



Complaints Policy and Process

1. INTRODUCTION

- 1.1. Sport Resolutions (a trading name of The Sports Dispute Resolution Panel Limited) must maintain high quality dispute resolution services to retain the trust and confidence of service users, the sports community and the general public.
- 1.2 A formal complaints policy provides a fair, open and transparent process to deal with complaints involving Panel Members and/or the administration provided by the Sport Resolutions Secretariat, whereby both Complainants and Panel Members/Sport Resolutions Secretariat know the outcome following the making of a formal complaint. The policy also ensures that where mistakes are made, lessons are learned, and future quality of service is assured.
- 1.3 Sport Resolutions shall seek to prevent complaints occurring, wherever possible, by evaluating its services through the routine collation of feedback at the conclusion of each dispute resolution process.
- 1.4 This policy sets down the process to be followed in the event that a party to a dispute is dissatisfied with the conduct of a Panel Member and/or where a party to a dispute is dissatisfied with the Sport Resolutions Secretariat's administration of a dispute resolution process.
- 1.5 This policy needs to be read in conjunction with Sport Resolutions' Panel Members Code of Conduct and Safeguarding Policy.
- 1.6 The term 'Panel Member' shall be taken to include members of the Panel of Arbitrators, the Panel of Mediators, and any other Panel(s) operated from time to time by Sport Resolutions.
- 1.7 The Complaints Board shall be made up of the Chair (or a deputising Chair) of the Panel Appointments and Review Committee (PARC) and at least one but no more than two other non-executive members of the PARC.

2. COMPLAINT REGISTRATION

- 2.1. Sport Resolutions will only accept a complaint concerning the administration of a dispute or concerning Panel Members' conduct during a dispute resolution process under the jurisdiction of Sport Resolutions, which is made by one of the parties involved in the dispute.
- 2.2. The Chief Executive also has the discretion to initiate a complaint against a Panel Member where a quality assurance issue or safeguarding issue arises, or to continue a complaint if it is discontinued by the Complainant for any reason.
- 2.3. Sport Resolutions will not accept complaints where the substance of the complaint is dissatisfaction with the outcome of a dispute resolution process. The decision of the Panel Member(s) on outcome is final and binding on the parties' subject to any right of appeal or further dispute resolution process.
- 2.4. Sport Resolutions will not accept frivolous and/or vexatious complaints or complaints that request remedies that only the court has jurisdiction to provide.
- 2.5. Sport Resolutions will only accept complaints once a dispute resolution process has been completed, unless a child safeguarding concern is raised, in which case the complaint will be accepted without delay. For avoidance of doubt, other than where a child safeguarding concern is raised, the Panel Members' jurisdiction must have come to an end before a complaint will be accepted.
- 2.6. Only complaints submitted within 30 days following the end of the dispute resolution process will be accepted unless the Complaints Board is satisfied that there are exceptional circumstances to justify a reasonable extension of time.
- 2.7. Only written complaints which contain the following information will be accepted: the name, address, email address (where available) and telephone contact details of the Complainant or authorised representative on behalf of the Complainant with concise grounds for the complaint and details of any outcome sought and signed by or on behalf of the Complainant.

3. PROCESS FOR REGISTERING A COMPLAINT

- 3.1. Information on how to formally register a complaint will be available on Sport Resolutions' website or by contacting the office by telephone or e-mail.
- 3.2. Complainants must submit their complaint in writing to Sport Resolutions' Chief Executive within 30 days of the conclusion of the dispute resolution process.
- 3.3. The Chief Executive, or a nominated deputy, will review the complaint and decide whether the complaint is accepted for resolution under the Sport Resolutions complaints policy.
- 3.4. The Chief Executive, or a nominated deputy, will write to the complainant within 5 working days either to confirm that the complaint has been accepted as such, or to explain the reasons why the complaint has been refused under the Sport Resolutions complaints policy.

- 3.5. Where the Chief Executive decides that a complaint is not to be accepted under the complaints policy, the Complainant may request a review of this decision within 5 days of the date of the Chief Executive's decision by the Chair of the Complaints Board or a deputising member of the Complaints Board.
- 3.6. The Chair of the Complaints Board or Deputy will make a final decision on the eligibility of a complaint under the Sport Resolutions complaints policy within 10 days of the request for a review of the Chief Executive's decision. The decision of the Chair of the Complaints Board or Deputy is final.
- 3.7. Once a complaint concerning a Panel Member's conduct has been accepted and considered eligible the Chief Executive has the discretion, to be exercised in the best interests of the Sport Resolutions service, not to make any new appointments of the Panel Member in question until the final decision of the Complaints Board is made.

4. PROCESS FOR RESOLVING A COMPLAINT

- 4.1. In the first instance, the Chief Executive shall offer to meet the Complainant, or where appropriate bring the parties together, to resolve the complaint informally and where successful, shall submit a short report to the Complaints Board.
- 4.2. Where the Chief Executive or either of the parties decides that informal resolution is inappropriate or where it has been tried and has not been successful, the complaint shall be formally investigated. If at any time the complaint raises or reveals a child or vulnerable adult safeguarding concern, Sport Resolutions' Child Safeguarding Policy or Safeguarding Adults Policy will take precedence.
- 4.3. Where the complaint relates to the conduct of a Panel Member, the Chief Executive will investigate the complaint and where appropriate will also register the complaint with the designated safeguarding officer, if relevant. Where a complaint relates to the Sport Resolutions Secretariat's administration of a dispute resolution process, the Chair of the Complaints Board or a Deputy may exclude the Chief Executive and appoint a Board Director or an independent investigator, who should not be a member of the Sport Resolutions Secretariat, to investigate the complaint
- 4.4. The Chief Executive is responsible for ensuring that consideration is given to the support needs of the individual at all times. This responsibility will pass to the Chair of any Complaints Board if so appointed.
- 4.5. The investigating Director or Independent Investigator shall send a copy of the complaint to the Panel member/Sport Resolutions Secretariat and request a written reply or alternatively arrange to interview the individual in-person or by telephone.
- 4.6. The investigating Director or Independent Investigator shall then compile a written report, making a recommendation for whether or not the complaint is substantiated and for an appropriate outcome which seeks to improve the future service provided by Sport Resolutions.

- 4.7. The investigating Director/Independent Investigator has the discretion to seek additional information as required.
- 4.8. The process for investigating a complaint will be completed as soon as practical but will normally be completed within 30 days of the formal acceptance of the complaint.

5. PROCESS FOR MAKING A DECISION REGARDING A COMPLAINT

- 5.1. The decision to uphold or reject a complaint will be made by the Sport Resolutions Complaints Board.
- 5.2. Complaint decisions will be made following consideration of a written report compiled by the investigating Director or an independent investigator.
- 5.3. The Complaints Board will convene as soon as practicable but normally within 50 days of formal acceptance of the complaint.
- 5.4. The decision of the Complaints Board shall be final.
- 5.5. The Complaints Board has powers to make recommendations to the Sport Resolutions Board, which shall decide on what, if any, action is to be taken depending on the facts and circumstances of each case.
- 5.6. The Complaints Board shall communicate its decision and recommendations in writing to the Complainant, Panel Member and Sport Resolutions' Chief Executive within 10 days of meeting.
- 5.7. The Chief Executive shall communicate any action to be taken by the Sport Resolutions Board in response to recommendations made by the Complaints Board, in writing to the Complainant and Panel Member, within 5 days of the Sport Resolutions Board meeting.