

Swindon ASC

Complaints Policy and Procedure



Purpose:

This Document explains the rules on how disputes and complaints will be addressed and resolved within Swindon ASC.

For complaints regarding personnel in other Clubs or Organisations, these need to be referred to the Club Secretary who will provide advice on a case-by-case basis.

Definitions:

Dispute: A difference of opinion either between members or on matters concerning the running of the club.

Complaint: A formally expressed dissatisfaction, frustration or annoyance over an item relating to activities undertaken by the club.

Policy:

Swindon ASC allows individuals to raise issues of poor practice or misconduct by members and employees*.

The Amateur Swimming Association (ASA) and Swindon ASC are committed to developing a culture that is safe and encourages all those involved in swimming to raise concerns of poor/unacceptable practice and or breaches in safeguarding or abuse.

* Employee in this context means any individual performing duties on behalf of the Club e.g. Coach / Teacher, Officer, Volunteer.

When is it necessary to make a complaint?

While you may be the first person to become aware of an issue it is not always easy to raise the concern, as to do so may appear to be disloyal to your colleague(s) and you may be fearful that you will be victimised or disadvantaged as a result of taking such action. That is an understandable fear but you must remember that all children have a right to be protected and that it is often the most vulnerable children who are targeted and who are least able to act or disclose for themselves.

They need you and others like you to protect their wellbeing and safeguard them from harm or potential harm.

Everyone involved in swimming has a responsibility to raise concerns appropriately to individuals who can act upon them whether that is the Welfare Officer, the ASA Safeguarding Team or the statutory agencies. The ASA acknowledge “blowing the whistle” on a colleague or friend will be difficult but it is important you do so rather than allow a child to become or remain at risk. Once the concern has been raised, the club Welfare Officer, the

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ASA Safeguarding Team and/or the statutory agencies will take action as deemed appropriate.

The ASA assures all involved in swimming that they will be treated fairly and all concerns will be properly considered. If you act in good faith in reporting a concern and even if the suspicion is unfounded you will be supported and no action will be taken against you. However, if it is proven the concern is raised maliciously to cause harm to others you may be liable to action under the ASA complaints and disciplinary processes.

Reasons for making a complaint:

Every member and parent/ carer of members in the ASA has a responsibility to raise concerns about potential poor practice and abuse / unacceptable behaviour in order to:

- Prevent the problem increasing.
- Protect or reduce the risk to others.
- Prevent becoming a party to the concern by lack of appropriate action.

Why is it difficult to make a complaint?

You may feel:

- You will be starting a chain of events you have no control over.
- To do so will be disruptive to the club, the swimmers and yourself.
- What if you have got it wrong and the concern is unproven.
- You will not be listened to or believed.

What happens when you have raised a concern in good faith?

1. The concern you raise will be treated in confidence and will be shared only on a need to know basis.
2. You will be given updates on how the enquiry is progressing if it is possible to do so.

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3. Your club Welfare Officer, the County or Regional Welfare Officer and the ASA have a responsibility to protect you from harassment of any kind that results from your disclosure.
4. If the matter is proven / found on the balance of probabilities to have occurred then appropriate action will be taken against the individual(s) concerned.
5. If the matter is unproven / unfounded on the balance of probabilities to not have occurred, providing you raised the concern in good faith, no action will be taken against you.
6. Malicious allegations will be considered as a breach of our Code of Conduct and will be dealt with appropriately.

Procedure:

The following process should be followed if any person associated with the club has a dispute or complaint regarding their treatment during any club activity. They should;

1. Bring this to the attention of a Club Official in the first instance. The club encourages and will ask that you use informal discussion to resolve issues, and therefore may ask if you have tried to talk the issue through with all parties first. This provides an opportunity for an early resolution as quickly as possible.
2. If after talking the issue through then there is still a problem the next steps should be taken.
3. The Dispute or Complaint should be made in writing, by email or letter, to the Swindon ASC Chairperson within seven days of the incident arising, stating;
 - a. The Nature of the issue
 - b. The action that was taken by the club or the Welfare Officer
 - c. The reasons why the action is disputed or Complaint raised
 - d. The date and time of the incident
 - e. The names of any witnesses to the incident.
4. The Chairperson will acknowledge the Dispute or Complaint by reply using the same method as received.
5. The Chairperson will appoint an independent Investigator (normally a member of the Swindon ASC Committee or a coach/teacher unconnected with the incident). If the club can't find an independent investigator then the club will refer the matter to the ASA.

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6. The investigator has fifteen days, from the date of acknowledgement, to talk to all the parties involved and provide a detailed email or written response to the Committee with the findings and recommendation of any actions that need to be taken.
7. The Chairperson and another member of the Committee will then meet with the complainant to discuss the outcome of the findings and what action will be taken.
8. In the event the complaint is not resolved to the satisfaction of the complainant, the complainant has the right to follow the Regulations for the Operation of the Judicial System in the ASA handbook (available from ASA website).
9. In all events, refrain from:
 - a. Trying to deal with the concerns yourself.
 - b. Informing the person about whom the concerns are raised.
 - c. Informing any other members or employees of the concern other than those outlined above.
 - d. Commencing your own investigation.
 - e. Annotating or removing evidence received.
 - f. Delaying the reporting the concerns.
10. Also do not assume:
 - a. "All is well or it would have noted earlier".
 - b. "It does not matter" or "no harm will arise".
 - c. "Ignore it as not my responsibility".

Feedback:

Every effort will be made to give you feedback on the outcome and action taken on the matter you referred, but how much detail can be reported back to you will vary according to the nature and result of the investigation.

Wherever possible the ASA will ensure you have notice while the matter is ongoing and when it has been concluded.