**Middlesbrough ASC**

**Complaints Procedure - February 2024**

**Welfare and safeguarding concerns**

Please do not follow this procedure to raise a welfare or safeguarding concern. If your concern relates to the safety or welfare of a child, please seek appropriate advice and guidance from:

**MASC Welfare Officer:** welfareofficer@middlesbroughasc.org.uk
**Swim England:** www.swimming.org/swimengland/child-safeguarding-contacts/

**Support for raising a complaint**

We recognise that raising a complaint is never easy and can feel uncomfortable. We want to reassure you that anything you raise with us will be considered and reviewed fairly. However, if you think that you need some advice and support to raise a concern then there is a lot of support available from Swim England. You can find out about the support available here: www.swimming.org/members/how-to-resolve-issues-with- your-club/

**Complaints Procedure**

Middlesbrough Amateur Swimming Club (MASC) believes that swimmers, parents/carers and members are entitled to expect an open and honest environment and a culture of mutual respect. We welcome suggestions on how to improve our swimming club and we will give careful consideration to any concerns raised.

We anticipate that most concerns will be resolved quickly through an informal and direct approach to the appropriate person. If this does not have the desired result, we have a procedure for dealing with concerns and complaints.

The procedure follows Swim England guidelines, and all complaints and disciplinary action will observe the following key principles:

* All parties will be fairly treated.
* The complainant has the opportunity to present their case.
* The person against whom a complaint has been made has the opportunity to respond or call witnesses.
* The Swim England Law conforms to the law of the land, in so much that an individual is innocent until proven guilty.

Any concerns of a child protection nature will be referred to the Welfare Officer and Swim England as per the Safeguarding and Protecting Children Policy known as Wavepower.

It must be noted that the Club only has the power to legislate for a breach of its own rules. The Club does not have the power to handle a dispute relating to a member of another club or to deal with an offence against Swim England law. Equally, the Club will not involve itself in any criminal matter as, if identified, this will be referred to the appropriate authorities.

This document explains how concerns, disputes and complaints will be addressed and resolved within MASC.

**How to raise a concern or complaint**

As a Club affiliated to Swim England, Middlesbrough ASC follows the guidance set out in the Swim England Judicial Regulations. The regulations and associated documents can be found here:

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

The guidance sets out some simple steps regarding raising and resolving a concern, dispute or complaint. These are summarised as follows:

1. **Informal resolution**

Where possible all concerns, disputes and complaints should be resolved informally and directly with those involved. It is strongly advised that if not already involved, a coach or another club official is asked to be present during this discussion so that they are able to take notes and record the outcome and any agreed action points. These notes should be held on record by the Club and also shared with those taking part in the discussion.

If the concern being raised is about a coach, or a coach is involved in the discussion and the complainant is unhappy with the outcome of an informal discussion, they can raise this additionally and informally with the Head Coach who will review the notes of the previous discussion, and make any further recommendations where necessary.

1. **Formal complaint**

If an informal resolution cannot be reached, members are welcome to submit a formal complaint to the Club. All formal complaints must be submitted within 14 days of the initial incident and must be documented in full using the Club Complaints form. A copy of the form can be requested from the Chairperson, or downloaded here: <https://www.swimming.org/members/how-to-resolve-issues-with-your-club/>.

Completed forms should be sent to the Chairperson (chairperson@middlesbroughasc.org.uk) who will acknowledge receipt of the complaint within 7 days and forward it to the person who is the subject of the complaint in order for them to provide their response. That person will have 14 days to submit their response to the Chairperson, who will then forward their response to the complainant with recommendations for a potential outcome.

If the Chairperson is the subject of the complaint, a completed form should be submitted to the Club Secretary (secretary@middlesbroughasc.org.uk).

1. **Mediation**

Upon receipt of the completed response, the complainant can either accept the explanation given and recommendations/outcomes of the Club, or request mediation with those involved in the complaint to resolve the issue outlined.

The sole purpose of the mediation is to seek an agreed outcome that may include action points. The outcome and any action points should be documented on the original complaint form and a copy held by the Club and the complainant. Mediation meetings cannot be used to raise new complaints or concerns.

1. **Complaint outcome**

Once discussions have taken place, either via the complaint form, or additionally through mediation, the Club will write to the complainant with a final outcome of their complaint. This will be recorded on the original complaint form within the time frame set out in the Judicial guidance.

1. **Appeal and Judicial Review**

Should the complainant be unhappy with the final outcome of their complaint, or the process by which the final outcome has been reached, they can appeal the Club’s decision, or further escalate the matter for judicial review within Swim England.

Details of these processes can be found in the Swim England Judicial Review Guidance here: <https://www.swimming.org/members/how-to-resolve-issues-with-your-club/>

Middlesbrough ASC is committed to dealing with any concerns or complaints quickly and effectively, without fear of consequence for the complainant. As such, all members should feel free and able to raise concerns with anyone. The Club does however ask that those wishing to raise a concern or complaint do so within the procedure as set out above, and not by informally approaching club volunteers or officials with the expectation that matters will be picked up and dealt with on their behalf.

If you need support with the process of making a complaint or raising a concern, please contact the Club Secretary (secretary@middesbroughasc.org.uk) or the Club Chairperson (chairperson@middlesbroughasc.org.uk). We are happy to assist you and we want you to feel that your concerns are being heard.

Swimmers who wish to raise a complaint and who need support to do so can ask for help from a parent or guardian, their coach, the welfare officer, or any other club official.