



Downend & Frenchay Tennis Club

Compliments, Complaints and Disciplinary Policy

Date reviewed: November ?

Date of next review: November ?

Downend and Frenchay Tennis Club (DFTC) Charitable Incorporated Organisation (CIO)

Registered Charity No: 1195249

COMPLIMENTS, COMPLAINTS AND DISCIPLINARY POLICY

1. Our Aim

Downend and Frenchay Tennis Club is committed to providing a quality service and working in an open and accountable way that builds trust and respect. One of the ways in which we can continue to improve our service is by listening and responding to the views of our members and visitors, and in particular by responding positively to complaints.

Therefore we aim to ensure that:

- Making a compliment or complaint is as easy as possible.
- We welcome compliments, feedback and suggestions.
- We treat a complaint as a clear expression of dissatisfaction with our service which calls for a timely response.
- We deal with it promptly, politely and, when appropriate, confidentially. • We respond in the right way - for example, with an explanation, or an apology where we have got things wrong or information on any action taken etc. • We learn from complaints, use them to improve our service, and regularly review our complaints policy and procedures.

We recognise that many concerns will be raised informally, and dealt with quickly. We aim to resolve these informal concerns quickly and keep matters private. This policy ensures that we welcome compliments and provide guidelines for dealing with complaints from members of the public about our services, facilities, staff and volunteers.

2. Definitions

A compliment is an expression of satisfaction about the standard of service we provide. A complaint is defined as any expression of dissatisfaction; however, it is expressed. This would include complaints expressed face to face, via a phone call, in writing, via email or any other method.

3. Purpose

We are always glad to hear from people who are satisfied with the services we offer. All compliments are recorded, acknowledged and a copy is sent to the Management

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Committee Chair to provide feedback to the members or individuals concerned as appropriate.

4. Complaints

The formal complaints procedure is intended to ensure that all complaints are handled fairly, consistently and wherever possible resolved to the complainant's satisfaction.

5. Responsibilities

Downend and Frenchay Tennis Clubs responsibility will be to:

- Acknowledge the complaint by responding within 7 days.
- Deal reasonably and sensitively with the complaint.
- Take action where appropriate.

A complainant's responsibility is to:

- Bring their complaint, in writing, to the Club Chairperson or Secretary's attention normally within 28 days of the issue arising.
- Raise concerns promptly and directly with the Club's Chairperson, Secretary or Welfare Officer.
- Explain the problem as clearly and as fully as possible, including any action taken to date.
- Allow the Club's Secretary or Chairperson or Welfare Officer reasonable time of 28 days, to deal with the matter.
- Recognise that in some circumstances may be beyond Downend and Frenchay Tennis Club's control.

6. Confidentiality

Except in exceptional circumstances, every attempt will be made to ensure and maintain confidentiality. However, the circumstances giving rise to the complaint may be such that it may not be possible to maintain confidentiality (with each complaint judged on its facts). Should this be the case, the situation will be explained to the complainant.

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DISCIPLINARY PROCEDURE

The code of conduct applies to all members of Downend & Frenchay Tennis Club (the Club), All members of the Club agree to fully comply with this code of conduct and any specific code of conduct for any club role they may hold and be bound by its terms as set out below. The code of conduct extends to behaviour on and off court associated directly with the Club including Club social media.

See appendix for LTA Codes of Conduct, DFTC Terms & Conditions, DFTC (CIO) Constitution

Disciplinary matters will be dealt with by Elected Officers (the Committee) of the Club in the first instance and subsequently by the appointed Disciplinary Committee.

Disciplinary action against Club members, including expulsion without notice, may be taken for offences of misconduct or breach of club rules. However, it is recognised and accepted that every member:

- Has the right to fair, equal and consistent treatment.
- Has the right to adequate notice from the Club.
- Has the right to appeal against the decision of the Disciplinary Committee in all disciplinary matters.
- Has the right to be accompanied by a friend or advisor to any disciplinary hearing.
- No member will be automatically expelled for the first breach of Club's rules except in cases of "gross misconduct".

All disciplinary actions taken by the Club will be duly recorded.

Offences Leading to Disciplinary Action

The actions set out below may be interpreted by the Committee to fall within this Code. However, the lists are not to be considered as fully inclusive or covering all possible offences.

Misconduct is the carrying out of an offence considered to be of a minor nature (unless repeated and then constitutes serious misconduct) and will normally incur a

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written warning from the Committee together with a request for full and appropriate corrective action. Examples of offences that may be considered misconduct include:

- Discourteous, crude or offensive behaviour during matches or at organised Club events.
- Any behaviour directed at a person or a group with protected characteristics (e.g. sexism, racism, homophobia, transphobia).
- Interference with equipment or property.
- Refusal to carry out reasonable instructions issued by event officials or organisers.
- Failure to comply with, or adhere to, the relevant code of conduct for their position within the club.
- Any other actions of similar gravity to the above, at the discretion of the Committee.
- Repetition of the above offences or failure to comply with any demands made in writing by the Committee may result in further action by the Committee involving a disciplinary hearing.

Serious Misconduct is the carrying out of an offence of such gravity that in the opinion of the Committee, a Club disciplinary hearing is warranted. Examples of offences, which may be considered as serious misconduct include:

- Misconduct offences as listed above if especially grave or repeated.
- Any behaviour directed at a person or a group with protected characteristics (e.g. sexism, racism, homophobia, transphobia).
- Deliberate or consistent breaches of club rules.
- Any attempt to achieve gains or advantage over others by unfair or unscrupulous means.

- Theft or misappropriation or misuse of club funds in ways not previously sanctioned by the Committee.
- Use of threatening or abusive behaviour.
- Participating in the sport whilst under the influence of drugs or alcohol.
- Interference with equipment or property.
- Disregard for one's own or other people's safety.
- Any other action, which in the opinion of the Club Officers may bring the sport or Downend & Frenchay Tennis Club into disrepute, or which left unpunished, may result in the detriment of the Club or its members.

Gross Misconduct is action of such seriousness that the Committee will require the immediate expulsion of the offender from the club. The Committee may by means of an executive decision summarily expel such an offender without invoking a disciplinary hearing. The expelled member will have the right to a disciplinary hearing as soon as this can be arranged but will remain expelled until and unless such a hearing overturns the executive decision. Examples of gross misconduct are:

- Physical violence or threats of violence including assault towards other persons at a Club event or related activity, including social media.
- Any behaviour directed at a person or a group with protected characteristics (e.g. sexism, racism, homophobia, transphobia).
- Any sexual misconduct.
- Disregard of safety and basic safety rules.
- Being convicted of any criminal offences involving or physical violence or abuse of any kind.
- Other acts that are considered to be of an extremely serious nature against the Club, its members or any other party.

- If the matter relates to a child protection issue, the Committee will follow the child protection procedures as outlined in the club's Safeguarding Policy for dealing with a complaint and then follow the disciplinary procedure after outcome has been reached.

2. Disciplinary Procedure

On receipt of a written complaint from a member, another team within the sport, the LTA, the league/match organisers or any other party, or if it shall appear to the club committee that any irregularity or breach of its constitution, Codes of Conduct or any other matter of concern to it, may have occurred, the Committee with advice from a Legal Advisor should they so wish, will decide whether the complaint or action falls within the scope of this disciplinary code. If in their opinion it does, then the Committee will decide as to the type of offence as per (section 1) above.

If the offence is considered to be one of simple misconduct, the Club Secretary will write to the offender with a **formal written warning** including a request for an apology or other corrective action the Committee may deem appropriate. The Committee may also attempt to obtain approval for their action from the complainant.

A disciplinary file will be opened by the Committee in which will be placed copies and records of the original complaint, together with the written warning and any other correspondence. The action outlined above will normally finalise the process unless any of the parties involved objects to the Committee decision in which case they may appeal.

Should the complaint, be considered by the Committee, as one of **serious misconduct**, then the following procedure will be implemented:

- The Committee will appoint an Investigating Officer from within the Committee who will investigate the complaint impartially.
- Inform the complainant that an investigation has been opened and request the member comply with any requests for evidence from the IO.

- Inform any parties subject to investigation of the official complaint and request the member comply with any requests for evidence from the IO.
- The Investigating Officer may collect written and oral evidence from the complainant and parties subject to investigation and consult all relevant witnesses for supportive evidence, as required. The investigation will be concluded as soon as reasonably practicable. The IO may request that the Committee consult experts where advice is necessary.
- If settlement cannot be agreed between the parties, and if the IO is unable to bring the matter to a close, then he/she can recommend a disciplinary hearing, or if the offence merits it, then a disciplinary hearing will be arranged as soon as possible

If the IO decides a hearing is required then:

- If necessary, the Investigating Officer will consult all relevant witnesses for supportive evidence
- Once a disciplinary hearing is called, then the complainant and all relevant witnesses will be obliged to attend and give evidence. If non-attendance at a hearing due to extenuating circumstances, i.e. Ill-health, threat of violence or intimidation etc. occurs then a written declaration must be submitted. If non attendance occurs without reason, then the disciplinary hearing will be heard in the complainant's absence.
- Contact the member subject of the complaint to advise of the official complaint and request the member to submit a written statement of events.
- Except in cases of gross misconduct, but In cases of disputes of a personal nature, the Committee will attempt to resolve the situation amicably and to the mutual satisfaction of the parties concerned.
- To invite all parties as to the hearing date and ensure the complainant and responding parties have all relevant copies of paperwork, including a copy of the IO report, one working week in advance.

3. Disciplinary Hearing

The Club Secretary shall record the minutes of the hearing and all questions will be addressed through the Secretary. A Disciplinary Committee will be appointed which will consist of a panel of three club members, to include a nominated chairperson (or acting if the club chairperson is the complainant or otherwise involved), the IO and at least one other member of the Committee.

No witnesses or statements can be introduced at the hearing without prior notice and copies of any further written evidence produced for consideration prior to the hearing, to be available one week in advance to the parties. The Disciplinary Committee may adjourn the hearing to allow further evidence to be submitted, if the disciplinary committee considers it fair to do so.

After the Disciplinary Committee has reached a decision, the responding party is to be notified in writing of such decision and informed of any penalties within seven days of the decision being reached. Penalties will be effective from the date of the decision.

The responding party may be accompanied by a friend/adviser should s/he wish

4. Penalties

Following the hearing, the Disciplinary Committee will apply such penalties, as the Disciplinary Committee consider appropriate, including:

- Temporary suspension
- Permanent expulsion of the offender from the club.

Such penalties will have immediate effect, notwithstanding the possibility of an appeal in accordance with (Section 5) under noted.

Offences of **gross misconduct** will carry **automatic expulsion** and will preclude the offender from taking part in any Downend & Frenchay Tennis Club organised activity.

The club will in all cases comply with the requirements of the LTA and club safeguarding policies including immediate notification of the police where required.

5. Appeals

The responding must be notified of their right to appeal. Written notice of appeal, including full written grounds for the appeal, must be given in writing to the Club

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Secretary within 28 days of being notified of the decision. No appeal will be valid or considered after that period has elapsed... An appeal together with full written argument may be considered relative to:

- the decision
- the penalty
- other

An appeal hearing will be convened as soon as practicable and will consist of an Appeal Committee of 3 members of the Committee who did not take part in the first hearing and who will elect their own Chairperson (who will have the casting vote).

The decision of the Appeal Committee is final and binding on the parties and not subject to further appeal.

New evidence cannot be presented at the appeal hearing. The Appeal Committee shall have power to access all documentation on the case and to amend or revoke any decision made at the previous disciplinary hearing.

Appendix

LTA Code of Conduct

<https://www.lta.org.uk/494b8d/siteassets/about-lta/file/lta-code-of-conduct.pdf>

DFTC Terms & Conditions

<https://www.downendandfrenchay.co.uk/wp-content/uploads/2022/10/new-TC.pdf>

DFTC CIO Constitution

<https://www.downendandfrenchay.co.uk/wp-content/uploads/2022/04/Constitution-for-DFTC-CIO-21072021.pdf>