



**Policy Name: Complaints Policy**

**Date of issue: 7<sup>th</sup> June 2023**

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## **1. Introduction**

The Meapa seeks to provide a safe and positive sporting environment for all our members, its staff, and the wider community. However, we recognise that, sometimes incidents may occur that may result in a complaint being made to the Club. If this is the case, we want to hear about it, deal with the situation as quickly as possible and put measures in place to stop it happening again.

## **2. Purpose of the Policy**

- 2.1** This policy sets out the procedures for making complaints about the Meapa, and how these complaints will be handled.
- 2.2** This policy aims to provide individuals a fair, equitable and supportive environment should they feel an action has been taken against them or others that is inappropriate, unlawful, or unwelcome.
- 2.3** This policy seeks to support the achievement of this goal by providing a transparent and consistent process for resolving Member grievances.

## **3. Related Policy Documents**

**3.1** The following policies should be read in conjunction with this policy.

- The Meapa Member Code of Ethics
- The Meapa Member Codes of Conduct
  - The Meapa Safeguarding Policy
  - The Meapa Privacy Policy
  - The Meapa Social Media Policy

This list is not exhaustive, and members should consult the Meapa website for any further information regarding appropriate grievance resolution processes.

## **Scope**

**3.2** This policy sets out:

- The approach of The Meapa in resolving complaints relating to decisions, acts or omissions of The Meapa members, staff and/or committees which affect the experience of members.

- Informal and formal procedures which members should follow in pursuing grievances.

#### **4. Application**

**5.1.1.** This policy applies to complaints between a member or non-member and:

- The Meapa Staff members.
- Another The Meapa member
- A visitor or contractor employed by The Meapa
- And/or any other Committee, or delegate of The Meapa

**5.1.2** This policy does not apply to:

- Internal staff complaints. (Consult staff handbook)
- Complaints, allegations, or concerns about safeguarding.
- Complaints related solely to the following entities:
  - British Gymnastics
  - Home Countries -English Gymnastics, Welsh Gymnastics, Scottish Gymnastics and Gymnastics Northern Ireland
  - Regional Committees in England
  - British Schools Gymnastics Association
  - Isle of Man Gymnastics Association
  - County Gymnastics Associations

If you have an issue regarding any of the above entities, please contact them directly. The Meapa has no jurisdiction to handle complaints or appeals regarding the service provided by these organisations.

#### **6. Complaints Framework**

##### **6.1. Lodging a complaint**

A complaint may be lodged informally or formally.

- The Meapa defines an informal complaint as an expression of dissatisfaction with the acts or services of The Meapa but the individual who does not wish to file it in writing nor implement formal resolution proceedings.
- The Meapa defines a formal complaint as an expression of dissatisfaction with the acts or services of The Meapa which is received by hand, post or email and requires a formal response and resolution process.
- Complaints received via telephone may be considered to be a formal complaint and handled using the procedures in this policy at the discretion of the relevant member of The Meapa staff.
- **Assistance to make a complaint** - Where a Complainant, Respondent or other party requires adjustments to enable them to participate fairly in any aspect of the complaints process, the club Welfare Officer will consult with the individual and, where considered reasonable, will ensure appropriate adjustments are made.

There are **four stages** in the Meapa complaint and resolution process:

##### **6.2. Stage 1: Self-resolution of complaint (informal)**

Where you feel comfortable doing so, you should attempt to seek a resolution to the complaint with the person/persons involved. Self-resolution is encouraged as it can resolve the complaint quickly and unofficially.

When discussing your complaint with the person/persons involved:

- Describe the nature of complaint or grievance.
- Include full details of the complaint i.e., names, dates, reasons for the complaint, and
- State what outcome you would like to see the person or group take to resolve your complaint.

If the complainant feels it necessary and is comfortable, The Meapa will record the dealings unofficially so as to use it for educational purposes in the future.

### **6.3. Stage 2: Formal complaint - member seeking resolution by appointed delegate.**

If you do not feel comfortable addressing a complaint with the person/persons involved directly, or where you have attempted to resolve the complaint without success, members may lodge an application to commence the formal complaints process. This can be done in writing to The Meapa Director of coaching and/or the Club Welfare Officer.

The application must:

1. be lodged within two calendar months of the decision, act or omission giving rise to the grievance.
2. include the following information on the complaint/incident form:
  - A description of the nature of your complaint or complaint.
  - Full details of the complaint i.e., names, dates, reasons for the complaint; and
  - Statement of what outcome you would like to see the person/people/club take to resolve the complaint.

## **6.4. Procedures for addressing complaints**

### **6.5.1. Receipt of complaint**

The complaint will be logged, including the date it was received. The Meapa will normally acknowledge receipt of the complaint within **5 working days of receiving it**.

### **6.5.2. Managing the complaint resolution process**

When determining how a complaint will be resolved, The Meapa will consider factors such as:

- The circumstances of the complaint
- The seriousness of the complaint
- Preferences of the complainant
- The people involved
- Confidentiality
- Safety
- Which individual has the ability, knowledge, availability, and credibility to resolve the complaint.
- Whether the complaint should be handled by another policy or procedure
- Whether the complaint should be referred to another body (i.e., a Regional or National level)

body)

### **6.5.3. Resolution options**

Once a person/group is nominated to resolve the complaint, they will determine the most appropriate process that will identify the facts and key issues relevant to the complaint that can help the Club resolve it.

The Club and/or the Welfare Officer, will consider the most appropriate methods for resolving the complaint. This could include:

- Appointing a facilitator to facilitate an outcome between the parties;
- Appointing a mediator to mediate an outcome between the parties;
- Appointing an officer to conduct an investigation to verify the facts relating to the complaint and/or
- Appointing an arbitrator to make a decision regarding the complaint.

Where a complaint has been lodged under clause 9.2.1 The Meapa, in their complete discretion, may:

- delegate the grievance to an external mediator
- Committee or Sub-Committee, who is selected by The Meapa at their complete discretion, to determine the matter, or
- after reasonable enquiry, dismiss the matter on the basis that it is:
  1. frivolous,
  2. vexatious,
  3. based upon insufficient grounds, or
  4. without sufficient supporting evidence.

The Meapa chosen delegate must comply with the Formal Complaints Process outlined in Appendix 1.

### **6.5.4. Response to a complaint**

The Meapa will endeavour to provide a formal response to complaints within **21 working days of receipt of the initial complaint**. In many cases this response will also report on the action the Meapa has taken to resolve the issue.

Where it is not possible to provide a response within this timescale, the complainant will be informed in writing of the reasons for the delay and the current timescales for providing the response.

Alternatively, a meeting may be convened to discuss the matter further. This meeting will normally take place within 10 working days. The aim will be to resolve the matter as speedily as possible.

### **6.5. Stage 3: Escalation of complaint**

Once the formal response has been provided, if the complainant is not satisfied with the outcome of stage two, they can request the complaint be escalated to the third stage of the complaint process and lodge a request to the clubs business manager.

Should a complainant wish to do this, they should respond to the formal outcome within 14 days of the date of delivery setting out the reasons for the request.

The written request will need to include the following information:

- A description of the nature of your complaint or complaint.
- Full details of the complaint i.e., names, dates, reasons for the complaint; and a revised statement of what outcome you would like to see the person/people/club take to resolve the complaint.
- Include any new information that may impact upon the decision.
- State the reasons why the member believes the previous resolution was inappropriate.

Upon receipt of a request for escalation, the Meapa Senior Manager or appointed member of staff will comply with the Formal Complaints Process as outlined in Appendix 1.

The Meapa will endeavour to provide a response to requests for escalation within **28 working days of receipt**.

#### **6.6. Stage 4: Formal Appeal**

Where a matter remains unresolved after a member has followed the complaints process through stage 1, 2, and 3, the Member may formally appeal the matter, in writing, to The Meapa Chairman of the committee.

The appeal should be lodged in writing by the Member to the Meapa Chairman, within fourteen days (14) of the date of the response at Stage 3 of the process and include:

- A description of the nature of your complaint or complaint.
- Full details of the complaint i.e., names, dates, reasons for the complaint; and a revised statement of what outcome you would like to see the person/people/club take to resolve the complaint
- Include any new information that may impact upon the decision.
- state the reasons why the Member believes the resolution at stage 3 was inappropriate.

Upon receipt of a request for escalation, the Meapa chairman will comply with the Formal Complaints Process as outlined in Appendix 1.

The Meapa will endeavour to provide a response to formal appeals within **28 working days of receipt**.

**6.7.1** Once this fourth stage response has been provided, there is no further escalation or appeals process.

#### **7. Policy compunction**

This policy will be made available to all members via the Meapa website at [www.themeapa.com](http://www.themeapa.com).

This policy will be communicated to all members, staff, and committee members annually.

#### **8. Additions or Amendments**

In addition to the annual review of this policy recommended changes to the policy may be submitted to the Meapa for consideration, at any time. In the event that the changes are accepted, the policy will be updated, dated and circulated to all relevant members.

## 9. Confidentiality

If you have a complaint, please use the processes outlined below. We encourage you to limit your discussions to those who need to know only. We also ask that you act quickly/without delay, to assist resolving a problem before it escalates.

All complaints will be taken seriously and dealt with sensitively and confidentially.

## 10. Victimisation

No person/s lodging a complaint will be victimised or disadvantaged because of lodging a complaint. This also applies to any family members attending the Club, or other persons implicated or involved in the resolution.

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**Controlling Body: The Meapa Committee**

**Signed Authorisation:** \_\_\_\_\_

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The following sections can be added to your Complaints Policy if you wish to communicate the following to your members:

- The values you will instill when addressing grievances from members.
- What support is available to the complainant and the respondent
- How you will handle confidentiality and record keeping.
- Any additional details pertaining to your resolution process.

These areas aren't compulsory to outline explicitly within the policy itself, however it can make handling complaints easier if members are given all the information about your club's approach to dealing with them. Additionally, this information could be given to a member upon receipt of making the initial complaint or houses separately on your website.

## 11. General Principles

### 11.1. *Impartiality*

- All concerns will be dealt with in a fair, honest, constructive way.

### 11.2. *Procedural Fairness*

Parties involved in resolving a grievance against another person/s will be afforded the principles of natural justice and procedural fairness including:

- Adequate notice of any investigation or meeting.
- Information about the allegations, the relevant facts and evidence.
- Time to consider their response.
- An opportunity for the accused to respond to allegations; and

- An opportunity for any party to have a support person present in any investigation or disciplinary meeting if requested.

### **11.3. Support person**

An individual may request that another person be present at meetings/discussions associated with resolving a complaint. This request must be made in writing in advance of the meeting and directed to The Meapa and/or our club Welfare Officer. The request should include the name of the support person, their relationship to the complainant, reason for attendance, and details such as occupation, current position to ascertain their appropriateness as a support person in relation to the complaint.

The request for a support person may be declined if not deemed appropriate to the specific complaint. The support person will not be able to contribute to the meeting other than asking for clarification if they are unsure of any point raised.

### **11.4. Withdrawing a complaint**

At any stage, it is the prerogative of the Complainant to withdraw a complaint. Such withdrawal must be notified in writing by the Complainant and acknowledged in writing by The Meapa '

## **Safety**

While a complaint is being resolved, it is important that the Club's operations and activities continue as usual, unless the issue/matter involves a serious Workplace Health and Safety matter where work processes must be immediately changed due to the presence of a high- risk situation.

### **11.5. Vexatious Complaints**

The Meapa may take disciplinary action against any person/s who is found to have knowingly made an untrue, vexatious, or malicious complaint against the Club or a club member.

### **11.6. Record Keeping**

All parties should keep written records on matters relating to complaints, including all steps taken to resolve the complaint.

Information relating to your complaint that has been provided in confidence will not be disclosed to any third parties without your permission, unless there is an overriding justification, for example where failure to disclose would put others at significant risk of harm or we are required to under our obligations in law. However, if your complaint relates to any third parties, you should be aware that this may make it difficult for us to investigate and resolve your complaint without disclosing the nature of your complaint.

Any personal data provided in connection with a complaint will be processed in accordance with data protection laws. Further information about how we use your personal data is provided in our privacy policy. This is available at [themeapa.com](http://themeapa.com)

## **12. Resolution Options – Additional details**

### **12.1. Facilitation:**

Facilitation may involve several discussions with both parties (and witnesses if deemed required by the Facilitator/Welfare officer). Discussion could be formal and informal and may go back and forth until a solution is found to resolve the complaint to the satisfaction of both parties. When a matter is facilitated, the parties may or may not present at the same time when details and solutions are being discussed.

- The role of the facilitator is not one of decision maker. The facilitator's role is to encourage the parties to settle on an agreed outcome to resolve the complaint.
- When facilitating a complaint, the Facilitator/Welfare Officer will interview both parties to:
  - Understand the nature of the complaint
  - Verify the facts surrounding the complaint
  - Negotiate potential solutions that all parties will support
 The complaint is resolved when the parties directly involved with the grievance agree to a written resolution of the complaint.

### **12.2. Mediation:**

Mediation is a structured facilitation process that typically involves:

- Interviews of both parties (and witnesses if deemed required by the Mediator) to ascertain the facts of the grievance and explore options for resolution.
- Parties coming together in a meeting and negotiating a settlement to the grievance.
- The settlement is recorded in writing.
- The role of the mediator is not one of decision maker. The mediator's role is to encourage the parties to settle on an agreed outcome to resolve the conflict.
- The complaint is resolved when the parties directly involved with the grievance agree to a written resolution of the complaint.

### **12.3. Investigation:**

An investigation is a formal and sometimes lengthy and expensive process. It is typically used for more serious matters where a decision on fact needs to be made which could, if proven, have disciplinary consequences.

In an investigation:

- Interviews of relevant parties (including relevant witnesses as required as part of the investigation process) will be conducted. Written or oral statements will be taken.
- Relevant records, policies and documentation are considered.
- Mitigating factors are considered.
- The investigator will assess the evidence and prepare a written report on each element of the complaint, making a finding on the facts:
  - The behaviour found to occur
  - The behaviour found not to occur
  - The facts are inconclusive
- If the behaviour was found to occur, the investigator will then determine for each element of the complaint, that the behaviour was:
  - Potentially unlawful
  - Breached policy and/or codes
  - Unreasonable
  - Unprofessional

### **12.4. Arbitration:**

Arbitration is a structured facilitation process that typically involves interviews of both parties (and witnesses as deemed required by the arbitration process) to ascertain the facts of the grievance and explore options for resolution.



The arbitrator's role is to consider the facts and make an independent and binding decision on the matter. An arbitrator is a skilled and independent person not connected with the complaint.

The complaint is resolved when the arbitrator hands down their decision.