



Policy 25: Complaints

25.0 British Aikido Association Complaints Procedure

The information covers complaints relating to: -

- a. The British Aikido Association as an organization
- b. Members of the Executive Committee
- c. Coaches and Officials
- d. Members both full affiliate and associate
- e. Clubs and supporters

the procedures to follow, types of complaint and how they are dealt with.

25.1.1 Child Protection

If your complaint is about Child Welfare, in the first instance you should talk to the clubs Child Protection and Welfare Officer or Club Coach. If the complaint is related to members of the club or the Coach you should address your concerns to the Associations Child Welfare Officer

Mr Francis Burgess

15 Willis Way, Kings Worthy, Winchester, Hampshire, SO23 7QT

Tel 01962 883 282 Mobile 07734 325 838

- a. In urgent cases you should inform your local social services or the Police.
- b. For independent and impartial advice contact the **NSPCC 0800 800 5000**
- c. All Child protection complaints are dealt with under Section 17 of the
- d. Association's Policies and Bye Laws.

25.1.2 Complaints re Executive Committee

Complaints about the Executive Committee can be forwarded in writing to any member of the Executive. It will be their responsibility and duty to ensure the complaint is placed confidentially as an agenda item for the next Executive Committee meeting.

25.1.3 Complaint re Members, Clubs and Supporters

In writing to

Mr Paul Holding

31 Woodland Road, Whitby, Ellesmere Port, Cheshire, CH65 6PN

Tel 0151 335 6605

All complaints will be handled in confidence and conform to the Association's Data Protection and Privacy policies



25.1.4 Conduct and Complaints Procedure

A panel of three independent Executive Committee members will review all complaints.

A Panel will be established on a case by case incident to investigate all legitimate complaints and code of conduct violations, and will ensure that each member of the BAA is afforded equal rights and guaranteed a fair and open process regarding complaints / disciplinary measures.

The Panel aims to process all official complaints and disciplinary cases in a timely, effective and transparent manner and will ensure that procedures are in place for all members to be given the opportunity to practice Sports Aikido in a safe and fair environment.

The British Aikido Association will investigate all complaints without prejudice and with due regard to the obligation upon the Association to ensure natural justice.

All complaints will be dealt with in strictest confidence and, where possible, the name of the complainant will not be divulged.

All complaints of a child protection nature will be referred to the lead officer for Child Welfare for investigation and appropriate action. Where a complainant provides evidence of potential criminal action then the complaint will be forwarded to an appropriate legal authority.

The result of the investigation will be forwarded to an adjudication panel composed of not less than three members of the Panel who were not previously aware of the specifics of the case for a decision.

The person against whom the complaint is being made will have the opportunity to submit a written defence or may also appear in person or send a representative to make a personal representation.

Due to the nature of the adjudication meetings and the logistical difficulties that can be involved it should be noted that there would be one date offered for a personal hearing. The person against whom the complaint is being made can then elect to attend, to not attend, or to send a representative or written defence. If the person against whom the complaint is being made elects to attend they may also bring a legal representative or companion to the hearing. The time allotted to each verbal statement will be not more than 20 minutes.

The decision will be communicated to the person making the complaint as well as the person against whom the complaint has been made.

An appeal may be made against the decision of the Panel to an Appeals Panel comprised of not less than three members of the BAA Board of Directors. The appeal must be made in writing to the General Secretary of the British Aikido Association, within seven days of the decision being advised, giving the basis on which the appeal is made (grounds of appeal).



An appeal fee of £50 must accompany the appeal. This appeal fee will be refunded in the event that the appeal is successful. Please note that the panel of Board members will decide in advance whether or not the appeal is submitted with suitable grounds of appeal, and may dismiss the appeal if the grounds are not sufficient to justify a formal appeal. An appeal may be made in person but no expenses will be paid whatever the outcome. The Board of Directors Appeals Panel may increase or decrease the penalty.

25.1.5 Rules

a. All complaints shall be received in confidence.

Only complaints received in writing complete with name, address and signature of the person(s) making the complaint will be accepted for investigation. This does not apply to complaints involving any issue of a child protection nature.

Anonymous and verbal only complaints will generally be disregarded. This is solely at the discretion of the Chairman of the Panel.

Complaints involving child protection, physical assault, drugs or actions regarded as bringing the sport of Aikido into disrepute should ALWAYS be passed on to the BAA National Executive for investigation. This should be as soon as possible after the complaint has been made.

Complaints sent directly to the BAA Executive Directors will be re-directed to the Complaints Panel for investigation.

Under normal circumstances complaints will be dealt with through correspondence. However the complainant or the person(s) against whom the complaint is being made may present their case in person to the Complaints Panel.

25.1.6 Complaints and Conduct Panel Records

b. This to be done as soon as possible after the matter is closed. Details to include:

- c. Name(s) of person(s) making the complaint.
- d. Is she/he/they members of the BAA? If yes include BAA membership numbers.
- e. Name(s) of Person(s) / Group(s) against whom the complaint is being made.
- f. Is she/he/they members of the BAA? If yes include their membership numbers.
- g. Nature / details of the complaint.
- h. Report of investigations.
- i. Decision/penalty made.
- j. Copies of letters sent to all involved parties advising of decision.

- When the decision has been reached both the person(s) making the complaint and the person(s) against whom the complaint has been made should be informed of the decision within twenty-one (21) days of the decision being made.
- The person(s) against whom the complaint has been made shall have the right of appeal. The person should be offered this right at the time the notification of the decision is made to them.



- If an appeal is to be considered the request to appeal must be made within seven days of notification of the original decision. An appeal fee of £50.00 must accompany the appeal. This fee will be refunded in the event that the appeal is upheld. The Board may in some cases refund all or part of the appeal fee in the event of the appeal being denied under special circumstances.
- Notice of Appeal must be made in writing addressed to the Chief Executive giving details of the basis of the appeal (grounds of appeal).
- If an appeal is lodged then the other party must be notified upon receipt of the appeal.
- The final Appeal Body shall be a Panel formed from the membership of the BAA Executive of Directors, the Adjudication Panel

25.1.7 Considerations

In considering a complaint the following procedure should normally be adopted.

a) The person(s) against whom the complaint is made should be notified and asked for her/his/their comments. There should be a time limit of twenty-one (21) days for this.

b) If possible other witnesses should be asked for statements. There should be a time limit of twenty-one (21) days given for their replies.

c) If a member of the Executive or Panel considering the complaint has any involvement in the matter she/he should declare an interest and leave the meeting while the matter is being discussed. He/she may give, if requested, a statement regarding the matter before leaving.

d) If a member of the Executive/Panel considering an appeal has been involved with the decision regarding the complaint at a lower level, that person should declare this and take no part in the decision-making of the Appeal. She/he may, if asked, make a statement regarding the matter.

e) The case must be proven on balance of probabilities. If the Panel feels that there is, on balance of probabilities, proof that the offence was committed then a guilty verdict will be returned.

The following are general guidelines of recommended sanctions / penalties:

- i) Major Offence suspension or removal from the Association
- ii) Medium Offence restriction of activity within the Association
- iii) Minor Offence letter of reprimand

b) These penalties are guidelines and may be varied according to the circumstances of each case. They may be in addition to any other penalty that may be imposed for the particular offence.

c) Repetition of an offence will carry increased sanctions.



25.1.8 Final Decisions

Final decisions made in each case shall be binding on all Association Clubs and members

The BAA Executive Directors Appeal Panel will be the final word on all disciplinary matters within the Association, and this step represents the final internal option.

The Association will keep a record of all disciplinary actions in a secure database and will circulate a disciplinary newsletter to all clubs at least once per year listing all disciplinary actions taken. These newsletters will be circulated as required.