

Complaints Fact Sheet

DO YOU HAVE A COMPLAINT? FINAL Version

Please find below some frequently asked questions on how to complain effectively:

Q1 Is the complaint worth pursuing?

Generally, we have found that complaints do not get resolved to the complainant's satisfaction, particularly if the complaints are of a personal nature as oppose to being based on facts and evidence.

We have found that the complainants pursuing complaints based on personal vendettas and attacks leave the complainant feeling disheartened and vulnerable, even if the complainant was never in the wrong.

It should also be appreciated that complaints require a lengthy process and significant time and emotional commitment from start to finish. We ask that complainants consider whether they are prepared for this rough and often dissatisfying pursuit.

We strongly suggest that if your complaint is of a personal nature, that you consider leaving the issue. However, if you complaint falls into one of the following categories, then do consider going through the procedure:

1. Child Protection
2. Safety
3. Significant Financial Loss to Member / Club

The three examples listed above are not the only complaints that clubs are obliged to hear, these are recommendations from SASA, however, all members still have the right to complaint.

Q 2 If I've decided to pursue my complaint what should I do – NEXT STEPS?

We recommend that you:

1. Look to resolve your complaint informally by speaking initially with the club president or secretary. It is hoped that many complaints can be resolved through conciliation without going

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to a formal process. Scottish Swimming would be happy to help with a conciliation process.

2. Speak to the club secretary to advise him/her of the nature of your complaint, and request a copy of the club's "Complaint Procedure".
2. Address your complaint in writing to the appropriate person detailing the matter(s) with which the complainant is dissatisfied and the reason for their dissatisfaction. This should be done using the correct form which can be obtained by contacting the club secretary.
3. Adhere to the timeframe detailed within the clubs procedures. If your complaint falls out with the detailed procedure, but you have been managing the complaint with the club informally since the incident in question, then highlight the steps you have taken to date in your letter of complaint. If you have not been managing the complaint informally, and you are out with the outlined timeframe, do not proceed with your complaint. In this case, the club is under no obligation to undergo their procedure.

Q 3 Should Scottish Swimming be involved at this stage?

Yes, Scottish Swimming are happy to meet with the club and complainant to host a listening meeting which would allow them to outline the correct process to be followed and if appropriate try to help resolve the complaint before it goes to a formal process.

If your complaint is of a Child Protection nature, you must contact Scottish Swimming within 48 hours.

Q 4 What if the club does not acknowledge my complaint?

We ask you to call Elaine Mackenzie, Director of Services on 01786 466522. Elaine will speak to the club to request they take ownership / action of your complaint and to speak them through the process to be followed.

Q 5 If after intervention from Scottish Swimming the club will still not address my complaint what should I do?

At this stage, your complaint would be referred to the Scottish Swimming Board of Directors to take action against the club.

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Q 6 If after the club has heard my complaint and I have fully exhausted the club's complaint procedure and I am still dissatisfied, what should I do?

We recommend that you pursue the complaint by following SS complaint's procedure as per Company Rule R14.1 You will be required to put your formal appeal in writing along with the appeal fee to Scottish Swimming not later than 30 days after receipt of notification of the decision which is being appealed. The written appeal must detail the matter(s) with which the complainant is dissatisfied and the reason for their dissatisfaction, including evidence and dates. You can use all of your original paperwork that went through the club process.

Scottish Swimming will then take the appeal forward.

Q 7 What if I begin to feel overwhelmed and emotional?

We recommend that you stay focused and rationale and remember the outcome that you are looking for.

If things are getting too personal and/or if you believe that the outcomes you are striving for simply cannot be achieved, we advise that you make a judgement on whether to pursue or drop the case. Sometimes the best option for the swimmer/member/family involved is to move to a neighbouring club with a fresh start.

Q 8 What can I expect at a Scottish Swimming hearing?

The hearing should be informal. You do not need a lawyer to represent you. All evidence required for this panel should have been submitted to the club at the time of your complaint and will simply need to be re-submitted to Scottish Swimming. Do keep copies of everything that you produce and receive.

Q9 Do you need to remain at this club?

If you believe you have a genuine complaint we suggest you speak to other parents as they may be feeling the same way. The more complaints about the same issue will help the club recognise that they have a problem, however, if other parents are not concerned about your complaint and believe this is how the club operates you may have to accept this and look to move on to another club .