

COMPLAINTS AGAINST NON-COMPLIANCE WITH THE CODE OF CONDUCT

Rules of intervention and complaint procedure

Abbreviations

DS	Danse Suisse
CoC	Code of Conduct
PR	Professional Register

A. REASONS AND RULES OF INTERVENTION

DS has issued a CoC that teachers commit to by joining the PR.

Respecting this code is essential to ensure the quality of the teaching and the reputation of the PR.

DS trusts the teachers of the PR and does not control them. Nevertheless, in order to ensure this quality, it has to consider the complaints that are brought to its attention.

- Complaints can be addressed to DS against all teachers and dance schools in Switzerland. However, DS can only sanction teachers registered with the PR and indirectly schools run by PR teachers.
- Danse Suisse will only intervene if the facts alleged by the complainant have been proven by him/her by means of decisions of the relevant authorities and if these facts seriously violate the CoC. DS does not seek to determine by itself the veracity of the allegations of the parties.
- Where no evidence has been established, DS may intervene on its own initiative if, over a period of 3 years, several complainants have reported complaints that may constitute a serious breach of the CoC.
- In proven cases of serious violations of the CoC, DS may impose a sanction against the teacher concerned that may range from a simple injunction to cease the reprehensible behaviour to exclusion from the PR. DS cannot demand any reparation, but only respectful behaviour of the CoC for the future.

B. COMPLAINT PROCEDURE

I. Making a complaint to DS

- No anonymous complaints are accepted.
- The complaint should be addressed to DS in a written form only. It shall contain:
 - the name of the teacher or/and the school in question
 - a description of the alleged facts
 - the pieces of evidence if any
 - an express statement authorising DS to disclose the complainant's identity and allegations to the teacher/school concerned. This authorisation is only valid if DS proceeds with an intervention, and for a period of 3 years from receipt of the complaint.
- If the complaint concerns a teacher employed in a school, the complainant must first have complained to the head of the school before he or she can submit the complaint to DS. Documented evidence of this must be attached to the complaint.

II. Handling of the complaint by DS

- If the requirements of point I. above are not met, DS informs the complainant of the missing elements and gives him/her a deadline for providing them. If the missing information is not provided within the deadline, DS rejects the complaint.
- When the requirements of point I. above are met, DS examines whether the facts are sufficiently proven and whether they constitute a violation of the CoC.
- If this is the case, DS intervenes. It informs the complainant in advance.
- In case of insufficient evidence or when the alleged facts do not constitute a violation of the CoC, DS renounces an intervention. It informs the complainant of this with reasons, which closes the procedure.
- Where there is insufficient evidence, DS may intervene on its own initiative if, over a period of 3 years, several complainants have reported complaints that may constitute a serious breach of the CoC. In this case, DS can reactivate the complaints and use their content for three years after they have been submitted (case of several complainants without evidence over a three-year period, mentioned in chapter A.).

III. Elements of proof

- DS considers facts to be proven when they have been recognised by a judicial or administrative authority, as well as by any other officially competent organisation.
- However, DS is not bound by their decisions, and reserves a margin of discretion, especially when an organisation admits anonymous complaints.

IV. Confidentiality

- As long as DS has not taken the decision to intervene, it does not inform the teacher or the school of the existence of the complaint.
- With or without intervention, DS does not disclose any information to third parties about the complaint, its content, and its author. Exception is made for cases of sanctions that permanently exclude the teacher from the PR.

V. Sanctions

- Sanctions can be pronounced only against teachers of the PR and only when the facts are proven. They can be of different degrees:
 - a simple injunction to stop the reprehensible behaviour
 - an injunction accompanied by a warning of exclusion from the PR
 - a temporary exclusion
 - a permanent exclusion
- The case of several complainants without evidence over a period of 3 years does not lead to any sanction, but to an interpellation reminding the CoC rules.

VI. Decision making bodies

- The DS Executive and one member of the Expert Commission reject complaints that obviously do not allow for DS intervention.
- Complaints that seem to allow for DS intervention are referred to the Expert Commission. The latter decides whether or not it is possible and appropriate to intervene.
- The Expert Commission decides on sanctions.

VII. Appeal against decisions

- The appeal is only open to teachers who have been sanctioned.
- Complainants do not have the capacity to appeal.
- The time limit for appeal is 30 days from the receipt of the contested decision.
- The DS Committee takes decisions on appeal. They end the procedure.