

COLWYN BAY ATHLETICS CLUB GENERAL COMPLAINT PROCEDURES and DISCIPLINARY POLICY

Introduction

It is the policy of Colwyn Bay Athletics Club to promote good relations between the club and its members. As a result it attaches the greatest importance to the principle of fair and consistent treatment of all its members. The club recognises the need for the highest standard of conduct of its members in order that it may achieve its main objectives as stated in its constitution.

The General Complaints Procedures is intended to be a good practice guide which will apply to most general complaints received by clubs. The purpose of the disciplinary procedure is to ensure that members know what is expected of them in terms of standards and conduct and that they are made aware of any shortcomings in their conduct at an early stage and given the opportunity and support to address these.

Definition of a Complaint

A complaint is an expression of dissatisfaction about:

- a) The conduct, actions or omissions by members of the club, or volunteers for whom the club are responsible.
- b) The conduct or actions of athletes and parents/guardians.
- c) The conduct, actions or omissions of the elected general committee.

A formal complaint must be submitted in writing to the club secretary.

GENERAL PRINCIPLES

1 Accessibility

1.1 Members including athletes and parents/guardians should always know how they can raise concerns or lodge a complaint with the club. Complaints procedures should be easily accessible and well publicised.

2 Efficiency

2.1 Procedures should be as speedy as possible, consistent with fairness to all.

3 Redress

3.1 If the outcome of the complaints procedures show that the club is at fault, it is often sufficient to provide redress in the form of an acknowledgement that the complaint is valid. Alternatively, it may be appropriate to offer one or more of: an apology, an explanation, a promise that the event complained of will not recur, an undertaken to review club policies, constitution or practices in the light of the complaint.

4 Support for complainant

4.1 It is important that the complainant knows that at any stage of the procedure, they can be accompanied by a friend, relative or representative and to know where they can go for information, advice and support, if required.

5. Support for a person complained against

5.1 Persons who may be questioned as part of the investigation of a complaint must feel that they are being treated fairly, that they will have the opportunity to put their case and that a friend, relative or representative may accompany them at any stage. There is a crucial balance to be maintained between supporting the individual so that his/her rights are maintained and reputation protected, and investigating a complaint thoroughly and impartially.

5.2 The complaints procedure is distinct from formal disciplinary proceedings for members and this needs to be made clear to all concerned. However, there may be occasions where a complaint leads to a disciplinary procedure which puts the complaints process on hold. If so, the complainant should be informed of this, without going into details, and updated regularly on likely further delay. After the disciplinary process is completed it will be necessary to decide what further responses to the complainant is required.

6. Confidentiality

6.1 It is very important to treat all concerns and complaints with discretion. It is vital that members, athletes, parents/guardians feel confident that their complaint will not penalise them or their child. However, a complainant will need to be aware that information will have to be shared with those involved in order that the complaint can be investigated

6.2 It is usual to disregard anonymous complaints, but the danger is that they may relate to something serious and the complainant may subsequently surface and say that he/she alerted the club. It should be at the Chairman's discretion to decide whether the gravity of an anonymous complaint warrants a complaint.

7. Record Keeping

7.1 Complaints should be recorded and monitored regularly by committee members. It is recommended that recording should begin at the point when an initial concern or complaint cannot be resolved immediately but needs some investigation and/or consultation with others in the club and a subsequent report back to the complainant.

General Complaints Procedures

A Guide for Members, Athletes and Parents/Guardians

Stage 1 (Informal Stage)

You should contact the club first and discuss your concerns with a relevant committee member or club coach. Most problems can be dealt with successfully and promptly at this stage.

Stage 2

To pursue a complaint at this stage, you should make arrangements to meet the Chairman. If the Chairman is unable to deal with the complaint straight away, he/she should be able to tell you what action will be taken. The Chairman should also tell you when and how they will report back to you.

If the complaint is not resolved by the Chairman within this stage, the complaint is escalated to Stage 3.

Stage 3

3a) If you have complained formally in writing to the Club Secretary, the club will let you know that it has received your complaint within 5 working days. The complaint should be directed initially to the club secretary who will then arrange for the committee to come together. The elected general committee will then conduct an investigation. However, where appropriate, Welsh Athletics and / or UKA will investigate a complaint on behalf of the club, and report back.

You will be given the outcome of the investigation, in writing, normally within 14 working days of the final outcome of the investigation.

The club can choose to identify a specific member of the general committee to act as the contact point for complaints (normally this would be club secretary, unless the complaint is directly related to the secretary).

3b) If your complaint is about the club Chairman, you can complain directly, in writing, to the Secretary of the North Wales Regional Athletic Council.

The elected general committee will be the final arbiter of complaints. An appeal may be made to Welsh Athletics Association, but only on the basis that the club has failed to follow its own procedures, not against the actual decision.

Stage 4

You may believe that your complaint was not handled fairly according to the clubs own complaints procedures. In this case you can ask Welsh Athletics to investigate. You can write to Welsh Athletics at:

Welsh Athletics
Cardiff International Sports Stadium
Leckwith Road
Cardiff
CF11 8AZ

You should explain your complaint and say why you think the club did not follow its complaint procedure properly. Wherever possible you should give evidence for why you think this.

General Complaints Procedures

Guidance for Clubs

Stage 1 (Informal Stage)

1.1 Members, athletes, parents/guardians should have an opportunity for informal discussion of any concerns with an appropriate committee member or coach. This discussion should aim to clarify the nature of the complainant's concern and assure them that the club wishes to hear about it. The discussion should also aim to clarify what kind of outcome the complainant is seeking.

1.2 If the committee member or coach first contacted cannot deal with the matter immediately, he/she should make a firm arrangement to deal with it at a future date or refer the matter to another committee member or coach. In either case a note of the name, date and contact details of the complainant should be taken.

1.3 If the complaint relates to the Chairman, the complainant should be advised to contact the secretary of the North Wales Regional Athletics Council.

1.4 The committee member or coach dealing with the complaint should make sure that the complainant is clear what will happen next.

If no satisfactory solution has been found or reached, the complainant should be asked if they wish their concern to be considered further. If they do, the complaint will be escalated to Stage 2.

Stage 2

2.1 The Chairman should provide an opportunity for the complainant to meet him/her and provide details of the complaint.

2.2 The Chairman should give the complainant a date for providing a response.

This should normally be within 14 working days. If this timetable is unachievable, the complainant should be informed of when it is likely to be concluded.

2.3 The Chairman should keep written records of any meetings, telephone conversations and other documentation.

If no satisfactory solution has been found or reached, the complainant should be asked if they wish their concern to be considered further. If they do, the complaint will be escalated to Stage 3.

Stage 3

3.1 If appropriate, complainants who wish to pursue a complaint at Stage 3 should be asked to put it in writing to the club secretary.

3.2 The club secretary should acknowledge the written complaint in writing within 5 working days of receiving it.

3.3 The club secretary will convene a meeting of the general committee, and if necessary will initiate an investigation.

3.4 The committee should fully understand the issues of the complaint and what outcome the complainant is seeking.

3.5 The committee should look at the evidence already accumulated and decide if further evidence should be sought.

3.6 The committee, if deemed necessary, should conduct interviews and obtain statements, or examine statements already provided (all statements should be signed).

When conducting an interview, the notes should be written up and agreed with the interviewee (who should sign a copy to confirm agreement). The interviewee should be told at the start of the interview there is no guarantee of anonymity. This is particularly important where there may be a potential future disciplinary issue (depending on the outcome of the investigation). The interviewee will have the right to be accompanied at the interview.

3.7 The committee should consider relevant club/UKA policies and procedures.

3.8 The committee, where required, should seek professional guidance (e.g. WAA / UKA).

3.9 Once all the relevant facts have been established and the investigation has been concluded, the committee should arrange a meeting with the complainant to discuss the outcome of the investigation. The complainant may be accompanied. The complainant will be informed of the outcome and will be told that the committee's decision is final. The meeting and conclusion will be

followed up by a written letter, normally within 14 working days. The complainant should be advised in this letter that if they wish to take the complaint further, they must follow the procedures as stated in Stage 4 and only if they believe that the complaint was not handled fairly according to the clubs own complaints procedures. In this case they can ask Welsh Athletics to investigate.

Stage 4

Should Welsh Athletics wish to investigate, the club must comply fully with any investigation undertaken, with all relevant documentation collated, sent to Welsh Athletics if requested.

Disciplinary Policy

a) If it shall appear to the club committee that any irregularity or breach of its constitution, Codes of Conduct or any other matter of concern to it, may have occurred, it shall convene a meeting of the elected general management committee to investigate the irregularity or breach, with such terms of reference as the club committee sees fit.

b) If the irregularity or breach is related to poor practice (defined as any behaviour which contrives the Home Countries Code of Conduct or guidance provided in the Welfare Policy and Procedures) or a breach of the Club / UKA Codes of Conduct, then the club, with immediate effect, shall refer to the UKA guidance document (Jan 2010) and follow the procedures stated within the guidance document.

c) If it shall appear to the club committee that there is evidence that any person is in breach of its constitution or if it shall appear to the club committee that the continued membership of the club by any person is detrimental to the club, the Club Secretary shall write to the person concerned, setting out the alleged breach and invite the person in question to comment thereon in writing by a specified date which unless the club committee otherwise directs shall not be less than 14 days after the date the letter was sent.

d) The club committee shall consider the response (if any) at its next convenient meeting and if it is not satisfied that the constitution has been observed or that the continued membership of the club of the club, by the person in question is not in the best interests of the club, it shall refer the matter to a Disciplinary Panel appointed by it, which shall consist of three people, non of whom shall be directly interested in the matter otherwise than as members of the club. An elected Officer of the club must be represented. If the case relates to poor coaching practice, the elected coaching representative of the management committee must be represented.

e) The Disciplinary Panel shall make such further enquiries as it sees fit and shall afford the person against whom the allegation has been made a reasonable opportunity to appear before it and state his/her case and answer the allegations brought against him/her. The panel shall hear such witnesses as he/she reasonably produces, (and shall allow the person against whom the allegations have been made, the right to be accompanied by a representative). It shall make such procedural provisions as shall be necessary for the just and efficient disposal of the case remitted to it.

f) The hearing should only deal with those matters that were part of the original irregularity or breach. The Disciplinary panel will not allow “new issues” or “new evidence” to be introduced. Any new evidence constitutes a new complaint, breach or irregularity and is therefore subject to new timescales and investigations etc.

g) If it is satisfied that a breach of the constitution has occurred the Disciplinary Panel may recommend to the club committee one or more of the following penalties:

i) A written warning is issued to the person concerned as to his/her conduct and no further action is required.

ii) Suspend or disqualify the person from Athletics competition, coaching and/or administration for any period whether fixed or indefinite.

iii) Recommend to the North Wales Regional Athletics Council that the person concerned shall be disqualified from any involvement in Athletics for any period whether fixed or indefinite.

iv) Such other penalty as the Disciplinary Panel in the circumstances of the case shall consider appropriate (e.g. Person may only coach whilst supervise; Coach must undertake the UKA Safeguarding and Protecting Children home study pack; Coach must attend a UKA Safeguarding and Protecting Children Course).

h) The Disciplinary Panel shall report its recommendations to the club committee in writing within 7 working days. Its decision shall be final.

i) A term of suspension starts from the time it is pronounced by the club committee or UKA unless otherwise stipulated and does not expire until the close of the day named in the decision.

j) The management committee shall notify the person concerned of the decision, in writing, by recorded delivery, within 7 days, of the committee receiving the decision from the Disciplinary Panel.

k) A copy of the finding should be sent to both Welsh Athletics Association and UKA.

l) Any person suspended, expelled or disqualified by the decision of the club

committee may only appeal against such a decision as defined in UKA Rules, if they believe that the club did not handle fairly the investigation / hearing according to the clubs own constitution and policies.