



# Customer Charter & Complaints Policy

[FRG027]

# 1. Purpose of the Policy

British Triathlon & Triathlon England has set out within this policy a range of processes and outcomes to ensure the integrity of the sport of triathlon can be upheld. This policy details the expectations of British Triathlon with regards to its employees, Board members, volunteers, members and all involved with the sport. If you are unhappy with any aspect of your experience, this policy explains the steps taken to ensure a fair and transparent outcome for all involved.

## 2. Service standards

British Triathlon & Triathlon England aims to provide first class services. In working toward this, we aim to provide a professional and responsive service to our members, affiliated clubs, partners and the public.

We will:

- Ensure you receive timely and knowledgeable advice
- Be courteous and respectful
- Make sure your experience is a positive one
- Inform you of significant changes to the way we operate
- Operate a no tolerance approach to abuse, harassment and discrimination
- Reflect upon feedback from members, clubs, partners and the public

The service standards we set are for guidance, rather than being absolute and we trust that you will take this into consideration when judging our performance. British Triathlon works with regional and club organisations which are autonomous and run by volunteers. As such they set their own service standards and should not be held to some of the timeframes set by British Triathlon in this Customer Charter.

## 3. Service commitment

British Triathlon staff and volunteers will conduct themselves in a courteous and responsive manner, listening to your requests and concerns and advising you of what can be provided and in what manner. Where we are not able to meet your request, we will let you know why and attempt to signpost you to the most appropriate place for you to direct your request. We will treat all people with respect and without discrimination, making any necessary adjustments to accommodate reasonable needs, where ever practicable.

### Our Values

*Our Vision is supported by values which have been agreed by the Board of Directors. Our values are;*

- Fair Play
- Respect
- Consistency and Transparency
- Embrace Change
- Encourage High Aspirations
- Recognise Success
- Environmentally Conscious.

We have some dedicated email addresses, as well as personal addresses and these are checked and responded to in the same way.

We aim to acknowledge all communications within 5 working days and we aim to provide a full response in 30 working days.

At times it may be necessary to request that communications to British Triathlon are sent in a specified format. On these rare circumstances, we reserve the right to not communicate in response if the correct format is not submitted.

## 4. Complaints & Whistleblowing

In striving to be the best we can, British Triathlon is seeking to continually improve the service we deliver and learn from any complaints. For this purpose, we record all complaints and any resulting learning and service improvements, and these are reported to the Executive Team and Board on a regular basis.

### **Complaints Relating to British Triathlon**

A complaint is considered to be an expression of dissatisfaction with the policies, decisions, service provision or the behaviour of a British Triathlon employee or volunteer, including the Board Members. Complaints can be made verbally or in writing, though formal complaints should be made in writing wherever possible or the person making the complaint verbally must expressly state that it is a complaint. The complainant will decide whether they are making an informal or formal complaint.

### **Complaints Relating to External Individuals, Groups or Organisations**

British Triathlon is responsible for upholding fair play, respect and consistency and transparency within the sport. As a result, where a complaint cannot be resolved at Club, Regional or Home National level, it may be required for British Triathlon to investigate to bring matters to a close and ensure an objective investigation can be concluded.

British Triathlon will consider complaints regarding:

- Disciplinary Cases
- Misconduct of Committee Members, Coaches and Volunteers
- Actions of a Criminal Nature (e.g. Safeguarding, Discrimination, Harassment, Fraudulent Activity, Violent or Threatening Behaviour)
- Any other action or behaviour that may be deemed to bring the sport of triathlon into disrepute (e.g. doping, malicious or threatening conduct)

Actions or behaviours that fall outside of this will be referred back to home nations, regions or clubs accordingly. British Triathlon will consider complaints where a local, regional or national investigation has already taken place and a resolution cannot be made or an appeal has been lodged at home national level.

### **Informal Complaints**

An informal complaint is more of a comment, recommendation or smaller issue that does not require a formal response, e.g. someone just wants to air a concern and ensure that a member of staff is aware of the issue.

British Triathlon will try to resolve a complaint as quickly as possible. Where suitable, this shall be done when the complaint is first received. In most instances, this will probably be more achievable where the complaint is an informal one. No investigation or Disciplinary Action should be taken as a result of an informal complaint. Rather, a no-blame, conciliatory approach should be used to assist the individuals in reaching an outcome that will ensure

appropriate conduct in the future. The main focus is to address the individuals' concerns and address them, without further interruption.

Although this may result in an acceptable resolution for the Complainant, the person who has handled the complaint should make a written note of the date of the complaint; who has made it; what it was about and how it was dealt with. This should then be provided to the Compliance Manager and a record kept, in accordance with our Data Retention Policy.

### **Formal Complaints**

A formal complaint is when a person has a dissatisfaction that they want investigated and a formal response made to them.

All formal complaints should be addressed directly to the Compliance Manager, or if received by another member of staff, that person should forward the complaint to the Compliance Manager.

British Triathlon has Codes of Conduct which set out behavioural expectations for our;

- Members and Junior Members
- Coaches
- Tutors and Officials
- Board Members

We also provide Codes of Conduct for use in Clubs and Partners, which may or may not be adopted, and are the responsibility of the club/partner to uphold, for:

- Club Welfare Officers
- Coaches
- Club Officials
- Volunteers

These Regulations do not apply to British Triathlon employees, who are dealt with under the Human Resources Disciplinary Procedures.

### **Whistleblowing**

Whistleblowing is defined as wrongdoing, in the public interest, which is usually something you have seen at work or relating to a workplace.

British Triathlon strives at all times to conduct its business with the highest standards of integrity and honesty. It expects all employees to maintain the same standards in everything they do. You are therefore encouraged to report any wrongdoing by British Triathlon or its employees that falls short of these business principles.

The Public Interest Disclosure Act 1988 protects employees who report wrongdoing within the workplace, but it is the aim of this policy to ensure that as far as possible you are able to tell us about any wrongdoing involving British Triathlon or Triathlon England staff which you believe has occurred, is occurring or is likely to occur. You are protected by law if you complain about any of the following:

- a criminal offence, e.g. fraud
- someone's health and safety is in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the company is breaking the law, e.g. doesn't have the right insurance
- you believe someone is covering up wrongdoing

We recognise that people may not always feel comfortable about discussing their concerns, especially if they believe that British Triathlon itself is responsible for wrongdoing. The aim of this policy is to ensure that you are confident that you can raise any matter with British Triathlon that concerns you in the knowledge that it will be taken seriously, treated as confidential and that no action will be taken against you.

An informal approach will be treated as completely confidential.

If the matter requires further investigation, such an investigation will be carried out and you will be informed of the outcome and what, if any, action has been taken.

If you remain unhappy about the speed or conduct of the investigation or the way in which the matter has been resolved, you should refer the matter to the President. When your complaint has been investigated, you will be informed of the result and what, if any, action has been taken.

British Triathlon undertakes that no person who makes a bona fide report under this procedure will be subjected to any detriment as a result, in accordance with Section 47B of the Employment Rights Act 1996. In the event that you believe you are being subjected to a detriment by any person within British Triathlon as a result of your decision to invoke the procedure, you must inform the British Triathlon immediately and appropriate action will be taken to protect you from any reprisals.

If it should become clear that the procedure has not been invoked in good faith, for example for malicious reasons or to pursue a personal grudge against an employee, this will constitute misconduct.

British Triathlon is keen to hear of any concerns that you may have about wrongdoing at work and encourages you to use the procedure described above wherever possible.

British Triathlon recognises there may be matters that cannot be dealt with internally and external authorities will need to become involved. Where this is necessary British Triathlon reserves the right to make such a referral without your consent.

### **What this Policy Does Not Cover**

British Triathlon and Triathlon England will endeavour to resolve your complaint to a satisfactory outcome. However, there are some complaints that British Triathlon cannot investigate, such as:

- Personal disputes not related to the sport of triathlon
- Online/social media comments \*unless bringing the sport into disrepute or of a criminal nature and will be passed to Police
- Club or Committee disputes \*within remit of constitution
- Matters relating to the normal business of clubs or Committees
- Issues relating to non-permitted events delivered by third parties
- Appeals in relation to triathlon events (e.g. sanctions and penalties)

We will refer any matters such as this back to a local/club or regional level and the correct process must be followed. Please refer to Page 13 for more information.

### **How a Complaint will be Addressed**

A formal complaint must be made in writing and will be acknowledged in writing within 5 working days, with a summary of what the issue is understood to be. Where possible, it is advisable to use the template form enclosed within this policy. In this acknowledgement

letter/email, the Complainant will be notified of how the matter will be progressed and who will be taking responsibility for investigating the matter. In most instances this will be the line manager responsible for the area of operation which the complaint relates to.

Where the complaint is about the policies, decisions or practices of British Triathlon itself, the Chief Operating Officer will be the person who investigates and responds. The Compliance Manager will oversee the handling of the complaint and ensure that the processes and timeframes are appropriate.

As part of any investigation into a complaint, in addition to evidence provided in a formal complaint, it may be required to obtain further written statements, or interview, the complainant and other relevant witnesses.

Where a formal response is required and upon investigation, a breach of policy, rules or Codes of Conduct appears to have occurred, British Triathlon will convene a Disciplinary Case Management Meeting or Committee to review the details of the complaint. This will involve members of staff who have not been involved in any investigation and will independently review the details of the complaint and the group will come to a decision (by majority vote if necessary) on any necessary outcome or sanctions.

The Case Management Group will consider the following, including but not limited to:

- The nature of the actions and the manner in which the breach occurred;
- The existence of provocation and whether the Party acted in retaliation and/or self-defence;
- The effect on the victim, including any injury caused;
- The vulnerability of the victim;
- The effect of any actions on the sport of triathlon or the triathlon community;
- The level of premeditation;
- Absence or lack of remorse;
- Status as a persistent offender;
- Prolongation of the incident;
- The continued use of offensive, abusive and insulting language and/or behaviour;
- Calling an official's integrity into question;
- Failure to comply with an official's/BTF or TE Staff Member's requests;
- Aggressive behaviour towards anyone within the triathlon community;
- The need for a deterrent to combat the particular pattern of offending;
- Whether the complaint refers to behaviour of a discriminatory nature;
- Any element of physical violence;
- Whether the complaint refers to more than one breach of policies, rules or Code of Conduct;
- A good disciplinary record;
- Good character;
- Conduct of the subject of the complaint during any investigation;
- Any mitigating factors.

Where possible, complaints will be investigated, and a proposed resolution made within 30 working days of its acknowledgement.

## 5. Potential outcomes of a complaint

A complaint, if found to be valid, will be responded to with one or more of the below;

- An apology;
- A proposed remedy for the Complainant;
- An indication of what service improvement will be made to prevent the problem occurring again;
- Progression to a Disciplinary Charge if the investigation discloses a potential breach of a Code of Conduct or a wider British Triathlon policy, for a volunteer or member; or if it discloses a potential disciplinary matter against a member of staff. Whilst the Complainant may be advised that this is how a matter may be progressed, they will not be entitled to any details of the charges or the outcome of the Disciplinary procedure.

Possible outcomes of a complaint, upheld by British Triathlon’s Case Management Group, for members, volunteers, officials, committee members are listed below. Please note, this list is not exhaustive and is to be used as a guide.

Nature of Complaint	Lower Sanction	Middle Sanction	Maximum Sanction
Safeguarding Concern Upheld	Warning Conduct Over	Fixed Suspension Term	Permanent Suspension and Referral to Police/Disclosure and Barring Service
Discriminatory Language or Behaviour	Warning Conduct Over	Fixed Suspension Term	Permanent Suspension and Referral to Police
Threatening language or behaviour	Warning Conduct Over	Fixed Suspension Term	Permanent Suspension and Referral to Police
Customer Service Complaint	Informal Resolution		Letter of apology
Breach of Code of Conduct (Coaches, Volunteers, Committee Members etc)	Warning Conduct Over	Fixed Suspension Term	Permanent Suspension
Doping	Education Workshop	Fixed Suspension Term	Permanent Suspension

British Triathlon staff will be subject to the Human Resources Disciplinary Procedure, which may result in verbal or written warnings, suspension or termination of their employment with British Triathlon or Triathlon England, with the right to appeal, should a complaint be upheld.

Complaints found to be frivolous, vexatious or malicious the Complainant may be subject to disciplinary proceedings if they are a member or connected participant, or human resources procedures if they are a member of staff. Repeated frivolous or vexatious complaints may lead to the withdrawal of services or communications by British Triathlon, to that individual.

It may be necessary to deal with some complaints under the Safeguarding and Protecting Children Policy or Adults at Risk Policy. These policies can be viewed via [the British Triathlon website](#) and you will be informed if your complaint is dealt with under either of these policies.

## 6. Appeal

Where the Complainant remains unsatisfied with the outcome or conduct of their complaint, there will be a right of appeal. Appeals should be forwarded to the Compliance Manager, in writing, detailing the reasons why the Complainant is unsatisfied with the outcome or conduct of their complaint. The Compliance Manager will either deal with the appeal or appoint another individual, independent of the original investigation, which may be external to British Triathlon. There will be an administration charge of £100 for the Complainant to submit an appeal. This may be reimbursed at the discretion of the person investigating the Appeal.

## 7. Jurisdiction

British Triathlon is a membership organisation which works with the Triathlon England Management Board, Triathlon England Council and autonomous clubs and Regional Management Boards. As Members, each of these bodies are required to adopt and abide by British Triathlon's policies and regulations. However, they are not required to adopt this Customer Charter and Complaints Policy although it is strongly recommended that they develop their own Customer Charter and Complaints Policy and suggest that they use this Policy as a guide. Each of these autonomous bodies, as well as clubs and other connected participants are accountable for their own affairs and this policy does not impart accountability on the part of British Triathlon for any of those autonomous bodies. British Triathlon may appoint an external, independent body to investigate, mediate or arbitrate on any appeal cases; this may be an independent panel convened by British Triathlon or an external body such as Sport Resolutions.

## 8. Confidentiality

British Triathlon and Triathlon England are committed to keeping the details of your complaint confidential.

Where it is necessary to investigate a complaint and speak to the subject(s) of your complaint or witnesses, we will inform you that we are doing so. We will also inform these parties that the details of the complaint remain confidential.

Where disciplinary cases are pursued, again, we would anticipate that all details remain confidential and only those investigating and involved in the investigation are aware of the complaint.

In certain circumstances, we cannot guarantee that the details of your complaint will remain within British Triathlon or Triathlon England. Where an allegation is made of a potentially criminal nature, external agencies such as the police have to be notified, who may request details held on the allegation by British Triathlon and Triathlon England.

Where details of complaints are not kept confidential, such as disclosing personal information, sharing details of investigations with members, the general public or posting details online/social media, this may result in disciplinary action commencing. For more information about how British Triathlon will use your data, please see our [Privacy Policy](#).

## 9. Contact Details:

Compliance Manager

British Triathlon

PO Box 25

Loughborough

LE11 3WX

Telephone: 01509 226 161

Email: [info@britishtriathlon.org](mailto:info@britishtriathlon.org)

<b>Review date</b>	July 2018	<b>Adopted by Board</b>	July 2018
<b>Reviewed by Board</b>	TEMB, BTF Board	<b>Review date</b>	July 2021

# Q&A - Complaints and Whistleblowing

British Triathlon is committed to providing a great participant experience. We hope that most problems, concerns or areas of dissatisfaction can be resolved informally at the time they occur.

However, should that not be possible or appropriate, we take complaints about our policies, decisions and service provision seriously, and are committed to investigating all valid complaints, with a view to establishing what went wrong and whether there are service improvements or lessons to be learnt to ensure we are the best we can be.

The questions and answers below should assist you in making a complaint and ensure the process is understood.

## **Q. Can I talk through my grievance through with someone and resolve it informally instead of making a formal complaint?**

**A.** Yes, grievances can often be sorted out on an informal basis, which is often quicker and less onerous. Don't be afraid to speak to a relevant member of staff or volunteer to see if they might be able to resolve the misunderstanding. Ask to talk to a member of staff who will be able to advise you, or put you in touch with someone who can help.

No investigation or Disciplinary Action will be taken as the result of an informal complaint unless of a potentially criminal nature and this will be referred to external agencies.

## **Q. How do I make a complaint about the behaviour of a member of British Triathlon?**

**A.** If your complaint is about the actions or behaviour of a person who is participating or volunteering in triathlon (including Non-Executive Directors of British Triathlon, Members of the Triathlon England Management Board and Regional Committees and their technical/sub groups) then please refer to British Triathlon's Customer Charter and Complaints Policy.

## **Q. What are your Codes of Conduct?**

**A.** British Triathlon have a number of areas governed by specific Codes of Conduct these are;

- Parents and Carers
- Coaches
- Junior Members
- Club Officers and Volunteers
- Race Officials
- Club Welfare Officers
- British Triathlon Staff & Board

**Q. How to I make a complaint about an element of practice or delivery, a policy, decision or service?**

**A.** If you would like to submit a complaint to British Triathlon, you can put it in writing using the Complaint Form, and sent it to:

The Compliance Manager  
British Triathlon  
PO Box 25  
Loughborough  
LE11 3WX

Or email it to: [info@britishtriathlon.org](mailto:info@britishtriathlon.org)

We will strive to acknowledge your complaint within 5 working days. If further investigation is required, we aim to send a comprehensive response within a maximum of 30 working days.

**Q. Can I make my complaint anonymously?**

**A.** We would encourage everyone to identify themselves when they put in their complaint but understand that sometimes there are valid reasons for not wanting to put your name to an issue. In order to ensure that serious issues of concern are raised and addressed, we have a Whistleblowing Policy which allows all participants to raise issues without fear of any victimisation or reprisal.

We would also encourage you to raise such issues internally, through a complaint to the Compliance Manager: [info@britishtriathlon.org](mailto:info@britishtriathlon.org), but recognise the importance of being able to take concerns to an outside body. We have identified the usual agencies which have a responsibility to consider allegations of serious misconduct, for example Health and Safety issues or financial mismanagement.

**Q. What will happen to my complaint?**

**A.** If your complaint is formal, you will receive an acknowledgement in writing within 5 working days, with a summary of what the complaint is understood to be. You will also be told how the matter will be progressed and who is responsible for investigating the matter. Wherever possible, complaints will be investigated and a proposed resolution made within a maximum of 30 working days.

**Q. Who will deal with my complaint?**

**A.** Working with partners means British Triathlon may not be the right people to look at your complaint. Local triathlon delivery is usually through Regional Committees and Clubs and they are responsible for the services they deliver.

If your complaint is about a local triathlon issue, it will be forwarded to the appropriate club or Regional Committee. You will be informed that this has been done and provided with the local contact details of the individuals dealing with your complaint.

If the investigation discloses potential breach of the Disciplinary Regulations this will be referred to the appropriate authority and you will be advised of this.

Within British Triathlon, your complaint will be dealt with by the person responsible for the area of operation to which the complaint relates. If your complaint is related to the behaviours of a member of staff it may be forwarded to the Director of HR to ensure that

appropriate disciplinary procedures are applied. The Compliance Manager will oversee the handling of the complaint and ensure that the processes and timeframes are appropriate. At the conclusion of the matter, the person handling your complaint will make a record of it, how it was dealt with and the resolution before sending it to the Compliance Manager for a record to be kept in accordance with our Data Protection and GDPR Policies.

**Q. What are the potential outcomes of my complaint?**

**A.** If your complaint is upheld, you will be responded to with

- An apology;
- A proposed remedy;
- An indication of what service improvement will be made, *or*
- Progression to a Disciplinary Charge if the investigation discloses a breach of British Triathlon's Codes of Conduct or the Disciplinary Regulations.

**Q. Do I have a right to appeal if I am not happy with the result of my complaint?**

**A.** Yes, you do have a right to appeal.

Appeals must be submitted in writing to the Compliance Manager, detailing why you are unhappy with the outcome or conduct of the complaint, together with an administrative charge of £100. The Compliance Manager will either deal with the Appeal or appoint another person if they have dealt with the complaint previously. The person conducting the Appeal will write to you with their decision.

Your administration fee may be reimbursed at the discretion of the person conducting the Appeal. There is no further right of appeal.

**Q. Can I keep complaining?**

**A.** You may not be happy with the outcome of your complaint or any appeal you have made, but provided the proper process has been followed, we are unable to take any further action. Repeat complaints about the same issue will not alter this and at times complaints can become vexatious and/or persistent, causing undue stress for staff, volunteers and members as well as resulting in a disproportionate use of British Triathlon's resources. In dealing with such situations the Compliance Manager will ensure the Complaints Procedure has been correctly implemented and that no material element of the complaint has been overlooked or inadequately addressed.

Where a wider complaint is deemed to be vexatious, persistent, is considered to have no basis or genuine substance, British Triathlon reserves the right not to investigate.

In this situation, British Triathlon will notify the complainant within 21 working days. In extreme cases of vexatious and/or persistent complaints British Triathlon may take Disciplinary Action against members and connected participants.

**Q. We are members of a club - how do I submit a complaint?**

**A.** As a member of a club you will be required to adhere to the clubs' constitution. Generally communicating with the appointed Welfare Officer or Club Secretary where relevant. It is important that the club is able to carry out the investigation and any subsequent actions/appeals before it is referred to British Triathlon.



## COMPLAINT FORM

If your complaint is in respect of Triathlon Policies, practice, decisions or service, please complete this form and send it to the Compliance Manager PO Box 25, Loughborough, LE11 3WX; or email to: [info@britishtriathlon.org](mailto:info@britishtriathlon.org)

If your complaint relates to a local triathlon provider, please refer your concern to them as British Triathlon has no jurisdiction over them.

Please complete your details below:

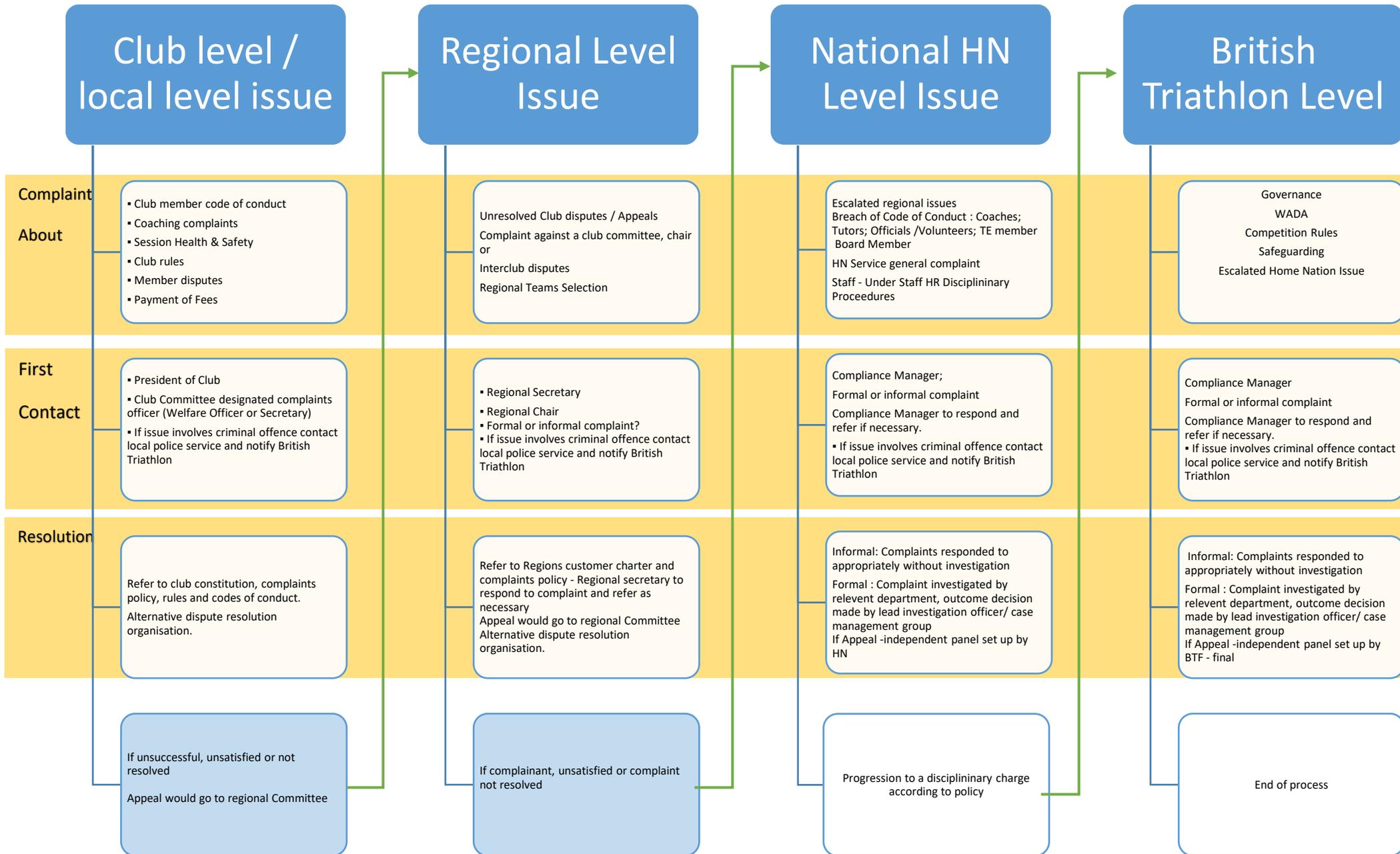
<u>First Name</u>		<u>Surname</u>	
<u>Address</u>			
<u>Tel No</u>		<u>Email Address</u>	

Please give full details of your complaint: -

What actions, if any, have you taken, to date, to resolve the situation?

Have you previously spoken to anyone about your complaint; if so, who? What was the response?

Your complaint will be fully investigated, and you will receive an **acknowledgement within five working days**. We aim to provide a substantive response within **30 working days**.



If issue relates to a person under the age of 18 or an adult at risk then refer to lead safeguarding officer [lindahaywood@britishtriathlon.org](mailto:lindahaywood@britishtriathlon.org) or statutory agency

