

# City of Oxford Swimming Club



## Disputes and Complaints Policy

### Scope

This procedure explains the City of Oxford Swimming Club's (COSC) rules on how disputes and complaints will be addressed and resolved and applies to all associated with the Club.

### Definition

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

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

### Process

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 their coach or the Club Welfare Officer in the first instance.  
The Club encourages the use of informal discussion to resolve issues as this provides an opportunity for early resolution as quickly as possible. If this does not resolve the issue the following steps should be followed.
2. The dispute or complaint should be made in writing, by email or letter, to the COSC Chairperson within seven days of the incident arising, stating:
  - a. the nature of the issue
  - b. the action that was taken by the coach or the Club 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
3. The COSC Chairperson will acknowledge the dispute or complaint by reply using the same contact method as received.
4. The COSC Chairperson will appoint an independent Investigator (a member of the COSC Committee or a Coach unconnected with the incident or persons involved). If the Club Committee cannot find an independent Investigator then they will refer the matter to the Swim England region.
5. The Investigator will have twenty-one days, from the date of the acknowledgement, to provide a detailed email or written response to the complainant with the findings and the action to be taken.

6. If on receipt of this explanation, the complainant is still dissatisfied with the explanation, they have a further seven days in which to lodge an appeal by submitting a formal email or written complaint to the Chairperson, stating the reasons for the appeal.
7. On receipt of the appeal the COSC Chairperson will arrange a meeting (time and location agreeable to all) to take place as soon as possible or no later than fourteen days, following the receipt of the appeal. If this is not possible the reasons for the delay are to be minuted and communicated to all parties.

## **The Appeal Meeting**

The aim of the meeting is to seek a resolution having heard and understood all the details of the dispute. The Complainant, COSC Chairperson, Club Welfare Officer and the Investigator must attend. It is expected that prior to the meeting, all attendees will:

- a. have read and understood the Club's disputes and complaints procedure
- b. have read and understood all communications in relation to the appeal
- c. have prepared and exchanged any further communications or statements to be discussed at the meeting
- d. have obtained and exchanged any witness statements (if required)

The Complainant may be accompanied by a companion and must notify the COSC Chairperson of the name before the appeal meeting.

The COSC Chairperson, Club Welfare Officer and companion will form the appeal panel at the meeting and the COSC Chairperson will minute the meeting.

The appeal meeting will be conducted in a manner which enables both sides to put forward their case and will follow the format below:

- a. The Investigator will present their findings first, explaining the reasons for the action they have taken.
- b. The Complainant will then be able to ask any questions about the case the investigator has presented.
- c. The Chairperson will also have an opportunity to ask any questions.
- d. The Complainant will then be asked to present their case to the panel.
- e. The Investigator may then wish to ask the Complainant any questions about their case.
- f. The appeal panel members will also have the opportunity to ask any questions.
- g. Both parties will have the chance to summarise their case.
- h. The Chairperson's aim is to seek an early resolution and will then ask the Complainant and Investigator to leave the room and the appeal panel will consider the information they have heard and reach their decision.
- i. All parties will then be invited back, and the decision will be communicated verbally

The decision will be confirmed in writing, again to both parties, no later than seven days after the appeal meeting. At this stage the decision is binding. If the Complainant is dissatisfied with the final response from the Club, then they have the right to appeal to the ASA.

The result of the appeal meeting will be minuted at the next Club Committee Meeting.

### **Alterations to Appeal Timescales**

Where it is not possible to meet the above appeal timescales, any extension to the deadlines set out in this procedure should, if possible, be agreed with the Complainant. Reasons for the extensions must be recorded and an estimation of the revised timescale given.

### **Collective Complaint**

In cases where two or more people raise a complaint on the same issue, this will be known as a 'Collective Complaint' and a representative of the members may set out details of the complaint on their behalf.