



Scottish
Swimming



NORTH BERWICK
Swimming Club

COMPLAINT TO CLUB COMPLAINTS PANEL

COMPLAINANT

Please read the notes on this page carefully **before** filling in this form.

You **must** provide the information marked with “*” and, if relevant, the information marked with “•”.

HOW TO FILL IN THIS FORM

All Complainants **must** fill in **sections 1, 2, 3 4 and 7**.

You then only need fill in those sections of the form that apply in your case.

Fill in **section 5** only if there is some information you wish to draw to the Panel’s attention and **section 6** only if you have appointed a representative.

When you have completed the form send the document by email to **nbswimclub@gmail.com** marked “**COMPLAINT**” in the title. We would also recommend that you keep a copy for your own use.

We would also refer you to the Fact Sheets issued by Scottish Swimming on Complaints and what to expect. These can be found on the Scottish Swimming website (downloads section under Club Information / Complaints).

The following steps will then take place:-

1. North Berwick Swimming Club Executive will notify you if the complaint is accepted as valid. If not accepted as valid it will be returned to you with an explanation and no further action will be taken.
2. Once the Complaint has been accepted as valid a copy of your Complaint form will be sent to the Respondent. A similar form will also be sent to the Respondent to give them the opportunity to defend the complaint.

You will receive a copy of this in due course.

3. At this stage Scottish Swimming can help facilitate a meeting to try and resolve the dispute by conciliation.
4. If conciliation is unsuccessful or not possible, then the matter will be referred to The Club Complaints Panel for assessment. Once it has been decided if the matter may validly proceed both Complainant and Respondent will be notified and asked to identify any dates within the projected time span for setting the Hearing that they will be unavailable.

5. The Club Secretary will send one copy of the record to both the Complainant and Respondent, with details of the place and date of the hearing.
6. The Chair of the Panel may order further information from either party, to be provided to The Club Secretary within 7 days of request. Any such further information requested should be submitted and will be intimated to the other party by The Club Secretary
7. No later than 14 days before the Hearing both parties shall intimate to The Club Secretary a note of any witnesses they intend to present and shall lodge with The Club Secretary any documents upon which they intend to rely. A List of witnesses and a copy of any such documentation shall be intimated by The Club Secretary to the other party. It will be open to either party to ask the Panel to deal with his/her/their case by way of written submissions only. Such a request must be made in writing no later than 7 days before the Hearing.
8. The Hearing will be conducted in accordance with Scottish Swimming's Rules. The Chair will be responsible for ensuring that both parties are given the opportunity to submit all the relevant evidence for their case. The Chair has the discretion to rule out any evidence not considered competent or relevant to the case.
9. At the end of the Hearing the Chair will issue the Panel's decision. This may be done verbally at the end of the Hearing and will be followed by a written note of the decision; or it may be after a period of consideration by the Panel, in which case it will be issued in writing.
10. All parties at the Hearing will be advised that they have the right of appeal and this would be to the Company **in accordance with Company Rule R14.0.**

Please note that if anyone listed as dealing with complaints is party to or involved in the complaint then they must remove themselves from the process.

3 Action before making a complaint

- 3.1* Are you, or were you a member of North Berwick Swimming Club? Yes No
- 3.2• Have you put your Complaint in writing to the respondent?
Please give the date you put it to them in writing
- If 'No' please now go straight to section 3.5**
- 3.3• Have you spoken with the respondent about your complaint? Yes No
- 3.4 Did you allow at least 28 days between the date you put your Complaint to the respondent and the date you sent us this Complaint?
If 'Yes', please now go straight to section 4.
- 3.5 Please explain why you did not put your Complaint in writing to the respondent or, if you did, why you did not allow at least 28 days before sending us your claim?

4 Complaints

Please explain what you are complaining about and why.
Please explain what outcome you are looking for.

* Please include any relevant dates.

5 Other information

Please do not send a covering letter with this form.

You should add any extra information you want us to know here.

