

Paddle UK
Athlete
Complaint Policy

1. Introduction

Any athlete on a performance programme run by Paddle UK¹ may, at some time, experience problems or wish to raise concerns about their training and competition plans or conditions, or their relationship with coaches, other members of the programme or athlete support personnel. This is referred to in this policy as 'a **Complaint**²'. It is in everybody's interests to resolve such problems at an early stage before they escalate into more significant issues. For this reason, it is our responsibility to ensure that we deal with any Complaint fairly and without unreasonable delay as well as providing appropriate support.

Issues that may cause concern include the following:

- Health and safety
- Training relationships
- Bullying, harassment or discrimination; or
- any other unacceptable behaviour.

If a Complaint relates to:

- **an athlete who is under 18 or an adult at risk of harm³, the Paddle UK Designated Safeguarding Lead must be informed at the start.**
- **bullying, harassment or discrimination, refer to the Paddle UK Equality Policy and/or Anti-Bullying and Harassment policies in addition to this Policy.**
- **matters that might include criminal behaviour and/ or safeguarding, advice must be taken from the Governance Department as the matter may need to be referred to the statutory authorities before proceeding further.**

This policy does not cover:

- appeals against selection decisions;
- competition/games decisions and/or results;
- anti-doping issues; or
- safeguarding matters.

These issues will be dealt with in accordance with the relevant policies and race/competition rules.

Except in exceptional circumstances, Complaints should be brought within a reasonable timeframe (no more than three months after the event complained of) in order to ensure that Paddle UK can carry out an effective investigation.

Where the Complaint relates to a disciplinary decision, Paddle UK's Athlete Disciplinary Policy will apply. However, where an athlete raises a Complaint during a disciplinary process, the disciplinary process may be temporarily suspended in order to deal with the Complaint. Where the Complaint and disciplinary cases are related it may be appropriate to deal with both issues concurrently. In all such cases, proceedings should be paused and advice taken from the Director of Governance.

¹ Paddle UK is a trading name of British Canoeing which is a Company registered at Companies House with the registered number 01525484.

² You believe that you have been 'wronged' by being treated 'unreasonably'.

³ An adult who: has needs for care and support; and is experiencing, or is at risk of, abuse or neglect; and as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of, abuse or neglect.

The policy does not confer contractual rights on individuals and will be reviewed in line with any legislative changes. The policy may be amended from time to time at Paddle UK's discretion.

All athletes have the right to be accompanied to any meetings held through the Complaint process. All athletes under the age of 18 must be accompanied to any meetings held through the Complaint process by either their parents, legal guardian or representative appointed by the parent or legal guardian. Appropriate support should also be offered to any adult at risk of harm.

Sport Integrity

Paddle UK also fully supports and endorses the independent disclosure and complaints service Sport Integrity, which has been designed to assist funded National Governing Bodies (NGBs), operating Olympic and Paralympic high-performance programmes, to uphold the highest standards of conduct in their sports. Further details regarding this service (including how to raise a concern) are published at <https://www.sportintegrity.com/>.

As such, as well as the provisions detailed in this Policy, Paddle UK reserves the right to refer a matter to the Sport Integrity Service under the Rules of Procedure of that service. This may involve the commission of an independent investigation or disciplinary procedure into alleged grievances, or allegations of misconduct involving: i) athletes; ii) athlete support personnel; or iii) Paddle UK office holders as defined within the Rules of Procedure. The Sport Integrity Service may be utilised in the following circumstances:

- where an individual is deemed a 'Relevant Person' under the terms of the Sport Integrity Service Rules of Procedure; and
- they are a respondent to allegations of misconduct as defined as a 'Relevant Matter' under the same regulations.

In such circumstances all parties are required to cooperate with any investigation conducted by Sport Integrity.

An athlete may raise a concern regarding any of the following issues with Sport Integrity:

- Bullying;
- Harassment;
- Discrimination;
- Abuse (verbal and physical);
- Sexual misconduct

Sport Integrity will not investigate any concerns that relate to:

- previously concluded investigations
- selection issues
- anti-doping allegations
- gambling and match-fixing

2. Principles

The principles governing the policy and application of this policy are as follows:

- our approach will be consistent and non-discriminatory;
- all athletes will be treated with dignity and respect; and
- our approach will be open and transparent and will, if necessary, involve investigations to establish the facts of each case.

Unless the matter is resolved via informal resolution methods (as described on pages 4 & 5), the following steps shall be taken to ensure that Complaints are dealt with fairly:

- the athlete must first inform the Head Coach/Performance Director (PD) of the nature of the Complaint. If the Complaint relates to the PD, the athlete should raise the matter in writing to the Director of Paddlesport, with a copy sent to the Head of Sport Integrity at UK Sport⁴
- a meeting will be held with the athlete to discuss the Complaint;
- athletes will be allowed to be accompanied⁵ at the meeting;
- an investigation, if necessary, will be carried out to establish the facts of the case; and
- a decision will be made on any appropriate action required.

Each step of the procedure will be taken without unreasonable delay and meetings will be conducted in a way that enables both the athlete and Paddle UK to explain their case.

It shall be the responsibility of the Head Coach/PD to manage this process to ensure all Complaints are addressed appropriately and fairly.

If an athlete has difficulty in putting their Complaint in writing, they should make Paddle UK aware of any such difficulty by contacting the Director of Governance.

The wellbeing of the athlete during the Complaint process is paramount. If appropriate they should be supported by the Performance Wellbeing Coach and/or Performance Lifestyle Advisor or their parent, guardian or another adult. If this is not appropriate, the athlete can be supported by an Athlete Representative and/or the British Elite Athletes Association (BEAA) throughout the Complaint process.

It is recommended that, where appropriate, should any serious Complaints be received, consideration is given as to whether or not the investigation is conducted by an independent investigator to prevent any conflict of interest. This may include referral to the Sport Integrity service detailed in paragraph 1.

3. Informal Resolution

Most Complaints can be resolved quickly and informally through discussion with the Head Coach/PD or an independent third party where mediation may be appropriate. Successful informal resolution can frequently involve the use of a trained mediator. Paddle UK therefore recommends that wherever possible and appropriate to do so, problems and concerns should be raised and managed informally.

If, however, the athlete does not wish to raise their concerns with their Head Coach/PD, for whatever reason, there are a number of other ways in which the problem or concern can be raised and resolved informally:

- Discuss with the individual causing the problem – It may be that talking to the individual concerned may resolve the issue(s). It is recommended that wherever possible and appropriate the athlete tries to settle their Complaints informally in the first instance even if this is with a person more senior to them.
- Other personnel working on the Performance programme - If the athlete feels unable to approach their own Head Coach, they may wish to approach a member of the coaching staff, the Performance Wellbeing Coach, or a practitioner with whom they feel comfortable.

⁴ John.Donnelly@uksport.gov.uk

⁵ By another athlete; a member of the coaching staff; a practitioner; or a representative from the British Elite Athletes Association (BEAA). An athlete may be accompanied by a friend who is also a lawyer, but that individual is not there in any professional capacity.

- Director of Governance – If the athlete has tried the options above or feels as though they cannot raise the problem directly with anyone else, then they should speak to the Director of Governance. In these circumstances, the Director of Governance may agree to have an informal meeting with the person with whom there are issues. This may help to resolve the problems informally.

4. Formal Resolution

4.1 Let Paddle UK know the nature of the Complaint

If it is not possible to resolve a Complaint informally, an athlete should raise the matter formally and without unreasonable delay with their Head Coach/PD or, if their PD is the subject of the Complaint, with the Director of Paddlesport (or CEO)⁶. This should be done in writing, setting out the nature of the Complaint and a brief description of the Complaint, which includes any relevant facts, dates and names of individuals involved. A suggested format is set out in the **Appendix**. It is important to identify clearly the substance or precise issues which are required to be addressed so the Complaint can be investigated and reviewed thoroughly.

Normally the Complaint will be heard and decided by the PD. The PD may choose to do this by way of a panel consisting of themselves and two others who are unconnected with the case and do not coach or manage the athlete. If the Complaint concerns the PD, it will be heard and decided by a panel consisting of the Director of Paddlesport (or the CEO) and two others unconnected with the case. The Director of Governance (or their designee) shall attend all such meetings to ensure the principles of this policy are adhered to.

Complaints should be raised wherever possible within 30 days of the incident giving rise to the Complaint. It shall be at the PD or Director of Paddlesport's discretion (to be exercised reasonably) to accept Complaints raised after 30 days, especially where there are extenuating circumstances for the delay.

4.2 Investigations

An investigation will be held without unreasonable delay to establish a fair and balanced view of the athlete's Complaint. On receipt of the written Complaint, the athlete, and any other relevant parties, shall be interviewed as soon as possible by an independent individual nominated by the Head Coach/PD (or if they are the subject of the Complaint by a person nominated by the Director of Paddlesport). An independent individual means an individual who has not been involved previously in the matter giving rise to the Complaint and who does not coach or manage the athlete. The person hearing the Complaint (usually the PD) shall not conduct the investigation unless absolutely necessary.

Paddle UK requires all persons involved in Complaint investigations to co-operate fully and promptly with this process. This may include informing Paddle UK of the names of any relevant witnesses, disclosing any relevant documents to us and attending interviews.

Paddle UK may, at its discretion, initiate an investigation before holding a Complaint meeting or it may hold a meeting with the athlete before deciding what investigation (if any) to carry out. In those cases Paddle UK will hold a further Complaint meeting with the athlete after the investigation and before reaching a decision.

⁶ A copy should be sent by Paddle UK to the Head of Sport Integrity at UK Sport.

4.3 Hold a Meeting to discuss the problem

A formal meeting will be arranged as soon as reasonably possible following receipt of the athlete's written Complaint and the conclusion of any investigation. The athlete should be given details of the time, venue, and how the Complaint meeting will be run, such details to be provided 10 working days in advance of the proposed meeting. In any event the athlete should be given a reasonable time to prepare and be advised of the right to be accompanied.

The following should attend:

- the athlete raising the Complaint and their companion (as set out in paragraph 4.4);
- any relevant witnesses;
- the person hearing the Complaint (normally the PD); and
- a member of the Governance Department.

It may be appropriate for the person about whom the Complaint has been raised (the respondent) to attend the meeting, if the complainant agrees and it does not aggravate the situation. If this is not the case, then the respondent should be invited to a separate meeting and may be accompanied by a companion.

Athletes and their companions should make every effort to attend the meeting. If the athlete or their companion cannot attend they should inform Paddle UK immediately and we will try, within reason, to agree an alternative.

Athletes will be asked to explain their Complaint and make suggestions as to how they think it can be resolved. Respondents and witnesses, if attending, will be asked to give a statement if appropriate.

4.4 Allow the athlete to be accompanied at the meeting

Athletes may be accompanied at any Complaint meeting by: another athlete; a member of the coaching staff; the Performance Wellbeing Coach, a practitioner; an Athlete Representative or a member of the British Elite Athletes Association (BEAA). All athletes under the age of 18 must be accompanied by their parents, legal guardian or representative appointed by the parent or guardian. Appropriate support should also be offered to adults at risk of harm.

4.5 Decide on the appropriate action

Following the meeting, the person(s) hearing the case shall have time to consider the matter, or, if further investigations are required, conduct these further investigations without unreasonable delay. After any further investigations, the Complaint will be decided. In most cases, a decision will be issued within 10 working days of the meeting unless further investigations are conducted.

The athlete will receive a letter explaining the outcome of the Complaint meeting as soon as reasonably possible after the meeting has taken place. The athlete will also have a briefing in order for the PD or Director of Paddlesport to detail what action they intend to take to resolve the Complaint and, where appropriate what may be required of the athlete. The athlete will also be informed of the right to appeal the decision if they are not content with the action taken.

4.6 Independent appeal

Where an athlete believes that their Complaint has not been satisfactorily resolved they have the option to appeal the decision to an independent panel. The athlete should let Paddle UK know the grounds (reasons) for their appeal within 10 working days of receiving the outcome letter. This must be in writing to the CEO, and Paddle UK must send a copy to the Head of Sports Integrity at UK Sport.

The grounds for an appeal are as follows:

- the correct process was not followed;
- the decision maker has shown actual bias when making the decision;
- the decision was made on the basis of a factual error; or
- the decision was not one a reasonable person could ever have made.

Appeals will be heard without unreasonable delay and by an independent panel or body that is endorsed by all parties to the Complaint. Athletes will be reimbursed for any reasonable expenses incurred as a result of attending the appeal.

Athletes have the right to be accompanied to an appeal by: another athlete; a member of the coaching staff; the Performance Wellbeing Coach, a practitioner; an Athlete Representative or a member of the BEAA. The outcome of the appeal will be communicated as soon as possible following the appeal hearing and is the final stage in the Complaint procedure outlined in this policy.

5. Other points for consideration

Mediation is an extremely effective method of resolution in the majority of cases, and should always be considered at the outset. It is imperative that a trained mediator is used.

The welfare of all parties is an important consideration during the process. PDs/Head Coaches must ensure that both the complainant and respondent:

- have the opportunity for a companion to provide support to them;
- are kept briefed on the process if there is an investigation;
- are able to access welfare support; and
- do not have to work or train together if it will aggravate the situation.

6. Complaints on or after termination of engagement with the programme

Where a Complaint continues or is raised on or after termination of an athlete's engagement with a programme, the Complaint procedure in this policy will be followed.

7. Confidentiality

Athletes should not discuss any disciplinary matter with Paddle UK staff involved in the case other than the Director of Governance, managers involved in the process and their own companion.

8. Exceptional Circumstances

In cases where it is not practical to implement the procedure fully and expeditiously, for example in the absence of a witness, Complaints will be dealt with as closely as possible in accordance with the outlined process.

Paddle UK reserves the right to commission an external professional to undertake any investigation, into a Complaint or appeal should it believe the case requires it.

9. British Elite Athletes Association (BEAA)

The British Elite Athletes Association (BEAA) – formerly the British Athletes Commission (BAC) – provides independent, confidential advice and support to athletes who are part of the World Class Programme.

The BEAA can offer procedural advice as well as more general welfare support throughout any process. This support can extend to facilitating pro bono legal advice via legal partners, if appropriate.

If you are UK Sport funded World Class Programme athlete and require support and advice, please contact the BEAA at:

Email: support@britisheliteathletes.org
Phone: 0203 126 4270
Web: <https://britisheliteathletes.org/>

10. Note Taking & Records

Paddle UK requires meeting notes/minutes to be taken at all meetings regarding Complaints to record decisions and outcomes. First party evidence will be given more credence over hearsay or speculation⁷.

If an investigation leads to a criminal prosecution (or is drawn upon as part of an appeal procedure), all material obtained in the investigation must be handed over to the relevant authorities. This includes UK Sport, where the respondent is employed in a funded performance programme.

Wherever possible, audio recording of any investigations or meetings shall be produced, subject to prior written consent of all parties in attendance.

The athlete will be sent a copy of the interview or meeting notes produced, which will constitute the record of proceedings. An athlete will be given an opportunity to review and approve the notes before they are officially adopted. All records from the process, both formal and informal resolution, will be retained in a secure and confidential manner by Paddle UK in accordance with the relevant data protection laws in effect at the time of the matter, and in accordance with the Paddle UK Data Retention Policy. In some cases notes may be anonymised in order to preserve confidentiality.

11. Amendments

This policy may be updated from time to time and changes shall be communicated to the athletes.

⁷ First party evidence is evidence that the individual saw or heard. Hearsay is evidence that the individual was told by another party or overheard.

12. Appendix - Complaint Form

This form is provided for guidance only and to help athletes record the Complaint they wish to make. Complaints can be recorded and written down in any form but must contain as much information as possible.

| Personal and Confidential when completed | |
|--|---|
| 1 | Name: |
| 2 | Contact Details Mobile: Email: |
| 3 | Details of Complaint (please set out in reasonable detail and include all relevant facts): |
| 4 | When it occurred: |
| 5 | Where it occurred: |
| 6 | Names of anyone else present who can help establish what happened: |
| 9 | Are you willing to engage in mediation? Y/N |
| 10 | Do you want a companion? Y/N If yes, who would you like to bring? |
| 11 | Any other details: |
| 12 | Signed: Date: |
| Personal-and-Confidential when completed | |