



CITY OF DERBY SWIMMING CLUB

Affiliated to Swim England East Midland and Derbyshire Regions

Procedure for dealing with complaints/disputes

Step 1. Informal and Amicable settlement

Every effort should be made when a dispute arises for the parties to settle the issue in an informal manner. Only when this avenue has been exhausted and no satisfactory conclusion reached, should the next steps be taken. There is no time limit on this stage but two weeks should be considered as reasonable time. Any person facilitating this process should acknowledge the dispute within 24 hours of receiving it.

90% of disputes should be resolved at this informal stage. Let's try to get people together and talk through their problems rather than going through a long e mail trail.

Step 2. Dispute is referred to the Chair. If the Chair is party to a complaint, another club officer is appointed. The Chair or club officer appoints an independent mediator within seven days of the referral, usually a committee member. An allowance of 21 days is allowed at this stage to negotiate a satisfactory outcome.

Step 3. A panel is appointed consisting of three people not involved in the dispute.
(member, committee, officer or any person affiliated to Swim England)
Parties should be given the chance to object to appointments.

Panel Hearing Procedure

Before a hearing

The Panel should appoint a chair and that person should arrange the date of the hearing and notify all parties of the arrangements at least 14 days in advance of the hearing. The date should not be changed unless there is a compelling reason to do so.

At the hearing

The chair should ensure that the hearing is conducted in an orderly manner and that each party has the opportunity to give and call evidence. Any witnesses called should be provided with a separate area from the meeting and should not take part in the hearing other than to give evidence and respond to questions.

Parties should be informed of their right to make a complaint under regulation 102 (Swim England judicial regulations) if they are dissatisfied with the conduct of the hearing or if they consider any sanction imposed to be disproportionate.

After the hearing

The panel should come to a decision as soon as is practically possible after the hearing. If possible announce the findings orally to the parties. In addition the secretary should send writing of the panel findings to all of the parties within 5 days of the hearing.

Considerations regarding children

Any minor who is party to a complaint or acts as a witness should be accompanied by a person with parental responsibility for them. The chair of the panel has sole discretion in deciding whether it is appropriate for a minor to present, defend or act as witness at a hearing. No child under the age of 14 should be expected to attend a hearing in person. Evidence should be presented with the help of the welfare officer (or other adult acceptable to the parent) in the form of a written statement. A minor aged 14-18 should be given the choice of whether they want to attend.

During a hearing, a child should only be present for the parts of the hearing that are necessary for him/her to give evidence. A separate waiting area should be available.

The chair of the panel should consult with the minor's parent as to who will deliver the panels findings to the child.