

# Internal Complaints Procedure

## Introduction

Mildenhall & District Swimming Club believes that swimmers and parents/guardians are entitled to expect courtesy and prompt, careful attention to their complaints. We welcome suggestions on how to improve our swimming club and will give careful consideration to any complaints raised. We anticipate that most complaints will be resolved quickly by an informal approach to the appropriate person. If this does not have the desired result, we have a procedure for dealing with complaints.

## Aim

We aim to bring all complaints regarding the running of our swimming club to a satisfactory conclusion for all parties.

## Methods

To achieve this, we operate the following dispute resolution procedure where members feel there has been a breach of club rules, in line with Regulations Swim England Handbook. All matters will be treated confidentially. Please note that any allegation that Swim England law has been broken must be handled by Swim England under Regulation 102.

## How to complain

**Stage 1** Any member or parent/guardian who has a complaint, should, in the first instance, discuss their complaint with the head coach if it is a coaching issue or the club chair. Where the member or parent/guardian does not feel comfortable discussing the complaint with the head coach or chair, or there is a conflict of interest, the complaint should be addressed to the vice-chair or the club secretary.

Contact details of the committee are available on the club website.

An Incident Report Log must be completed by the person that complaint was made to, for information only, a copy of which should be provided to the Club Secretary.

**Stage 2** If stage 1 does not have a satisfactory outcome, or if the problem recurs, the member or parent/carer should put their complaint in writing to the Secretary or in the case of matters relating to welfare/safeguarding, to the Welfare Officer. The committee will discuss the matter and offer a solution, in writing, to the swimmer or parent/carer. Matters relating to welfare/safeguarding will be handled in accordance with Swim England's current Wavepower child safeguarding policies and procedures.

**Stage 3** If the written response is not acceptable, the swimmer or parent/guardian should request a meeting with The Chair, or Vice-Chair, and another committee member or in the case of matters relating to welfare/safeguarding, The Welfare Officer and another committee member. If it is appropriate for the member to attend, they should be accompanied by a parent/guardian. In addition, the parent/guardian may also be accompanied by a partner/friend. An agreed written record of the discussion must be made, and all parties present at the meeting must sign the record and receive a copy of it.

**Stage 4** If after the Stage 3 meeting, agreement cannot be reached, the Chair or, if they are party to the dispute, another member of the Committee, will appoint an independent person to act as mediator to help settle the dispute. This person should be acceptable to both parties, listen to both sides and offer advice, and may be a member of the club or of another club affiliated to Swim England. A mediator has no legal powers but can help define the problem, review the action so far and suggest further ways in which it might be resolved. Staff or volunteers within Swim England are appropriate persons to be invited to act as mediators. The mediator keeps all discussion confidential. They can hold separate meetings with the swimming club personnel (Chair and committee member) and the swimmer or parent/guardian if this is deemed to be helpful. The mediator must keep an agreed record of any meetings that are held and of any advice they give. When the mediator has concluded their investigation, a final meeting between the swimmer or parent/guardian, the Chair and the committee member must be held. The purpose of this meeting is to reach a decision on the action to be taken to deal with the dispute. The mediator's advice is used to reach this conclusion. The mediator is present at the meeting if all parties think this will help a decision to be reached. A record of this meeting, including the decision on the action to be taken, must be made with everyone present at the meeting signing the record and receiving a copy of it. This signed record signifies that the procedure has concluded.

**Stage 5** If the mediator is unable to bring about a satisfactory conclusion within 21 days, the club then has a further 14 days to appoint a panel to determine the complaint, following the procedure laid out in Swim England Handbook.

### **At any point**

If the nature of the complaint relates to a child's welfare, reference must be made to Swim England's current Wavepower child safeguarding policies and procedures. Complaints that relate to a child welfare/safeguarding issue will always be referred directly to stage 3.

## **Further Information**

**Club Hearing Panel Guidance** <https://www.swimming.org/swimengland/swim-england-handbook/>

**Mediation Guidance** <https://www.swimming.org/members/how-to-resolve-issues-with-your-club/>

**Swim England Complaints Policy** <https://www.swimming.org/library/documents/6007/download>

# Internal Club Complaint Form

Before this Club Complaint is submitted to the Chair of the Club (or their nominee), an attempt should be made to resolve the matter informally and the Club's rules should be consulted. If the matter cannot be resolved informally this Form should be returned to the Chair of the Club (or their nominee) once completed by the Complainant/Respondent.

Guidance notes for this Form may be found at the end of the Form. Guidance on the Swim England Judicial Regulations may be obtained from the Swim England Office of Judicial Administration by contacting [judicial@swimming.org](mailto:judicial@swimming.org). Both should be consulted prior to completing this Form.

## Complaint

To be completed by the person making the Complaint.

<b>Details of the person making the Complaint <sup>1</sup></b>	
Name	
Role in Club	
<b>Details of the person(s) subject to the Complaint</b>	
Name	
Role in Club	
<b>Details of Complaint <sup>2</sup></b>	
<b>Details of informal resolution attempts</b>	
<b>Desired outcome of Complaint <sup>3</sup></b>	
<b>Are you willing to have this Complaint mediated? <sup>4</sup></b>	YES/NO (delete as appropriate)
<b>Date of completion</b>	

## Response

To be completed by the person subject to the Club Complaint.

<b>Do you accept or deny the Complaint?</b>	ACCEPT/DENY (delete as appropriate)
<b>Response to Complaint</b> <sup>5</sup>	
<b>Are you willing to have this Complaint mediated?</b> <sup>3</sup>	YES/NO (delete as appropriate)
<b>Date of completion</b>	

## Club Complaint Log

To be completed by the Club following each stage of the Club Complaint.

<b>Timeline</b>	
Date Club Complaint Form requested	
Date Club Complaint Form sent to Complainant	
Date Club Complaint Form received from Complainant	
Date Club Complaint Form sent to Respondent	
Date Club Complaint Form received from Respondent	

<b>Mediation (if applicable)</b>	
Was the matter mediated?	
Time and date of mediation	
Outcome	SUCCESSFUL/FAILED (delete as appropriate)
<b>If successful, please document outcome</b> <sup>6</sup>	

<b>Hearing (if applicable)</b>	
Time and date of hearing	
Hearing panel members	
Outcome	
Date of Outcome	
Sanctions imposed (if any)	
<b>Additional Details</b> <sup>7</sup>	

Note: Upon conclusion of a Club Complaint, the Club should retain this completed form on file and provide a PDF copy to each of the parties to the Complaint.



# Guidance Notes

1. If you are making your Club Complaint on behalf of your child, please note this and include both your and your child's details.
2. Please describe the nature of your Complaint or dispute, including how Club rules have allegedly been breached, in no more than 300 words.
3. Please explain what you want to obtain from this Complaint, for example reinstatement or an apology, in no more than 100 words.
4. Swim England strongly recommends that individuals consider mediation as a means to resolve a Club Complaint. Such mediation shall be arranged by the Club and be mediated by an independent person. While it is unlikely to result in both parties to the complaint obtaining their ideal outcomes, it can produce an outcome that both are satisfied with, whilst preserving and repairing the relationship between the parties. Mediation also provides the parties themselves with control over the outcome, which will be lost if the Club Complaint escalates to a hearing.
5. Please outline your response to the Complaint, including any factors you believe should be considered, in no more than 300 words.
6. Additional details may include, for example, details regarding the venue, difficulties in arranging a suitable date/time and any objections to the mediator. If the outcome was successful, please document the agreed outcome.

Please do not include any information about what was discussed during the mediation, save for the agreed outcome (if applicable).

7. Additional details may include, for example, details regarding the venue, difficulties in arranging a suitable date/time, any objections to the panel members and how such objections were addressed. You may also wish to note the conduct of the parties and the reasons why you felt that the panel members were sufficiently independent.