

THE BRITISH WATER SKI & WAKEBOARD FEDERATION LIMITED
COMPLAINTS PROCEDURE

1. BACKGROUND AND APPLICATION

1.1 This document describes the procedure that will be adopted in respect of complaints defined as:

- (a) any statement of dissatisfaction expressed to be a formal complaint about an action (or inaction) or decision whether committed by The British Water Ski & Wakeboard Federation Limited ("**BWSW**") as a corporate body, or by one of its staff, or by an individual acting in a voluntary or paid capacity on behalf of BWSW:
- (b) a complaint may be made verbally (in which case the complainant will be asked to follow it up in writing), or in writing, either by conventional mail or e-mail.

1.2 A concern/complaint concerning safeguarding issues should be made in accordance with the procedures set out in BWSW's safeguarding policies.

1.3 A complaint concerning a breach of the BWSW Code of Conduct will be dealt with in accordance with the procedures set out in the BWSW Code of Conduct.

1.4 A complaint about a club which is a member of BWSW should, in the first instance, be made under the club's own complaints procedure rather than under this procedure.

1.5 BWSW will endeavour to deal with all complaints sympathetically and fairly with appropriate responses to complaints.

1.6 Complaints should be addressed to

Patrick Donovan email: patrick@bwsw.co.uk: telephone number 01932 560007

2. WHO WILL DEAL WITH A COMPLAINT

2.1 The table shows who would normally deal with a complaint:

Body/ Person against whom complaint is made	First Response	Second Response
BWSW or individual director, other than chair of BWSW (Chair)	Chair, BWSW	As appointed by BWSW board
Chair	As appointed by BWSW board	As appointed by BWSW board
Chief Executive Officer (CEO)	Chair, BWSW	As appointed by BWSW board

Member of employed staff	CEO	Chair
Person working on behalf of BWSW in self-employed capacity, or as a volunteer e.g. coach, official, driver	CEO or chair of the relevant discipline committee e.g. Waterski Committee, Cable Wakeboard Committee	CEO or Chair
Club	CEO	Chair

3. PROCESS

- 3.1 The person receiving the complaint in the first instance will acknowledge it in writing and inform the complainant of the procedure that will be followed in dealing with the matter and the likely timescale.
- 3.2 The person receiving the complaint will either deal with it themselves or pass it to the appropriate person to deal with, as shown above.
- 3.3 The person dealing with the complaint will:
- (a) determine the facts of the matter, by speaking to others involved within BWSW, as required, and examining any written material as appropriate;
 - (b) keep the complainant informed of progress;
 - (c) write to the complainant responding to their concerns and giving explanation where appropriate.
- 3.4 If the complainant is not satisfied with the initial response the person who has dealt with it initially will endeavour to resolve any further issues raised and will respond again in writing.
- 3.5 In the event that the complainant is still not satisfied the complaint will be referred to the second respondent where appropriate, as indicated above.
- 3.6 BWSW will not enter into lengthy and protracted correspondence with the complainant once the original complaint and any subsequent substantive issues have been answered. If a complainant behaves in a way which is regarded as unreasonably persistent or vexatious, the process outlined below will be followed.

4. TIMESCALES

- 4.1 The initial complaint (once confirmed in writing by the complainant if made verbally) will be acknowledged in writing by BWSW as soon as reasonably practicable and in any event within 10 working days of receipt.

4.2 It is not possible to set out a timescale for dealing with all complaints following the initial acknowledgement given their differing complexity, some of which may require extensive investigation. However, BWSW will endeavour to deal with all complaints as expeditiously as possible in the particular circumstances and will communicate with the complainant how the complaint will be handled.

4.3 Copies of all complaints and responses will be kept on file for at least 12 months.

5. UNREASONABLY PERSISTENT OR VEXATIOUS COMPLAINANT

5.1 BWSW does not expect employees or volunteers to tolerate unacceptable behaviour by complainants at any time during the general complaints procedure. Unacceptable behaviour includes behaviour which is abusive, offensive or threatening and may include using abusive or inappropriate language on the telephone or face to face, sending multiple emails or leaving multiple voicemails.

5.2 Raising legitimate queries or criticisms of a complaints procedure as it progresses, e.g. if agreed timescales are not met, should not in itself lead to someone being regarded as an unreasonably persistent or vexatious complainant.

5.3 Similarly, the fact that a complainant is unhappy with the outcome of a complaint and seeks to challenge it should not necessarily cause them to be labelled unreasonably persistent or vexatious.

5.4 However, BWSW will take action to protect employees and volunteers from inappropriate behaviour. BWSW may treat a complainant as unreasonably persistent or vexatious if because of the frequency or nature of the complaints, they hinder the work of the organisation. For example, but without limitation, the way or frequency that a complainant raises their complaint with employees/ volunteers or how a complainant responds when informed of a decision about their complaint.

5.5 If it is suggested that a complainant is acting in an unreasonably persistent or vexatious way, the CEO (or someone else appointed by the board of BWSW):

(a) will confirm that the complaint is being, or has been, investigated properly according to the complaints procedure before any further action is taken;

(b) will contact the complainant either by telephone, in writing or by email to explain why their behaviour is causing concern and ask them to change this behaviour. A telephone call will be followed up by a written communication;

(c) will explain the actions that BWSW may take if the behaviour does not change.

5.6 If the complainant continues to act in a disruptive manner, following consultation with the board of BWSW, the CEO (or someone else appointed by the board of BWSW) will issue a letter to the complainant advising them that the way in which they will be dealt with by BWSW in future will be restricted, the reasons why the restriction has been imposed and the period of time the restriction will cover.

- 5.7 Any restriction that is imposed on the complainant's contact will be appropriate and proportionate. In most cases restrictions will apply for between 3 and 6 months but in exceptional cases may be extended. In such cases the restrictions should be reviewed on a quarterly basis. Restrictions will be tailored to deal with the individual circumstances of the complainant and may include (without limitation) the following:
- (a) prohibiting the complainant from making contact by telephone except through a third party acting on their behalf;
 - (b) restricting telephone calls to specified days, times and duration;
 - (c) prohibiting the complainant from sending emails to individuals and/or all employees and insisting they only correspond by letter;
 - (d) requiring contact to take place with one named individual only;
 - (e) requiring any face to face contact to take place in the presence of an appropriate witness;
 - (f) letting the complainant know that BWSW will not reply to or acknowledge any further contact from them on the specific topic of that complaint (in this case, a designated BWSW individual should be identified who will read future correspondence)
- 5.8 Where the behaviour is considered to be so extreme that it threatens the immediate safety and welfare of staff and/or volunteers, BWSW may also consider other options, e.g. reporting the matter to the police or taking legal action. In such cases, BWSW will not be under an obligation to give the complainant prior warning of that action.
- 5.9 In every case, a written record of all decisions and actions will be maintained by BWSW.