 5.1 If you are not satisfied with the outcome to your complaint, you may appeal the outcome. Any appeal must be submitted within five working days of your receipt of the outcome to your complaint.
- 5.2 Please submit your appeal in writing to the Company manager that provided the outcome to your complaint and provide details of the grounds upon which you are appealing.

- 5.3 The Company will select another Company manager or member of the Board of Trustees to review your appeal. Where possible, the Company manager that initially reviewed your complaint will not be involved in the appeal process.
- 5.4 An appeal meeting may take place with you, alongside further investigation and witness interviews.
- 5.5 The manager with conduct of the appeal will endeavour to conclude the appeal within a reasonable timeframe.
- 5.6 After the appeal has been reviewed, you will be informed of the outcome and any next steps.
- 5.7 There will be no further right to appeal.

6. Companions

- 6.1 You do not, unless the Company confirms otherwise, have the right to be accompanied to any meeting to discuss your complaint. However, the Company, at its discretion, may permit you to be accompanied by a work companion or Trade Union representative to meetings relating to your complaint.
- 6.2 Any companion that you bring to a meeting may make representations on your behalf and respond on your behalf to any view expressed at any meeting, provided you expressly authorise this at the beginning of the relevant meeting (so that all members of the decision-making body know who may make representations on your behalf). However, your companion will not be able to answer questions put to you during the course of any meeting.

7. Recording meetings

You and anyone accompanying you (including witnesses), are prohibited from making any audio or video recordings of meetings. A Company notetaker may attend meetings.

8. Data protection and confidentiality

- 8.1 During the complaint investigation/review process and for an appropriate period of time following it, the Company will keep written records which may include:
 - 8.1.1 the nature of the complaint raised;
 - 8.1.2 a copy of the written complaint;
 - 8.1.3 the complaint outcome;
 - 8.1.4 details of any action taken;
 - 8.1.5 reasons for the action taken;
 - 8.1.6 whether there was an appeal and if so the outcome; and
 - 8.1.7 subsequent developments.
- 8.2 Such records will be kept confidential and will be processed in accordance with our Privacy Notice.