

How to Raise a Complaint with Orpington Ojays Swimming Club

We value your feedback and are committed to ensuring a positive experience for all our members. If you have a concern or grievance that are grounds for any complaint against members and any persons affiliated with the club you are advised to consult the club constitution and policy documents that are available to all members on the website. Parents or guardians can submit a complaint on behalf of a Swim England Member under the age of 18. The procedure for making a complaint is documented below.

Any Complaint between any two or more members of Orpington Ojays, involving an alleged breach of the Club's rules or any other dispute not related to an alleged breach of Swim England Regulations, shall be referred to a Club Complaint Committee for resolution (under Swim England Regulation 103).

Any Complaint which involves an allegation that there has been a breach of Swim England Regulations by a member of the Club should be dealt with as a Judicial Complaint made to the Commissioner (under Swim England Regulation 104)

If the Complaint involves an allegation against a coach, the issue must be dealt with by the Club under the terms of the appropriate service contract.

Informal Discussion

Before initiating a formal complaint, you are strongly advised to discuss your concern informally with the appropriate person. This could be a coach, team manager, or those with an official role within the club that pertains to the specific grievance or dispute. Club Roles are documented on the website or you can seek advice from the chairman or secretary as to whom to speak to. Swim England advise that all parties to a club complaint should use all reasonable means to settle issues informally and amicably before raising a formal complaint. It is good practice to limit any informal discussion to the concerned parties so that any potential future formal proceedings remain uncompromised. The club welfare officer in some circumstances may be involved generally in support of the welfare of the swimmer throughout the process rather than to investigate the complaint especially when a swimmer involved in the dispute is under the age of 18. The role of the welfare officer is support swimmers on both sides of the dispute and to ensure they are able to give their version of events.

Coaching issues – Squad or Head coach

Note matters relating to swimmer conduct/behaviour should in the first instance should be addressed with the coaching team as these issues can be dealt with and escalated under the Code of Conduct policy.



Child Welfare/Conduct/safeguarding – Welfare officer

Membership/squad matters – Membership secretary

Communication/Administration – Club Secretary

Financial concerns – Treasurer

Galas/Competitions – Competitions Secretary

Club operations/procedure/governance/other matters - Chairman

We recommend the following approach to informal discussions:

Choose a suitable time and place to discuss your concern with the relevant person. Avoid approaching coaches or committee members during training sessions or events when their attention is focused on swimmers and official duties. Often it is better to provide information in advance by email (all contact information is available on the website) and whenever possible, schedule a brief meeting with the individual you wish to speak to. This ensures that the person is prepared to engage in a meaningful conversation and can allocate the necessary time to address your concerns. Always maintain a respectful and courteous tone throughout the discussion and address the issue itself without making it personal or confrontational remembering that those involved in the club are mainly volunteers.

Most misunderstandings can be resolved through open communication but if the matter remains unresolved after the informal discussion, you may choose to proceed with the formal complaint process

Formal Complaint Process

If a dispute cannot be resolved after attempts to reach an outcome informally within a reasonable timeframe and within 14 days of the matter being raised, the complaint should be referred to the chairman (or if directly party to the dispute, another elected officer) and request a complaint form via email at chair@orpingtonojays.com, which should be completed and returned to the chairman within 7 days.

The chair will forward a copy of the complaint to the respondent within 3 days for a response to be completed using the relevant sections of the form and returned to the chairman within 7 days.

The chair will appoint an independent mediator within 7 days of receiving the response.

The mediator will arrange for all parties to meet within the proceeding 14 days after their appointment to try and bring matters to an acceptable settlement with the outcome being made in writing by the mediator to all parties plus the chairman.

Club Hearing

Where a mediator is unable to bring about a satisfactory settlement then the Chairman will appoint a panel of 3 club members who have not been involved in the complaint (or if appropriate 3 Swim England members from another club) to determine the complaint. Objections to members of the panel will be considered where there has been prior involvement in the complaint, the member is affected by the complaint or has some conflict of interest. London Region will determine a Panel Chair, but where one is not appointed the club panel will elect one of their number to act as chair for the hearing.

The panel will set a date for hearing within 28 days and will notify parties of the date within 14 days.

Each party can call up to 3 witnesses (that will not take part in the hearing other than to provide factual evidence), and only after obtaining consent from the panel with an explanation as to why the witness is relevant to the complaint.

The Club Panel shall decide on any issue by a majority and on the balance of probabilities and if it fails to reach a majority decision on any issue, the decision of the chair of the Club Panel shall be final and binding on the parties (subject to the right to submit a Judicial Complaint).

The Club Panel shall come to a decision as soon as reasonably practicable, and usually within 14 days after date of the hearing. The Club Panel shall provide its decision on the outcome of the Club Complaint in writing to all parties in addition to the Club Chairman stating the reasons for the decision.

If a person or Club considers there has been a material failure by the Club and/or the Club Panel to comply with these Judicial Regulations or if they consider any sanction imposed to be disproportionate in respect of the Club Complaint Outcome, a Judicial Complaint may be made to the Commissioner under Regulation 104.

Judicial Complaint

See [Judicial Complaint Guidance](#) – a Judicial Complaint must be made within 30 days of the Club Complaint Outcome to the Office of Judicial Administration and accompanied by a £100 registration fee.