

# English Junior Coaches and Organisers Association General Complaints Procedure

Dated 1<sup>st</sup> Sep 2023

## **Policy Statement**

The English Junior Coaches and Organisers Association is dedicated to ensuring the education and welfare of every child attending their English Junior Coaches and Organisers Association events in a safe and nurturing environment.

We trust that your child is happy at the English Junior Coaches and Organisers Association events. On occasions, however, a problem may arise. The English Junior Coaches and Organisers Association undertakes to listen to any concern regarding pupils and will always endeavour to find a satisfactory solution and resolution. The great majority of problems can be sorted out informally.

The Association will work together to foster Inclusion and follow all the English Junior Coaches and Organisers Associations' Policies in order to attend to pupils' wellbeing.

In accordance with Section 29 of the Education Act 2002, the Association has established a procedure to deal with "general complaints" whether they are related to the English Junior Coaches and Organisers Association or to the adequate provision of facilities or services related to the Association. This procedure applies to all complaints relating to actions of English Junior Coaches and Organisers Association procedures where they affect any individual person with the exception of matters falling under other statutory provision.

This General Complaints Procedure has been reviewed according to the Education Act 2002 Advice on Complaint Procedures. It provides Parents and Carers of the English Junior Coaches and Organisers Association community clear guidance as to what needs to be done in order that a complaint is dealt with appropriately, speedily and to the benefit of the person concerned.

## **The English Junior Coaches and Organisers Association General Complaints Procedure**

### **General Principles:**

1. This procedure is designed to ensure that, wherever possible, an "informal resolution" is attempted either at representative or vice chairman level.
2. The intention of this procedure is to be investigatory, not adversarial with the focus on a positive resolution for the person concerned.
3. To allow for a proper investigation, concerns or complaints should be brought to the attention of the English Junior Coaches and Organisers Association as soon as possible. Any matter raised more than 3 months after the event being complained of will not be considered, save in very exceptional circumstances.
4. For a complaint to be investigated, complainants need to follow both the process and the timescale outlined in this procedure.
5. Investigation of any complaint or review request will begin within 5 days of its receipt, save in exceptional circumstances.

6. The investigation shall be completed as soon as reasonably practicable. In general this will be within 10 to 15 days, save in exceptional circumstances.

7. An anonymous complaint will not be investigated under this procedure unless there are exceptional circumstances and this at the discretion of the Vice Chairman and Chairman

8. Any complaint that does not follow the procedure and/or is vexatious or spurious to the Association will not be dealt with. The complainant will receive an email to that effect, advising him or her to follow the procedure in letter and tone.

### **Raising a concern or complaint about the actions of a member of the Association**

#### **First Instance:**

The complainant should, in the first instance, take any concern to the representative concerned. The concern can be put in an email and then followed by a meeting or a request for an appointment can be made directly. A representative will always endeavour to meet with a person concerned.

#### **Second instance:**

If the complainant is not satisfied with the solutions proposed by the representative and feels that the concern is not being resolved fully, he/she may approach the Vice Chairman who will offer to meet the complainant as soon as reasonably practicable. If the concern requires a more complex and confidential approach, the complainant may request to meet with the Chairman directly to get his/her advice as to how to reach a satisfactory resolution.

#### **Third instance:**

#### **Lodging a Formal Complaint:**

If, after all reasonable attempts to find a resolution have been made, the complainant is still concerned that the English Junior Coaches and Organisers Association fails to address his/her complaint in a satisfactory way, he/she should make a Formal Complaint in writing to the Complaints panel.

The complainant must send an email to the Association. It is important that the written complaint details the nature of the complaint and includes detailed description of any incident with dates and individual(s) involved as well as names of potential witnesses, details of meetings (nature, dates, individual involved, decisions, etc...) and any factual information that can help with the investigation as well as any relevant documentation.

The chairman may decide to meet with the complainant to clarify the information stated on the Complaint Form.

The Vice chairman will begin her/his investigation within 5 days, so far as practicable, of receipt of the Complaint Form and any additional evidence. As part of his/her investigation, the Vice Chairman will collect all evidence from the English Junior Coaches and Organisers Association related to the issue and may require a formal interview with a representative. The representative may be accompanied by a friend.

On completion of her/his investigation, the Vice chairman will inform the complainant and the member(s) of staff concerned, of the outcome, in writing.

The Vice Chairman's written response will summarise the complaint, outline the investigation process and steps being taken if there are any. It will not contain details of the investigation nor of any procedure affecting the member of staff concerned.

The Vice Chairman's response will include a statement informing the complainant that this concludes any process related to the investigation of the complaint. It will also inform the Complainant on his\her right to forward their formal complaint to the Complaint Panel which will review the process and the decision taken by the Vice Chairman.

Save in exceptional circumstances, the complainant and the representative will be informed within 3 to 5 days from the completion of the investigation.

### **Review by the Complaints Panel**

In the event of the complainant not being satisfied with the manner in which the investigation process has been followed or if the complainant has ground, substantiated by evidence, to be dissatisfied with the conclusion reached, the complainant may request the complaint panel to investigate the process followed by the English Junior Coaches and Organisers Association in handling the complaint and the conclusion reached after the investigation

The complainant needs to inform the Chair of the Complaints Panel in writing, within 10 days of receipt of the Vice Chairman's response. It is important that the Request Form contains a statement as to why the complainant is dissatisfied as well as detailed information and evidence of the process followed with dates and copy of correspondence between the complainant and the Vice Chairman.

The Review Request Form needs to be sent, in an email to the to the Chair of the Complaints Panel.

### **Review process:**

The Chair of the Complaints Panel will convene the Complaints Panel to undertake the review. The Chair will inform the complainant that his\her request has been received and the Chair will also inform the Vice chairman that a review has been requested and this within 5 days from receiving the complainant's request.

The Complaints Panel comprises 3 representatives (one of whom is designated Chair)

The Complaints Panel will first examine the written evidence and consider a request by the complainant to make oral representation. This meeting will be minuted.

The Complaint panel will then inform the Vice Chairman of the content of the request for review and ask her to make a written response supported by description and evidence of the process followed and facts leading to her conclusion including dates and copy of relevant correspondence and/or records (if necessary). This should be provided within 5 days so far as practicable.

The Complaints panel may ask to meet the Vice Chairman to clarify and/or expand on the information received. The Vice Chairman may bring a friend or representative to the meeting.

The Chair of the Complaints Panel, will inform the Complainant and the Vice Chairman, in writing, of the outcome of the review, within 3 to 5 days of the Panel reaching their conclusion.

The matter will then be closed as far as the English Junior Coaches and Organisers Association is concerned.

On the event that the complainant is still not satisfied or the English Junior Coaches and Organisers Association has failed in following its procedures, the complainant may contact the Chairman for the final decision

Complaint against the actions of the Chairman. This section is separate from the review process detailed above.

If the Complainant considers that the action of the Chairman is perverse or that the Head Teacher has acted unreasonably in considering a Formal Complaint, the Complainant may bring a Formal Complaint against the Chairman.

However, the Complainant is expected to have attempted to find a resolution by having a meeting with the Chairman prior to lodge a Formal Complaint. If necessary and if both parties agree, a third party can be invited to act as a mediator. An unreasonable refusal to attempt to reach resolution in this way may result in the procedure being terminated forthwith.

Lodging a Formal Complaint The complainant will write to the Chair of the Complaints Panel by email to the English Junior Coaches and Organisers Association

It is important that the complainant describes the nature of the issue in detail, includes details of meetings with dates and persons attending as well as any potential witnesses, specifies which decision and resolution (or lack of) has been reached and any factual information and evidence that can help with the investigation.

The Complainant will send his/her complaint form in an email to the Chair of the Complaint panel via the English Junior Coaches and Organisers Association

### **The investigation process**

Within 5 days of receipt of a Formal Complaint, the Chair of the Complaints Panel will first determine what is the nature of the complaint and under which policy/procedure it needs to be dealt with. Once convinced that it falls under the General Complaints procedure, the Chair will acknowledge receipt of the complaint in writing and convene the Complaints Panel composed of: 3 representatives (one of whom being Chair) who are employed by the English Junior Coaches and Organisers Association but have no prior knowledge of the issue leading to the complaint. The Chair of the Complaints Panel will also inform the Chairman in writing that a formal complaint has been lodged.

The Complaints Panel will study the information included in the Complaint Form and all the evidence provided by the Complainant. The Complaints Panel may request more information from the Complainant if necessary. The complainant has 5 days to provide the panel with this information.

The Complaints Panel will then invite the Complainant, at the earliest opportunity (within 3 to 5 days), to a meeting in order to get clarification or expand on the information received. This meeting will be minuted.

The Complaints Panel will provide the Chairman with a copy of the complaint. Chairman will be expected to send a written statement to the Panel within the next 5 days so far as practicable and will be invited to a meeting in order to provide full evidence in response to the complaint. The Chairman may be accompanied by a friend or representative if he/she wishes.

The Complaints Panel will then consider all the evidence provided by all parties and draw their conclusion.

The Complainant and the Chairman will be informed, in writing, of the outcome and this no later than within 3 to 5 days after the Panel have reached their conclusion. The written outcome will summarise the nature of the complaint, outline the investigation process and include a summary of actions if necessary. It will not give any details of the investigation nor of any procedure related to the Chairman.