

## Tadcaster Swim Squad Complaints and Disciplinary Procedure

### **Introduction**

Tadcaster Swim Squad Complaints and Disciplinary procedure follows ASA guidelines. All complaints and disciplinary action will observe the following key principles.

1. All parties will be fairly treated.
2. The complainant has the opportunity to present their case
3. The accused has an opportunity to respond or call witnesses
4. The ASA Law conforms to the law of the land, in so much that an individual is innocent until proven guilty.

### **Procedures**

- Minor Incidents of misbehaviour should be dealt with fairly by the coaches.
- Continual poor behaviour and attitude will result in the swimmer been spoken to by the coaches and a note will be entered into the Coaches book. (This may be used in any further investigation/disciplinary meeting)
- If informal action has no affect or the matter is of a serious nature such as fighting between members, immediate action from the coach maybe required. At this point they have the power to remove the swimmer from the remainder of the training session. The coach will then make a report and inform the Pool staff and appropriate committee members who will then observe the procedures below.

On receipt of the dispute (either in writing or verbally) every effort will be made to resolve the matter by informal discussion. If this fails or it is clearly necessary to discipline a member, then the club has to set up a panel to deal with the matter.

1. The panel will consist of three people, the Swimming Development officer, Welfare Officer and the Head Coach. These people will not be involved in the dispute and the club may want to ask individuals from outside of the club to sit on the panel if it is deemed necessary.
2. The Swimming Development Officer will notify both parties of the date, time and place of the hearing and the names of the panel members.
3. Both parties will be given copies of all papers and reports.
4. The hearing will be within 14 days of receipt of dispute, unless there are extenuating circumstances.
5. If either party is under 18 years of age they have the right to be accompanied by a parent (or person with parental responsibility), or coach to help them present their case.
6. The hearing should be as informal as possible but needs to be controlled.

**Points to note:**

1. The Complainant will present evidence first and the accused will have the right of reply.
2. Both parties to the dispute are able to call witnesses, the Complainant going first and each party should be allowed to question the other party's witnesses.
3. Witnesses must wait outside the hearing room until they are called in. After questioning they may wait in the hearing room, taking no further part in the proceedings.
4. The Swimming Development Officer or Welfare Officer will make notes of the hearing and the panel will make every effort to announce their decision verbally to all parties without delay followed by written confirmation to reach all parties within 5 days.

**The panel has the ability to:**

1. Issue a verbal warning or written warning/reprimand
2. Suspend a member for a specified period of time, with immediate effect.
3. Require a member to resign if, in its opinion, the interests of the club have been compromised by the member. If expulsion is proposed, the individual will cease to be a member of the club. Such action may be subject to any overriding ASA complaints procedure.  
If either party to the dispute is dissatisfied with the outcome, they are entitled to make an appeal to the Facility Manager.

**Appeals Procedure:**

- The appeal must be made in writing to the Facility Manager within 14 days unless there is good reason to extend the time frame.
- The Facility Manager and Assistant Manager will organise an independent assessment of the case, where the member (accompanied with a parent if required) is able to review the evidence and appeal against the decision.
- The final decision will be made by the Facility Manager and the Assistant Manager. The decision will be confirmed in writing and will reach all parties within 5 days on the appeals meeting.

If either party to the dispute is dissatisfied with the outcome, they are entitled to make an appeal to the Judicial Administrator at ASA Head Office.

Judicial Administrator, British Swimming, SportPark, 3 Oakwood Drive, Loughborough, Leicestershire, LE11 3QF.