

BAFA Grievance Procedure

1. Purpose

The key aim of a grievance procedure is to provide an internal mechanism for dealing with concerns raised by any participant about their treatment whilst involved in BAFA sanctioned activity. It should aim to deal with these issues quickly, fairly, and at the lowest level possible within the organisation. The most satisfactory solution to a problem results when agreement is reached between a member and their immediate contact (possibly Head Coach or Team Manager). A genuine effort should therefore be made to resolve the matter at the first stage in a prompt and amicable way.

2. Scope

All participants in BAFA sanctioned activities

- i) players
- (ii) coaches
- (iii) officials
- (iv) directors, officers or employees of BAFA organisations
- (v) anyone affiliated with a BAFA organisation at a BAFA event, including persons subject to the rules (Rule 1-1-6) and other game persons
- (vi) any other person participating in any activity sanctioned directly or indirectly by BAFA, whether or not they have explicitly registered with BAFA
- (vii) Parents, Guardians or Representatives for minors or vulnerable adults taking part in BAFA activities.

3. What is a Grievance?

Examples of issues that may give rise to a grievance are listed below:

- Health and safety
- Relationships
- Coaching/Training practices
- Unfair treatment e.g. discrimination, bullying, harassment
- Any other form of unfair discrimination

4. The Procedure in Operation

First Stage (Informal Resolution) - Raise grievance with a person who has influence over the alleged perpetrator

Most routine complaints and grievances are best resolved informally in discussion with the a person with influence over the situation who is closest to the situation (possibly for example a Head Coach or Team Manager). Dealing with grievances in this way can often lead to speedy resolution of problems.

N.B Even though this is an informal stage it may be helpful for both the complainant and the person who deals with it to keep a note of such a meeting.

Where the grievance cannot be resolved informally it should then be dealt with under the formal grievance procedure.

Second Stage (Formal Resolution)

The individual must put their grievance in writing. In particular they must detail the key issues that they are unhappy with and say if they want the matter dealt with in writing or at a hearing.

The appropriate Commission Lead in the new BAFA structure should deal with the grievance, unless it is against that individual. In this case the BAFA Director responsible for that area should deal with the grievance. The first step should be to immediately acknowledge receipt of the grievance.

When appropriate the BAFA Commission Lead/Director should arrange a grievance hearing at which the individual has the right to be accompanied by a friend, colleague or family member (who is not a qualified Solicitor). This meeting will preferably be face to face but can if necessary be conducted by Skype (or the equivalent available technology) the hearing should be arranged as quickly as possible.

It is the responsibility of the person hearing the Grievance to respond in writing to the grievance within 7 working days of the hearing or, where no hearing has taken place, within 14 working days of receiving written notice of the grievance. If it is not possible to respond within the specified time period individuals will be given an explanation for the delay and told when a response can be expected.

Third Stage (Review/Appeal)

If the individual does not feel the matter has been resolved at stage two, they have the right to ask for a further review of the complaint. In this case if a Commission Lead has dealt with Stage 2 then the BAFA Director responsible for the area concerned will deal with Stage 3.

If a BAFA Director has considered Stage 2 then an alternative BAFA Director who has not previously been involved with the case will deal with Stage 3

The individual should raise their grievance in writing within 7 working days of receipt of the decision made at Stage 2 being communicated to them and explain why they are appealing from the previous stage.

Final Decision

The Director, who handles the grievance review (Stage 3), must consider whether a review hearing is required. If a hearing is required the individual must be informed within 7 days of the receipt of the review request when the hearing will take place (and their right to be accompanied).

If no hearing is required they must inform the individual in writing of their final decision within 14 working days of receipt of the written request for a review being received. If it is not possible to respond within the specified time period individuals will be given an explanation for the delay and told when a response can be expected. The director's decision at Stage 3 is the final stage in the grievance procedure.

5. Vexatious/Malicious Grievances

Malicious complaints are rare and individuals with genuine grievances are encouraged to bring them forward for resolution through this process.

Not all grievances will be upheld through the process. If an individual had genuine concerns and good reasons for bringing the complaint forward however, the rejection of the grievance does not automatically mean the complaint was malicious.

In cases where there is doubt about the motivation of a complainant then the benefit of that doubt will be given to the individual and the complaint will be considered to have been genuine.

There are unfortunately rare occasions where vexatious or malicious complaints are made. Such misuse of this procedure is in itself a form of bullying and harassment and will not be tolerated.

Where there is **clear** evidence of such abuse of this process therefore BAFA will disallow the grievance and will consider referring the matter to the Disciplinary Committee for consideration of action for a breach of BAFA Regulations.

6. Advice and Confidentiality

At any stage any individual involved in this process may seek advice on this procedure from a BAFA Director who is not involved in the case. When seeking advice the individual should request a confidential interview and refer to the Grievance procedure.

Those dealing with matters associated with this process will keep anything dealt with entirely confidential. As an organisation we take these matters very seriously and all complaints raised through the process will be thoroughly investigated.

In order to complete their investigations the investigating Commission Lead/Director will need to question the person who is the subject of the complaint – that person will be made aware of the details of the complaint against them in order to be able to put their view of the situation.

It may also be necessary to question witnesses, in such cases the witnesses will only be made aware of the information that is required to enable them to respond to the investigators questions.

7. Precautionary action in cases of bullying or harassment

Where a complaint of bullying or harassment is made **the alleged offender** will be removed from any activity involving the complainant on a precautionary basis. It is important that emphasis is given to the precautionary nature of this action – it is not in any way an indication of guilt being apportioned. It does not imply any prejudgement of the case and it must be made clear to all concerned that it is a precautionary measure.

In such cases it is essential that the complaint is thoroughly investigated and resolved as quickly as possible. Contact and the offer of support will be maintained with both the complainant and the alleged offender during this period.

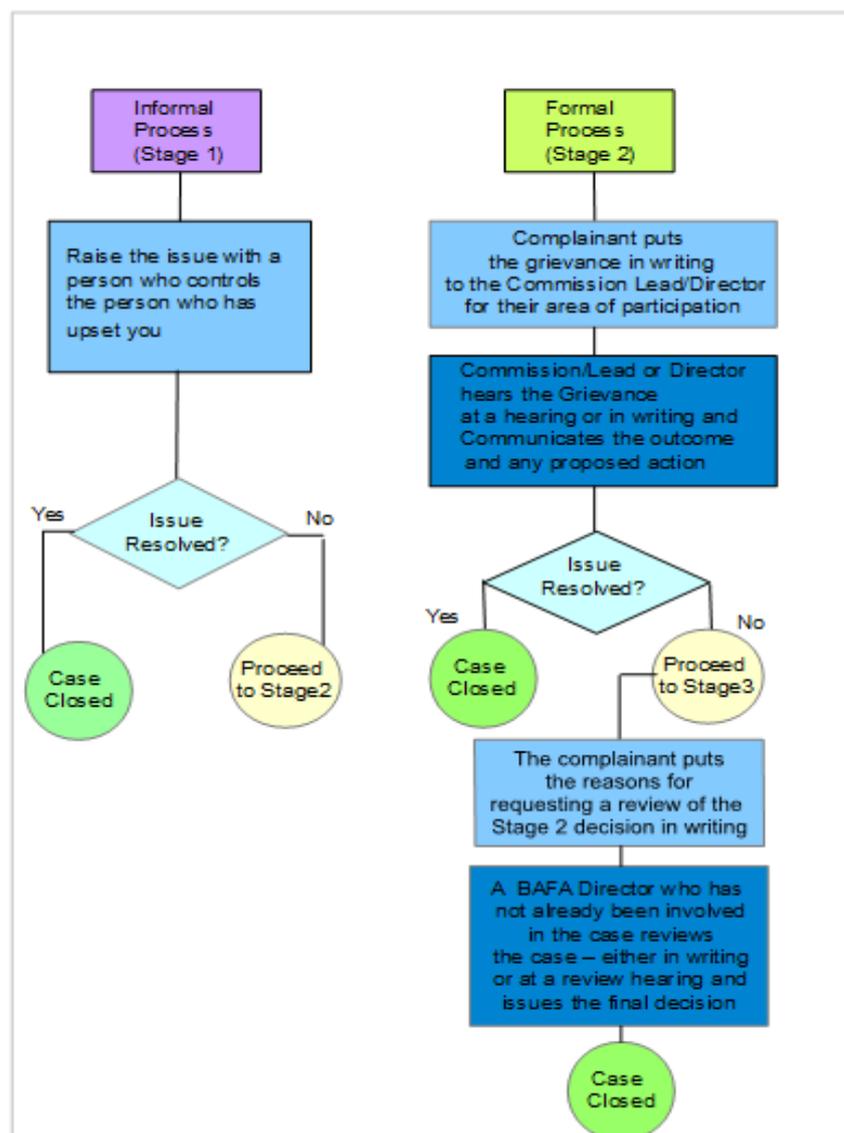
The precautionary separation will be maintained until the internal grievance procedure is exhausted.

8. Disciplinary Action

In cases where the outcome of the grievance hearing requires the consideration of disciplinary action the grievance procedure investigation will constitute the fact finding stage of that process.

In such cases the investigating Commission Lead/Director will refer the matter and the appropriate evidence to the BAFA Disciplinary Committee for immediate attention.

In cases where disciplinary action is being considered as a result of the outcome of the grievance the complainant will be told about the intention to deal with the matter through the disciplinary process.



Grievance Procedure Summary

Individual Action	Response	Timescale
<p>Individual verbally raises grievance with the a person with influence over the situation who is closest to the situation (possibly for example a Head Coach or Team Manager)</p>	<p>Coach/Team Manager should discuss matter and seek mutual agreement to resolve the matter</p>	<p>7 working days</p>
<p>If the matter is unresolved the individual should put the grievance in writing to a BAFA Commission Lead/Director asking for it to be dealt with in writing or requesting a hearing.</p>	<p>Commission Lead/Director arranges to hear the grievance in writing or at a hearing (advising the individual of their right to be accompanied) as appropriate.</p>	<p>If a hearing is requested it must be arranged as soon as possible.</p>
<p>Present grievance at grievance hearing or in writing.</p>	<p>Commission Lead/Director listens to/considers the grievance and undertakes any necessary further investigation and based on the evidence makes a decision.</p> <p>Prepares and sends written response to the Grievance and advises of right to seek a further review if the individual is not satisfied.</p> <p>If appropriate after the decision on the grievance is made the Commission Lead/Director instigates disciplinary action by referring the matter to the BAFA Disciplinary Committee.</p>	<p>Within 7 working days from grievance hearing.</p> <p>A response must be given within 14 working days of receipt of written grievance if it is dealt with in writing.</p>
<p>Individual notifies the Commission Lead/Director of request for review in writing and give reasons for their</p>		<p>Within 7 working days of receipt of the Stage 2 decision letter</p>

request for the decision to be reviewed.		
	Commission Lead/Director to arrange review at Stage 3	Within 7 working days of receipt of review request letter
Individual presents reasons for requested review at hearing or in writing	Director conducts review (including if necessary further investigation) and considers findings. Sends written response of final decision to employee	Within 7 working days of review hearing or within 14 days of receiving the request for a review if it is dealt with in writing.

Important

If during any stage of investigation BAFA determines an act to be potentially unlawful we withhold the right to immediately suspend the Grievance process and request the complainant to approach the appropriate law enforcement agency (LEA) (with our support) . This is necessary because any further action from BAFA may hinder a potential criminal investigation. If legal proceedings do not result from the complaint BAFA will recommence the grievance process at the request of the complainant