



BOBSC Complaints Procedure

Borough of Barnsley Swimming Club believes that its members are entitled to expect courtesy and appropriate conduct from all fellow members and those directly involved with the club, at all times. We welcome suggestions on how to improve our swimming club and will give careful consideration to any concerns or suggestions raised. We anticipate that most concerns will be resolved quickly by an informal approach to an appropriate person.

Any concerns of a child protection nature should be referred to the Welfare Officer in the first instance, and the Swim England guidance will be followed as per the Safeguarding and Protecting Children Policy.

It should be noted that concerns or issues relating to the training programme and training provision should be raised to BPL. These matters should be raised to the Head Coach in the first instance. Borough of Barnsley Swimming Club will provide support to BPL and club members, in the resolution of issues, as and where appropriate to do so.

This document explains how complaints relating to rule breaches, relating to non-training related activities within Borough of Barnsley Swimming Club, will be addressed and resolved. For example, matters arising in relation to competitions, events and fundraising activities undertaken through Borough of Barnsley Swimming Club

The Procedure:

In dealing with complaints, Borough of Barnsley Swimming club will follow the rules and Judicial Regulations Guidelines published by Swim England.

The following procedure should be followed if any swimmer, parent or guardian associated with the club has a complaint regarding a rule breach or matters arising during any non-training related club activity. They should;

Stage 1 (Resolve Informally): Raise the issue with an appropriate member of the Club Committee. Members are encouraged to voice their concerns informally and encourages all parties to use informal discussion wherever possible to resolve issues in the first instance. The parties involved should aim to resolve the issue within two weeks.

Stage 2 (Swim England Club Complaint Form): If the issue is not resolved, the complaint should then be raised with the club's Chairperson using the Swim England Internal Club Complaint Form. A copy of this form should be requested from the club's Chairperson and will be provided without undue delay.

The club Chairperson may appoint a nominee to handle the complaint, if appropriate to do so (for example, where the complaint directly involves the Chairperson themselves). This should be agreed with the complainant.

The complainant should complete the form and return this to the club Chairperson (or their nominee) within 7 days of receipt.

Once returned, the form will be forwarded to the Respondent within three days, who will then have seven days to complete and return the form to the club Chairperson with their response to the complaint.

The Club Complaint Form includes an administrative section for the Club Chairperson (or their nominee) to complete as the matter progresses.



If either party to the dispute is dissatisfied with the outcome, they have the right to make a complaint to the Judicial Administrator at Swim England Head Office, in accordance with the judicial procedure outlined in the Swim England Handbook (section 150-155).

Stage 3 (Mediation) :

If both Parties express a willingness to have the Club Complaint mediated, the Club Chairperson shall appoint an independent person to act as mediator. The mediator will seek to arrange a meeting, either in person or on video call, within 14 days.

If an agreement is made at mediation, the mediator shall record the outcome and provide a copy to the Parties and the Club Chair. If no agreement is reached, the mediator shall notify the Club Chairperson that it has failed.

Mediation is a confidential process and, as such, the contents of the mediation meeting should not be discussed with anyone who did not participate, save for where a mediator provides the Club Chairperson with confirmation of a successful outcome.

The aim of the mediation meeting will be to produce an outcome that both parties are satisfied with, whilst preserving and repairing the relationship between the parties. Mediation also provides the parties themselves with input and control over the outcome.

Stage 4 (Club Complaint Hearing) :

If the Parties do not agree to mediation or mediation fails, a Club Complaint Hearing will take place, in accordance with the Swim England Judicial Regulations Guidelines. The Club shall appoint a panel of three independent members, including a Chairperson who will usually be proposed by the Region and two wing members, who may be members of the Club or, if this is not desirable, members of any other Swim England affiliated Club.

The hearing shall take place within 28 days of the panel's appointment. The procedure for the hearing shall be flexible and at the discretion of the panel. Each party will be limited to bringing a maximum of three witnesses unless the panel considers there to be compelling reasons for more to attend. The parties must obtain the consent from the panel for each witness to attend by providing the panel with a list of the witnesses in advance, explaining why they consider each witness' attendance necessary.

Upon completion of the Club Complaint Hearing, the Panel shall provide a copy of their decision to the parties and the Club Chairperson within 14 days.

If the panel finds that there has been a breach of Club rules, it may apply sanctions to a Club member within the Club's power (ie. suspensions from training, competing or volunteering with the Club). If the panel believes that a breach of Swim England Regulations has taken place, the matter should be referred to the Office of Judicial Administration as a Judicial Complaint.

The outcome to a Club Complaint is binding upon the parties to it. However, a party to the Club Complaint may make a Judicial Complaint to the Office of Judicial Administration if: 1. they believe that the Club or panel did not comply with Judicial Regulation 103; or 2. they believe that a sanction imposed by a panel is disproportionate.



A Judicial Complaint may not be made by a party to a Club Complaint on the sole basis that a panel's decision was not in their favour.