

COMPLAINT POLICY AND PROCEDURE



1. Scope of the Policy

- 1.1 Moray Figure Skating Club's complaints policy is designed to set out how complaints will be dealt with by the Club.
- 1.2 A complaint may be made in the event that anyone has breached any of the Clubs governance policies. Any individuals or body who is the subject of a complaint must be offered the opportunity to be heard in their defence.

2. The appropriate body to consider the complaints are as follows

- 2.1. For Club constitution and/or rules – the Club
- 2.2. For British Ice Skating policy and/or rules – British Ice Skating
- 2.3 For Child Protection, vulnerable group protection or criminal offence – British Ice Skating.
- 2.4 For Drug offenses – British Ice Skating

3. Resolve through informal conciliation

- 3.1. Taking time to try and resolve a complaint at the outset results in a quicker and more acceptable outcome for all parties. However, we appreciate that volunteers do not always know the best steps to follow and can often be embroiled in the complaint itself. Committee reserves the right to call on British Ice Skating as our regulatory body or to ask an outside party for support and guidance in dealing with complaints. Should an investigation be required we can take guidance and support from an independent body including but not limited to British Ice Skating as our regulatory body, Moray Leisure Centre as our facility manager and Active Schools as our local sports support hub.
- 3.2. in the first instance all complaints should aim to be resolved through informal mediation. An informal meeting should be held between all parties to try to come to a resolution. This can be done as one meeting or the Club where possible can facilitate a meeting with both parties separately to try and come to an agreement.
- 3.3. Who should attend the meeting
 - The complainant
 - The complainants friend (if desired)
 - The respondent
 - The respondents friend (if desired)
 - The Club chairperson (or independent Club rep)
 - The Club secretary (or independent Club rep)

For the mediation process to work, we require attendance from all parties.

- 3.4 If the mediation process is unsuccessful, the Club will be happy to talk you through the correct process to file a complaint more formally.

4. Formal procedure for dealing with the complaint

- 4.1. if the complaint involves the Club Constitution and/or rules a Club Complaints Panel (CCP) should be formed.

COMPLAINT POLICY AND PROCEDURE



- 4.2. If the complaint involves British Ice Skating constitution and/or rules the complainant should contact British Ice Skating to pursue the complaint.
- 4.3. If the complaint involves child abuse or other criminal offenses the complaint shall be referred to British Ice Skating Safeguarding Officer or Chief Executive within 48 hours. Failure to do so may result in disciplinary action. The complaint will be dealt with according to BIS safeguarding policy.
- 4.4. If the complaint involves the use of drugs the complainant will be referred to British Ice Skating for action. No further action will be taken by the Club under the complaints procedure. British Ice Skating will deal with all cases involving drugs and their decisions in such a case will be accepted by the Club.

5. Club Complaints Panel

The Club complaints panel should be appointed from three members of the management committee or Club members that are not all members of the Club Committee.

5.1. Panel membership

No panel members shall participate in a hearing in which they have a personal involvement with either the subject matter(s) or the parties to the complaint or be present at such a panel.

One member should be appointed as Chair of the panel and the Club Secretary should carry out the administration for all complaints.

In any case where a complaint is upheld, the record of any previous transgressions of the person concerned shall be sought by the chair of the panel before the panel considers the imposition of a penalty.

A Panel may refer to the Club's Disciplinary policy and make whatever order it considers just, including exclusion/suspension for a period.

6. Complaint

- 6.1. A complaint can be made to the Club in writing by contacting The Club Secretary or Chairperson. Verbal complaints will not be accepted as a formal complaint.

The written complaint must reach the Club no later than 30 days after the incident that gave rise to it, but the CCP Chairperson may at their discretion extend this period up to six months in any case in which they are satisfied that it was not practicable for the complaint to be made within the 30 days of the incident.

The written complaint must detail the matter(s) with which the complainant is dissatisfied and the reasons for the dissatisfaction.

7. Respondent

All respondents will be given the opportunity to respond to the complaint against them. They will be sent a copy of the complaint and then given 14 days to respond to the allegations in writing.

COMPLAINT POLICY AND PROCEDURE



8. Procedure

- 8.1. Within 14 days of receipt of a complaint, the Club shall send a copy to each of the parties who are involved, and the chair of the CCP.

The CCP Chair shall arrange the date and venue for the CCP to consider the complaint, which must be within 60 days from the receipt of the complaint and shall give the parties at least 14 days' notice of the arrangement. If the CCP chair becomes aware of any circumstances which will prevent a hearing being held within 60 days from receipt of the complaint they shall have the discretion to extend the period for the hearing to a maximum of 120 days from receipt of the complaint, and shall notify the parties as soon as the decision to extend the period is made and giving reasons.

- 8.2. The Chair may seek written or verbal evidence from any person who may be able help the hearing.
- 8.3. The proceeding shall be flexible and shall be at the discretion of the Chair who shall ensure that manuscript notes of the proceedings are taken.

9. Outcomes

- 9.1. Powers of the Club

For a breach of its own rules, the Club will refer to the Club Disciplinary Policy.

- 9.2. Powers of the Club Complaints Panel

Suspensions or exclusions may be imposed on individuals by the CCP provided the requirements of their governance documentation have been satisfied.

10. Suspensions

- 10.1. A person under suspension shall not participate in any activity organised by the Club or controlled by the Club unless there are any exceptions detailed within the governance documentation.
- 10.2. Where appropriate a person may be given a limited suspension provided the limitation(s) are clearly defined (e.g by a person may be suspended from all competition activities but allowed to continue in training and administrative duties.)
- 10.3. Suspensions and lifting of suspensions shall be reported to the Club.

11. Appeal Process

There is a leave to appeal against a decision taken by a Club, or any individual(s) or organisations empowered to act on behalf of the Club.

- 11.1. An appeal shall be made by lodging the appeal with the Club or British Ice Skating no later than 14 days after receipt of the written notification of the decision.
- 11.2. In dealing with Appeals for a decision of the Club or the Club Complaints Panel the appropriate body to consider an Appeal will be British Ice Skating as our Governing Body.
- 11.3. Decisions arising from normal courses of business of a Club on administrative and technical matters, appointments and selection may not be the subject of an appeal.

COMPLAINT POLICY AND PROCEDURE



- 11.4. When leave to appeal is made, the decision against which the appeal is being made shall be suspended, except in exceptional cases which shall include but not be limited to circumstances where child protection is an issue, For the avoidance of doubt the Club will decide whether or not the case is an exceptional case for the purposes of the forgoing sentence.