

COMPLAINTS PROCEDURE

Rationale

Every player involved in the sport of netball has a responsibility to themselves, their team mates, their clubs, the umpires and the players of tomorrow, to behave in a sporting manner and not to bring the game into disrepute. Gloucestershire Netball is committed to providing a supportive, friendly, safe and positive environment free from offensive behaviour.

Events during a match are under the control of the umpires. Please refer to the Official Rules of Netball.

Complaints Procedure

1. Any complaint with any aspect of Netball organised under the auspices of Gloucestershire Netball should be raised with the committee member responsible for the event or area of Netball involved:

- All complaints on umpiring matters should be submitted to the Umpiring Secretary. The Umpiring Secretary will review the details of the complaint and may arrange for the umpire to be observed whilst officiating at a match.
- All complaints on event matters, such as leagues, tournaments etc., should be submitted to the relevant event Secretary e.g. League Secretary, Bateman Secretary, etc., who may refer the matter to the Complaints Sub-committee (CSC).
- Complaints on other matters should be submitted to the safeguarding officer, also known as Welfare, Equity and Ethics Officer (WEEO) who may refer the matter to the CSC.
- Any complaints or concerns that relate to the safeguarding and protecting children should be referred directly to the England Netball Lead Child Protection Officer within 24 hours (see Safeguarding and Protecting Young People in Netball Policy).

2. The complaint should be in writing, within 7 working days of the alleged incident, by the complainant, or a representative of the complainant. Receipt of the complaint will be acknowledged in writing within 5 working days.

3. The CSC will be made up of a minimum of 4 Committee members from Gloucestershire Netball. Of the 4 Committee members sitting on the CSC, one shall be the League Secretary and one shall be the Umpiring Secretary. The CSC shall appoint a Chairperson and a secretary at their first seasonal meeting. The names of these personnel will be included in the minutes of the next Executive Meeting held. Members of the CSC will be excluded from the CSC when a club of which they are a representative or a member, is involved in the complaint or for any other conflict of interest. Another Committee member of Gloucestershire Netball will be co-opted for the duration of the said complaint. A quorum will consist of 3 CSC members.

4. All complaints will be dealt with in the strictest confidence and where possible the name of the complainant will not be divulged. The complainant will be advised if it is not possible to withhold their name.

5. If the matter is referred to the CSC, the secretary of the CSC will notify the club or individual that a complaint has been filed against them. The notice shall set out the nature and particulars of the alleged offence and will request a report on the match or incident. A written response must be received by the Chair of the CSC within 10 working days of the written request being sent.

6. The CSC will review all the details held surrounding the complaint and the subsequent reply from the club or individual implicated. The purpose of this review is to establish whether there is a case to answer. The CSC will decide if a full hearing of the Complaints Panel is required or that the matter is suitable for mediation or that there is an absence of evidence of grounds for complaint and that there shall be no hearing. The secretary of the CSC will notify the club or individual and the complainant of the decision.

7. The Complaints Panel for a hearing shall consist of not less than three persons. One member of the Panel should be identified as Chairperson.

8. The CSC shall notify all parties of the composition of the Complaints Panel and of date, place and time of the hearing when the Complaints Panel is to consider the matter. The complaint, and all evidence in support of the complaint, must be provided to the club or individual well in advance of any hearing.

9. The Chair of the Complaints Panel will consider the available evidence and shall have power to call for any further information in advance of the hearing and request the attendance of experts or witnesses.

10. The hearing shall take place as soon as possible and normally within 10 working days of the Complaints Panel having been convened in order to allow time for the club or individual to prepare their case. The CSC may appoint such person as it thinks fit to represent the complainant. If any party is not in attendance, and the Complaints Panel is satisfied that notice of the hearing was duly made, the hearing will proceed.

11. At the hearing, the club or individual shall be given an opportunity of making written or oral representations to the Complaints Panel of the facts and matters which the club or individual wishes the Complaints Panel to consider before they reach a decision. The Complaints Panel is empowered to interview and gather evidence from any person it considers may be relevant to its investigation. Witnesses under the age of 18 are permitted to be accompanied by an appropriate adult. The parties concerned will be advised when they will be notified in writing of the result.

12. The Complaints Panel shall consider all the evidence made available to it by the club or individual and representative of the complainant including the written and/or oral testimony of any experts or witnesses supporting that evidence.

13. If the Complaints Panel is of the opinion, beyond reasonable doubt, that the complaint has been proved, in whole or in part, it shall make a finding to that effect; and in that event it may discipline the club or individual as it considers appropriate. Any penalty being considered must be reasonable having regard to the Complaints Panel's views as to the

nature and seriousness of the complaint and any other circumstances which the Complaints Panel considers relevant, the facts and to the object of the complaint. Each incident will be looked at on an individual basis, taking into account player/club history and previous complaints within the season. It may decide any issue by majority.

14. The Complaints Panel shall provide written reasons for reaching its decision and, where appropriate, the penalty.

15. The Complaints Panel may impose penalties such as a fine, deduction of points, suspension, demotion to lower division, removal from league.

16. The secretary of the CSC will notify the parties concerned as soon as possible and within the specified time.

Appeal Procedure

1. An appeal, stating grounds for appeal, must be submitted in writing to the Chair of Gloucestershire Netball within 10 working days of notification of the decision relating to the original complaint. Receipt of the appeal will be acknowledged in writing within 5 working days.

2. The appeal shall be dealt with by an Appeal Panel comprising personnel from outside the county. The Chair of Gloucestershire Netball shall notify all parties of the composition of the Appeal Panel.

3. The Appeal Panel will review the original Complaints Panel's decision to ensure that it was fair, reasonable and proportionate in all the circumstances. The Appeal Panel will decide whether it needs to request further information from all parties and re-hear all the evidence.

4. The Appeal Panel may convene a hearing at which one representative from each club and individual(s) involved will be present to put their case. The hearing shall take place as soon as possible and normally within 10 working days of the Appeal Panel being convened. Notice of the hearing should be given promptly and should clearly state the date, time and place of the hearing. If any party is not in attendance, and the Appeal Panel is satisfied that notice of the hearing was duly made, the Appeal Hearing will proceed.

5. At the start of the hearing the Appeal Panel members should introduce themselves and clarify exactly how and in what order the evidence is to be heard. The parties concerned will be advised at the Appeal Hearing when they will be notified in writing of the result.

6. The decision of an Appeal Hearing shall be final and binding on all parties.