

Dispute Guidance

Notes on how to Handle a Complaint

These Notes should be read in conjunction with the Dispute Guidance document. These notes are intended to be supplementary and subservient to the Dispute Guidance.

1. If, as a representative of your club, you receive a formal complaint then you have a duty to see that the complaint is dealt with properly. Normally complaints will be handled by the Chairman or Secretary.
2. Complaints should be handled
 1. As quickly as possible
 2. Confidentially.
 3. Utterly impartially
3. The first step will be to inform all parties
 1. That a complaint has been made
 2. Provide a very brief indication of what the complaint is about
 3. Invite all parties to take part in Mediation
4. Consideration should be given to keeping the matter confidential from the Committee particularly if a member of the Committee is one of the parties involved. If the Committee is informed it must be done on a confidential basis. The Committee should not involve itself in any Hearing except to protect the Hearing Body and the process and perhaps to provide evidence.
5. Mediation should be started as soon as possible. If mediation has not been started two weeks after the Complaint was made, or as soon as it becomes obvious that mediation will not be possible then the process should move to appointing a body to hear the matter (a Hearing Body). This should also be the case as soon as the Mediation has completed if it has not succeeded in resolving the complaint to the satisfaction of all parties. Mediation is not expected to last more than two weeks.
6. Mediation can be provided by any person that all parties have confidence in and who can be relied upon to be reasonably level headed. The purpose is to allow parties to communicate and to express themselves fairly and to see if a route to an amicable resolution can be found. Mediation is entirely confidential and nothing revealed in it can be used elsewhere.
7. It may be necessary to seek external mediation. A route for this is the National Mediation Helpline (<https://www.nationalmediationhelpline.com>) for England & Wales or the Scottish Mediation Network (<http://www.scottishmediation.org.uk>) for Scotland. You can enquire here for free about costs and about the process. The mediation itself will be chargeable. The cost of such Mediation services

may be money well spent as it will assert that your Club is a quality organisation as well as hopefully resolving the particular issue in question. For clubs with limited funds financial support may be available from AIVC.

8. The appointment of a Hearing Body should be done according to the Dispute Guidance document. It may be a Tribunal of three IVC members who may be members of your IVC or members of other IVCs. Alternatively it may be an external professional such as a Solicitor. An ideal person for this will be a Solicitor with experience of Employment and/or Human Rights Law. Again, for clubs with limited funds, financial assistance may be available from AIVC.
9. If it is not possible after a week to appoint a Tribunal then an external Professional should be appointed. It is important that the Complaint is dealt with as quickly as possible.
10. In the case of a Tribunal the Hearing Body should act as one. This is to increase the quality of the result, increase the authority of the result and to protect the individual members from any improper pressure.
11. The Hearing Body should be supplied with a copy of all the Guides and documents on the Dispute process as well as a copy of the Code of Conduct. They should have a person designated as their Single Point of Contact (SPOC) who should deal with all communication between the club and the Hearing Body.
12. Any reasonable expenses of the Hearing Body should be paid. Again, for clubs with limited funds, financial assistance may be available from AIVC.
13. The Hearing Body should report back to the SPOC in writing who should immediately inform all parties to the dispute of the decision.