

# Cheddar Kingfishers Swimming Club Internal Complaints & Disciplinary Procedures

This document explains the procedures on how concerns, disputes and complaints will be addressed and resolved within Cheddar Kingfishers Swimming Club. Where possible, Cheddar Kingfishers Swimming Club will make every effort to resolve the matter by informal discussion. If this does not have the desired result, then the club will follow this procedure, which has been developed in line with Swim England guidelines. All complaints will observe the following key principles:

- All parties are treated fairly
- The complainant has the opportunity to present the case
- The accused has the opportunity to respond
- The accused is innocent until proven guilty

It must be noted that the club only has the power to legislate for a breach of club rules and codes of conduct by members of Cheddar Kingfishers Swimming Club. The club does not have the power to handle a dispute relating to a member of other swimming clubs nor deal with an offence against Swim England Regulations.

Any concerns relating to child welfare will be referred to the Club Welfare Officer in the first instance. The Club Welfare Officer may, at their discretion, involve Swim England as defined by the Swim England Child Protection Policy.

## Complaints - who to contact?

- If the concern relates to a breach of code of conduct or club policy by coaches or volunteers, the Chairperson should be contacted. However, should the complaint involve the club Chairperson or their family, then the club Secretary should be contacted. Sometimes disputes between Committee members, parents and swimmers can usually be resolved amicably between the individuals concerned.
- If the concerns relate to a swimmer's behaviour or a breach of the swimmer's code of conduct, the Head Coach or Chairperson should be contacted. Occasionally, it is necessary to discipline swimmers for minor incidents of misbehaviour and this can also be done fairly by the Coach.
- If the concern is a potential welfare issue, the Welfare Officer should be contacted.

On receipt of the complaint, every effort will be made to resolve the matter by informal discussion (in difficult cases the club will appoint an independent arbitrator to assist in achieving a settlement). If this fails or it is clearly necessary to discipline a member, the Club will set up a panel to deal with the matter.

## Disciplinary Procedure

- The panel will consist of three persons, one to act as Chairman and another as Secretary. The panel will need to consist of people not involved in the complaint and the Club can ask individuals from outside the Club to sit on the panel if necessary.
- The Chairman of the panel must notify both parties of the date, time and place of the hearing and the names of the panel members.
- Both parties need to be given copies of all the papers and every effort should be made to hold the hearing within 14 days of the receipt of the dispute.
- If either party is under 18 years of age, they must be advised of their right to be accompanied by a parent (or other person with a parental responsibility for them) or coach to help them present their case.
- Both parties should be allowed to bring witnesses.
- The hearing should be as informal as possible but needs to be controlled.

Points to note:

- (a) The complainant will present evidence first and the accused will have the right of reply.
- (b) Both parties to the dispute can call witnesses, the complainant going first, and each party should be allowed to question the other party's witnesses.
- (c) Witnesses must wait outside the hearing room until they are called. After questioning they may wait in the hearing room, taking no further part in the proceedings.
- (d) The Chairman or Secretary of the panel will make notes of the hearing and the panel will make every effort to announce their decision verbally to all the parties without delay followed by written confirmation to reach all parties within five days.

## Potential outcomes

- Verbal reprimand
- Written warning
- Temporary suspension
- Permanent exclusion.

If either party to the dispute is dissatisfied with the outcome, they are still entitled to make a Complaint to the Judicial Administrator at the Office of Judicial Administration, Swim England.

## Further Information

Additional guidance can be obtained from the Swim England Handbook or a Swim England Friend, see the website for further details:

<http://www.swimming.org/members/how-to-resolve-issues-with-your-club/>

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