

Scottish Pentathlon - Grievance & Complaints Policy

1. Principles

- a. Where possible Scottish Pentathlon will seek to resolve complaints informally.
- b. Where a complaint cannot be resolved informally, a formal complaint should be made in writing to the Chair. Formal complaints will be investigated by an individual or panel appointed by the Board of Directors.
- c. It is intended that complaints procedures should be easily accessible, that all complaints are fully and fairly investigated, and that the complaints process should provide an effective response and appropriate redress.
- d. Scottish Pentathlon will respect complainants' desire for confidentiality wherever deemed appropriate and possible.
- e. Scottish Pentathlon seeks to use the feedback provided by both informal and formal complaints to ensure that its systems and services are improved.

2. What is a Complaint?

A complaint is an expression of dissatisfaction with the conduct of the organisation, its committees, volunteer officers, athletes, or with alleged unfair practice in connection with the sport.

Grounds for a complaint may include, but shall not be limited to the following:

- a. where the conduct of any individual, body, or organisation brings or is likely to bring the sport into disrepute;
- b. where there is said to be a violation of Scottish Pentathlon Articles of Association or Procedures;
- c. where there is said to have been a breach of Scottish Pentathlon's Rules or Codes of Conduct

A complaint may be made by:

- a. a member of Pentathlon GB or Scottish Pentathlon where the complaint concerns Scottish Pentathlon;
- b. the parent of or other person with parental responsibility for a member of Scottish Pentathlon under the age of 18 years on his/her behalf;
- c. a person working for or on behalf of Scottish Pentathlon;
- d. any third party where the complaint concerns Scottish Pentathlon.

No complaints may be made under this policy against an employee or contractor engaged by Scottish Pentathlon relating to any action taken in the course of his/her employment or engagement. Any complaint about such an action should be addressed to the Chair, or another Director where the complaint concerns the Chair.

3. Informal Complaint

It is desirable for any complaint to be resolved informally where possible and every attempt will be made to achieve this. An informal complaint can be made either verbally or in writing to the appropriate staff member or any Director of Scottish Pentathlon. Every effort will be made to resolve informal complaints, so far as possible, to the satisfaction of the complainant and with due regard to others involved. Where it is not possible to resolve the matter informally, the Formal Complaints Procedure, below, should apply.

4. Formal Complaint

A formal complaint should be made in writing to the Chair where a complaint has not been resolved informally; or where the matter is of such a nature as to make it unsuitable to be an informal complaint. Complaints of such a nature may for example include allegations of gross misconduct, negligence, or matters concerning the protection of young people or vulnerable adults.

5. Complaints in General

- a. Any written complaint, whether informal or formal, shall only be considered if it includes the name, address and signature of the complainant. Verbal or anonymous formal complaints shall be disregarded.
- b. A complaint must normally reach the Chair no later than 28 days after the alleged incident that gave rise to it.
- c. Complaints that fall outside the jurisdiction of Scottish Pentathlon may be referred to an appropriate body for their consideration.
- d. Complaints regarding the protection of children or vulnerable adults may be referred to the Police or Social Services in accordance with Scottish Pentathlon Welfare Policy.
- e. Complaints alleging criminal activity will likely require to be referred to the Police.
- f. A written formal complaint will, depending on substance and form, be dealt with in accordance with Scottish Pentathlon's Disciplinary Rules and Procedures.
- g. Where a complaint is lodged more than 28 days after an alleged incident giving rise to the complaint and where the Chair of Scottish Pentathlon is satisfied that it is in the interest of the sport to do so, they may permit the complaint to proceed. Before arriving at a decision they may, require an explanation for the delay in the making of the complaint.
- h. Any Disciplinary Committee or Investigating Officer appointed shall keep interested persons and/or bodies informed of their progress and of any decision, whether or not to allow a late complaint to proceed, setting out the reasons for that decision.

6. Complaints & Disciplinary Committees

If a complaint is upheld and is to be considered at a disciplinary hearing then the Scottish Pentathlon Disciplinary Rules and Procedures will be followed.

7. Investigations

Depending upon substance and form, investigations into complaints will be undertaken either by the Chair in accordance with Scottish Pentathlon Disciplinary Rules and Procedures.

8. Decisions

A final decision regarding a complaint and/or following upon an investigation will be reached by the Chair or where appropriate the Disciplinary Committee in accordance with Scottish Pentathlon Disciplinary Rules and Procedures.

9. Confidentiality

So far as is practicable, safe and appropriate, confidentiality shall be sought to be preserved in the investigation of a complaint. Such an approach is considered to be in the interest of both the complainant and any other person or persons involved. If however, another person is named in a complaint, then we consider that normally they should know what is alleged, and who is making the complaint. All such matters will require to be considered. Scottish Pentathlon may also take action if a complaint is found to be malicious or vexatious.

A Disciplinary Committee of Scottish Pentathlon has powers that allow for the suspension of an individual, group or member, whilst an investigation is under progress; all in accord with our Disciplinary Rules and Procedures.

10. Arbitration Agreement

It is a policy of Scottish Pentathlon to seek to resolve disputes by negotiation, mediation, arbitration or other dispute resolving mechanisms. Where this might not be possible reference will likely require to be made to our Disciplinary Rules and Procedures and the terms thereof - where further methods of dispute resolution including arbitration are outlined.

11. Review

The policy will be reviewed every three years.