

UPPER THAMES ROWING CLUB

Complaints Procedure 2019/2020



Document Control Sheet

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1 UTRC Complaints Procedure

1.1 Introduction

It is inevitable that from time to time in a rowing club members will get upset by other members or events. Ideally, these situations can be resolved before matters escalate. However, sometimes members may wish to register a complaint; the following is an indication of what members can expect from the club in dealing with complaints.

The over-riding principle in managing a complaint is that the main parties are made aware of the process by which a complaint will be managed, and are able to make representation if they reasonably believe the process to be flawed. The club must ensure every complaint is handled impartially, retaining a degree of discretion to manage the process in the best interests of all concerned, and adhering to all material aspects of BR advice.

Every complaint is unique and, within the parameters laid out below, should be treated as such. A “one-size-fits-all” approach is not always appropriate.

1.2 Definitions

The Complainant - the person making the complaint.

The Complaint Commissioner - is the person taking ownership of the management of a Complaint, in the first instance the Chairman (although this responsibility can be delegated).

The Complaint Panel - if the Complaint Commissioner deems it appropriate to convene an independent panel to investigate a complaint this panel shall be known as The Complaint Panel. No one shall be included on such a panel if they are involved in any material manner with the complaint in question or have a conflict of interest, although they may know the participants.

The Complaint Investigator - the person with responsibility for investigating a complaint. This can be the Chairman in an informal complaint or, in a formal complaint, someone leading the investigation (e.g. the Chair of the Complaint panel).

The Appellant - any party appealing a decision or sanction.

1.3 Informal vs formal complaints

There are two basic types of complaint - formal and informal, the difference being the process.

An informal complaint is likely to involve on-going face-to-face conversations and monitoring in an attempt to resolve difficulties between two or more parties, whereas a formal complaint will likely involve written submissions and a more impersonal approach.

Informal complaints might be more appropriate in cases where personalities clash and a degree of goodwill remains intact. In a formal complaint, a panel of independent people may be convened to examine the issues. An informal complaint might result in agreed changes of behaviour and the opportunity for parties to express their feelings, whereas formal complaints might lead to recommendations with potentially greater consequences.

In deciding which approach is best, a Complainant should consult with the Complaint Commissioner. Generally speaking, an informal approach is preferred where possible as it may be more likely to have less overall impact on the club and its members.

All complaints should be dealt with in a timely manner and concluded as soon as practically possible.

In all complaints, the Complaint Commissioner retains the right to assess the merit of a complaint before it is taken forward.

1.4 Findings, conclusions and recommendations

At the conclusion of an informal complaint all parties will be informed of the agreed resolution. At the conclusion of a formal complaint, findings will be recorded and recommendations made to the elected Committee, who will make final decisions and apply any sanctions deemed necessary. No one on a Grievance Panel or Committee with a conflict of interest will be involved in making such decisions.

1.5 Appeals

All parties have the right to appeal to an Appeals Panel on the grounds of process, facts or proportionality within three months of any sanction being applied. Ideally, Appeals should be concluded within a month. The decision of an Appeals Panel shall be final and without regard for the views of the elected Officers of the Club.

1.6 Criminal allegations

In the event of potential criminality, the Complaint Commissioner and Complainant should discuss approaching the Police. In these cases a UTRC Complaints process cannot take place until such time as the Police or other external parties have concluded their enquiries and/or subsequent actions taken by them have been fully discharged.

1.7 Informal complaints - guide timelines

Informal complaints generally take anything from a day to a month to resolve. Once an informal complaint has been lodged with the Chairman / Complaint Commissioner all reasonable steps will be taken to keep parties updated regarding the process and any on-

going monitoring required. Once a satisfactory resolution has been achieved all parties will be informed that the process has ended.

1.8 Formal complaints - guide timelines

The following timelines are illustrative and advisory only, not set in stone. Generally speaking, the quicker the resolution the better, so some of the stages set out below might be expedited which would reduce the two month "illustrative" process accordingly. As we are a volunteer organisation, some lee-way has been afforded in each stage of the process that may not be the case in a commercial organisation:

Day 1 - Chairman and Complainant to meet at earliest opportunity to discuss and agree their understanding of the complaint; Chairman to decide most appropriate course of action and inform Complainant within one week of that course of action.

Day 14 - if convening a Complaints Panel, by Day 14 the Chairman / Complaint Commissioner should have done so.

Day 21 - by Day 21 the Complainant should have provided full written details of the complaint with all supporting evidence and witness statements.

Day 28 - within a week of that, those cited in a complaint should have been informed as to the nature of the complaint being made against them in order that they can prepare a response.

Day 35 - all such responses (including statements and evidence) from those cited should be provided to the Complaint Investigator within a week, and such responses should be forwarded by the Complaint Investigator to the Complainant for their final consideration and response.

Day 42 - the Complainant's final response should be provided to the Complaint Investigator within a week.

Day 49 - within a week of receiving all written submissions, the Complaint Investigator should decide if there are any other measures necessary in reaching findings, such as holding a hearing or speaking formally to anyone else. If so this should be done as soon as reasonably possible. If not, all outcomes and recommendations should be sent to the Chairman.

Day 60 - ideally within ten days the Committee should have considered all outcomes and recommendations made, made decisions and informed all parties as appropriate of such decisions and outcomes.

1.9 Appeals procedure - guide timelines

Appeals may be lodged any time within three months of parties being informed of actions and decisions. Appeals can only be lodged on the basis of process, proportionality or fact.

Appeals should be addressed in the first instance to the Chairman who will discuss the grounds for Appeal with the Appellant and seek to appoint an Appeals Panel within two weeks of notification. Appeals Panel members will have had no previous involvement with the Complaint in question and may include those from outside the club with experience of issues pertinent to the Appeal.

The following timeline for conducting an Appeal is also illustrative and advisory:

Day 1 - Chairman made aware of request for an Appeal; Chairman (or their nominee in the event the Chairman appoints another to act as Commissioner) and Appellant meet at earliest opportunity to discuss Appeal and agree the basis on which the Appeal is being made.

Day 14 - Within two weeks of being informed, the Commissioner should have appointed an Appeal Panel, the Appellant being able to raise reasonable concerns relating to the inclusion of those they believe to be impartial or inappropriate; the Appellant to have provided full written details of their Appeal, citing the grounds for bringing it previously agreed with the Commissioner.

Day 35 - Within three further weeks, the Appeals panel to have spoken to all parties deemed appropriate and provided a judgement, which shall be final and binding.

1.10 Confidentiality

In the best interests of everyone involved and of the club itself, it is requested that all participants in any Complaints Process apply the maximum discretion possible. If anyone is found to have brought the club, sport or any individual into disrepute through indiscretion they may themselves be liable to disciplinary proceedings or even to civil prosecution.

For further information on BR policy please visit the BR website at britishrowing.org