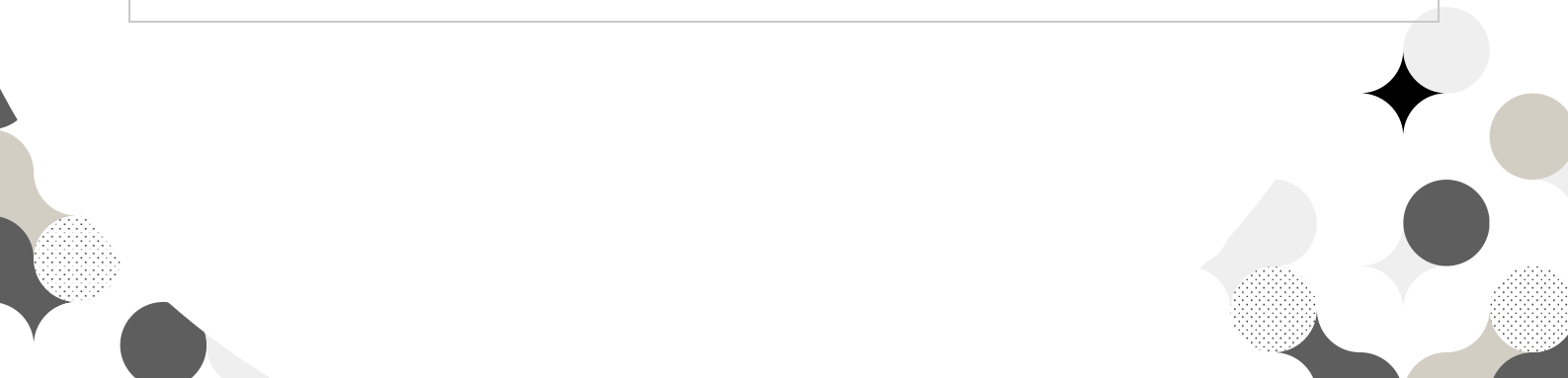


| FEEDBACK AND COMPLAINTS POLICY |                                                                                                                                                                                                           |
|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Responsible Officer</b>     | Compliance manger                                                                                                                                                                                         |
| <b>Group Owner</b>             | Executive Team                                                                                                                                                                                            |
| <b>Date Created / Modified</b> | May 2021                                                                                                                                                                                                  |
| <b>Version</b>                 | 1.2                                                                                                                                                                                                       |
| <b>Review Date</b>             | May 2023                                                                                                                                                                                                  |
| <b>Applicable for</b>          | This policy is mandatory.<br>Members of the public and service users who want to provide feedback or raise a complaint. This Policy should be adopted by Regions, Counties, Clubs and Registered Leagues. |
| <b>Summary</b>                 | This policy provides information on England Netball’s Feedback and Complaints Policy. It explains the organisations aims and objectives and outlines how it is intended to achieve them.                  |

**VERSION CONTROL**

| PERSON RESPONSIBLE   | VERSION AND SUMMARY OF CHANGES                                                                         | DATE     |
|----------------------|--------------------------------------------------------------------------------------------------------|----------|
| Compliance Officer   | Inclusion of Appeal, can I keep complaining and potential outcomes of a complaint text<br>Updated FAQs | May 2020 |
| Compliance Secretary | Full review and inclusion of the Resolution procedure for Appropriate Authorities                      | May 2021 |
|                      |                                                                                                        |          |
|                      |                                                                                                        |          |
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**DEFINITIONS**

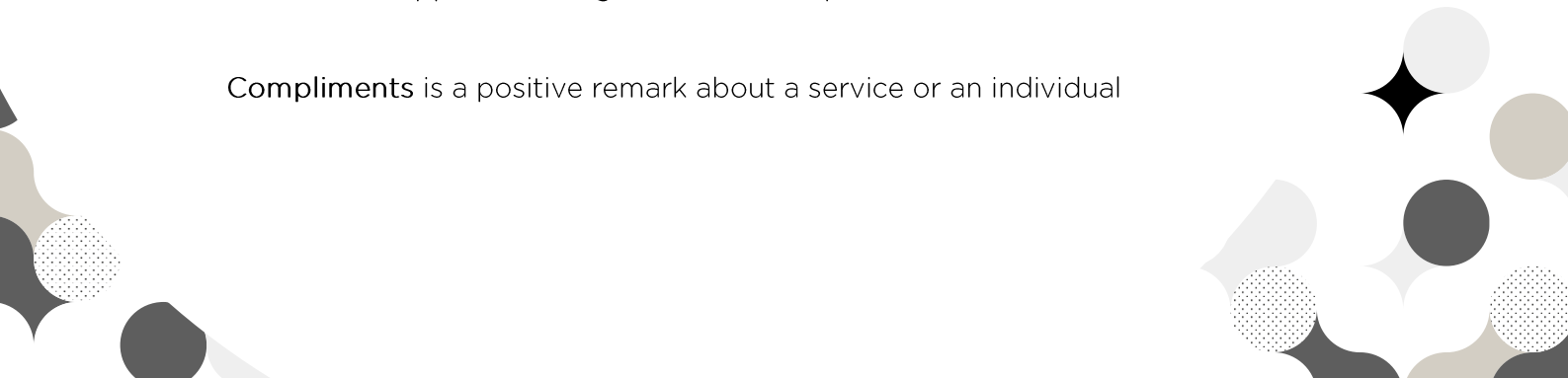
**Appeal** means an application to have the stage 2 decision of a complaint reviewed.

**Appropriate Authority** means a netball body having jurisdiction over a particular policy, process, rules or regulations.

**Club** means a collection of individuals that come together from time to time in the form of a netball club through which some or all of those individuals become members of England Netball.

**Complaint** is an expression of dissatisfaction or concern about the actions, decisions or apparent failings in the service provided

**Compliments** is a positive remark about a service or an individual



**Concern** is a raising of a situation or scenario which causes worry or discomfort.

**Connected Participant** means any person, entity or collection of persons, whether a Member or non-Member, who from time to time participates in the sport in any capacity whether directly or indirectly including by way of being a volunteer.

**County Association** means an association of Leagues, Clubs, groups and schools as determined by the Board in accordance with the Memorandum of Association or the Articles of Association or other Membership Regulations.

**County Netball Association** means the lead committee under which the County Association is governed.

**Disciplinary Action** means proceedings, or part thereof, in accordance with the Disciplinary Regulations.

**England Netball** the National Governing Body for netball in England

**Feedback** is a suggestion, compliment or observation regarding services provided or a gap in service.

**Member** means any individual or organisation appointed as a Personal or Group Member in accordance with England Netball's Articles of Association.

**Recognised and Authorised Netball Activity** means recognised version of the game that have been authorised by England Netball.

**Regional Association** means an association of County Associations as determined by the Board, in accordance with the Memorandum or the Articles or the Membership Regulations.

**Regional Management Board** means the lead committee under which the Regional Associations are governed.

**Registered League** means the committee of a league or competition registered with England Netball.

**Volunteer** means someone who gives their time and talents freely to make netball happen, and is not paid more than out of pocket expenses.

**Whistleblowing** means the formal way to raise concern that is in the public interest.

## **POLICY PURPOSE & SCOPE**

- 1.1 This policy is intended to contribute to the effective and efficient operation of England Netball and Appropriate Authorities (e.g. Regional Associations, County associations, Clubs and Registered leagues), by providing a means of receiving and addressing feedback and complaints from service users.
- 1.2 Situations where this policy may be preceded by other policies include:
  - 12.1 Safeguarding concerns must be raised immediately with England Netball's Lead Safeguarding Officer and will be handled in line with the England Netball Safeguarding Regulations
  - 12.2 Complaints relating to breaches of the England Netball Codes of Conduct, regulations or policies should be raised to the England Netball Compliance Manager [via the online form](#) and will be handled in line with the England Netball [Disciplinary Regulations](#).
  - 12.3 Whistleblowing or allegations of serious misconduct in the public interest that falls outside of any other England Netball policies will be handled under the England Netball Whistleblowing Policy.

## **POLICY STATEMENT**

- 2.1 It is the policy of England Netball to take seriously all feedback and complaints received from members of the public and service users. England Netball welcomes all forms of feedback including compliments.

- 2.2 England Netball is a membership organisation which works with autonomous Regional Associations, County Associations, Clubs and Registered Leagues (Appropriate Authorities). As members, each of these bodies are encouraged to adopt and abide by England Netball policies and regulations. However, each of the Appropriate Authorities are accountable for their own affairs and in some cases a separate complaints and feedback policy may be used, however the same principles in this policy statement apply.
- 2.3 Complaints can be distressing for everyone but not doing anything about them can often increase the issue. It is essential that all complaints are addressed fairly, consistently and as quickly as possible.

### **GENERAL PRINCIPLES**

- 3.1 England Netball staff and volunteers are representing the organisation and any related Appropriate Authority during their day to day netball activities and every act will reflect upon these organisations good or bad.
- 3.2 Any staff member or volunteer may receive feedback or a complaint regarding the level of service England Netball or the Appropriate Authority is providing. The initial contact is important and will set the tone for how the service user feels they have been treated.
- 3.3 Any feedback or complaint should be forwarded to the Appropriate Authority. Where the Appropriate Authority is England Netball any feedback or complaint should be forwarded to the Compliance Manager
- 3.4 All complaints received will be acknowledged and necessary enquires conducted to establish the facts. Where the complainant does not wish to provide their

contact details, the complaint will still be processed and an investigation will take place where enough evidence is available to substantiate the complaint.

**3.5** England Netball and Appropriate Authorities are committed to providing a high standard of service and continually strive to meet public expectations. From time to time things can go wrong or are perceived by others to have gone wrong. When this happens we will:

**3.5.1** Treat the complaint and the complainant with respect and dignity and deal with them fairly and sympathetically

**3.5.2** Try to resolve complaints locally and informally wherever possible

**3.5.3** Ensure that complaints are resolved in an appropriate, timely and professional manner

**3.5.4** Treat all complaints sensitively and only discuss them with those who are directly involved in trying to resolve the issue

**3.5.5** Listen to people involved and decide on any action based on the available evidence

**3.5.6** Use a consistent approach to resolving complaints ensuring impartiality and fairness

**3.5.7** Adopt a positive approach by using the complaint as an opportunity to take actions to improve the service provided

**3.5.8** Provide an effective response and ensure, where appropriate, the cause of the complaint is addressed.

**3.6** This policy is designed to:

**3.6.1** Encourage England Netball volunteers and staff to have a positive attitude towards feedback and complaints received from service users or the public.

**3.6.2** Provide a consistent approach when dealing with feedback and complaints throughout England Netball and Appropriate Authorities.

**3.6.3** Provide a system whereby feedback and complaints can be dealt with promptly, fairly, politely and with understanding in all aspects of the service

provision.

- 3.1.1 Provide a confidential system that service users, volunteers and staff have confidence in.
  - 3.1.2 Provide a standard, auditable and traceable process for Appropriate Authorities and users.
  - 3.1.3 Provide a means of collecting feedback and complaints about the service of England Netball and Appropriate Authorities, so that improvements can be made.
- 3.7 Where complaints are dealt with by the local Appropriate Authority an overview of monitoring will be shared with England Netball. Each complaint will be allocated a unique reference number and records maintained in accordance with data protection laws.

### **Resolution Procedure**

- 4.1 The resolution procedure for any complaint has two potential stages; informal and formal. Unless serious it is always preferable to see to resolve a complaint through informal resolution at local level.
- 4.2 Staff or volunteers dealing with problems must not rely on second or third hand versions of the event and should make an objective judgement based on what facts exist.

### **INFORMAL STAGE**

- 4.3 Unless they are serious, complaints are best resolved locally and informally by staff or volunteers. The best way of doing this is to address issues as they come up and work to resolve matters quickly, simply and informally.
- 4.4 Resolving problems is easiest if they are dealt with as soon as they happen - ignoring a problem and hoping it will go away does not usually help.
- 4.5 The first step for any Appropriate Authority seeking to resolve a complaint is to

establish the key facts. This will help decide whether an informal or formal approach is appropriate. Establishing facts may involve talking to those involved, reading correspondence, or looking at written or photographic evidence relevant to the problem.

- 4.6 Facts can often be identified through informal discussions and this is usually done prior to starting a formal process and does not necessarily mean any further discussion or action will be necessary.
- 4.7 Most informal resolution stages will involve little more than discussions between people affected and a verbal agreement on expectations for future ways of working. Conversations in 1:1 meetings, informal catch ups, routine feedback all form part of informal problem solving.
- 4.8 During an informal stage, a record of the feedback or complaint and brief notes of key events should be made and kept by the Appropriate Authority in accordance with GDPR.
- 4.9 At the end of the informal stage, a short letter or email should be sent to those people involved setting out the agreed expectations for the future. A record should be kept in compliance with GDPR by the Appropriate Authority to ensure it can understand and learn from all problems.
- 4.10 If an initial attempt to resolve an issue is unsuccessful, the Appropriate Authority should try to understand why it has not resulted in the desired outcome and decide in conjunction with the complainant whether to try an informal approach again.
- 4.11 The Appropriate Authorities Resolution Lead can support any complainant to:
  - 4.11.1 identify the appropriate approach to resolving a complaint or providing feedback
  - 4.11.2 engage with a process of local, informal resolution
  - 4.11.3 determine if the complaint is serious or should be referred to a relevant



authority e.g. Police, social services

### **Assessing if serious**

4.12 In assessing whether a problem is serious staff or volunteers dealing with the problem should consider the potential or actual risk to people, resources or Netball/ England Netball's reputation. Concerns which are serious should be handled under the formal procedures of the relevant policy, rules or regulations.

4.13 Examples of serious issues

4.13.1 Behaviour that constitutes a safeguarding concern

4.13.2 Theft, fraud, or deliberate falsification of records

4.13.3 Serious negligence which causes unacceptable loss, damage or injury

4.13.4 Threatening behaviour, fighting or physical assault

4.13.5 Unfair discrimination on the grounds of protected characteristics (ages, disability, gender identity, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation) or socioeconomic status or any other factor relating to where a person lives, their background, circumstances, or experiences.

4.13.6 Bullying, harassment, or victimisation of another person

4.13.7 Serious infringement of health & safety rules

4.13.8 Incapability through being under the influence of illegal drugs or alcohol

### **Duty to refer and Police matters**

4.14 In certain circumstances where someone is suspected of causing harm to a vulnerable person, the Appropriate Authority has a legal responsibility to report the incident to the relevant authorities and England Netball Lead Safeguarding Officer.

4.15 If the police, or other authorities are investigating the issue raised, this will take precedence over England Netball policies.

## **FORMAL STAGE**

- 4.16 The formal stage of resolution should be used if:
- 4.16.1 a problem cannot be resolved informally
  - 4.16.2 the issue involves allegations of serious misconduct,
  - 4.16.3 the complainant wishes to progress their complaint to the formal stage
- 4.17 If a complaint is to progress to a formal stage the relevant Appropriate Authority and correct policy under which to handle the complaint should be identified. The diagram in APPENDIX A can be used to determine the correct Appropriate Authority and policy, rules, or regulations to formally handle a complaint.

## **ENGLAND NETBALL COMPLAINTS PROCEDURES**

### **How to complain**

- 5.1 England Netball deals with all users in a fair and equitable manner. Methods for providing feedback or making a complaint include:
- 5.1.1 By completing an [online Complaints Form](#).
  - 5.1.2 By asking an England Netball member of staff or volunteer to write your complaint down and forward it to the Compliance Manager at HeadOffice.
- 5.2 It is important for England Netball staff and volunteers to recognise the variety of contact methods available, as each person's abilities and needs vary.
- 5.3 The person first contacted by the service user with feedback or a complaint is responsible for ensuring the matter is brought to the attention of a Manager or the Compliance Manager, who will then follow the procedure outlined in this policy note.
- 5.4 Whilst fully supporting the right to complain, we expect our staff and volunteers to be treated courteously at all times. Violent or abusive language or behaviour towards them is unacceptable. Where there is a threat or use of physical violence

or verbal abuse towards our staff or volunteers, all direct contact with the complainant will cease and the behaviour may be reported to the police.

## **Dealing with Complaints and Feedback**

### **Feedback (Comments & Compliments)**

- 5.5 Any member of staff or volunteer may receive feedback including a compliment. These should be forwarded on to the Compliance Manager at England Netball Head Office to be filed appropriately.
- 5.6 It is the responsibility of designated managers in conjunction with the Compliance Manager to decide if feedback requires any further action. This may include a written response and informing the staff member or volunteer who it concerns.
- 5.7 The response can be actioned with support from the Compliance Manager at England Netball Head Office.

### **Complaints (& Concerns)**

#### **Stage 1 Informal Resolution**

- 5.8 Most complaints can be dealt with and resolved quickly at the initial point of contact informally. The main principle is to seek early resolution, resolving complaints at the earliest opportunity and as close to the point of service delivery as possible. Any England Netball member of staff or volunteer can deal with a complaint at this stage.

#### **Stage 2 Formal Resolution**

- 5.9 Where it has not been possible to achieve resolution under stage 1 or the complaint is more complex and requires detailed investigation, the complaint will be handled under stage 2 of the process. A stage 2 investigation aims to establish all the facts relevant to the points made in the complaint and to give the complainant a full, objective proportionate response.

- 5.10 Where a complaint is made under Stage 2, a Complaint Form should be completed.
- 5.11 A Manager from England Netball will be nominated as the Investigating Officer to deal with the complaint and investigation.
- 5.12 The following timescales apply under Stage 2 of the complaint procedure: -
- A formal acknowledgement of the complaint will be sent within 5 working days.
  - A full reply will be provided after an investigation within 20 working days.
  - If a full response cannot be provided within the time set out above due to a more complex investigation, an update will be provided with an expected completion date.

**Stage 3 (Appeal) – Complaint and Investigation reviewed by member of the Executive Team or Board Member.**

- 5.13 If the complainant is dissatisfied with the response given under stage 2, they can Appeal and request a review of the complaint and investigation by a senior member of England Netball management team (Reviewing Officer).
- 5.14 Appeals must be submitted in writing to the Company Secretary, [company.secretary@engandnetball.co.uk](mailto:company.secretary@engandnetball.co.uk), detailing why you are unhappy with the outcome or conduct of the complaint. The Company Secretary will either deal with the Appeal in line with stage 3 below or appoint another person if they have dealt with the complaint previously. The person conducting the Appeal will write to you with their decision.
- 5.15 Stage 3 of the complaints procedure involves a member of the Executive Team or Board conducting a review of the stage 2 investigation and the response provided. The following timescales apply under stage 3 of the complaints procedure: -

- 5.15.1 A formal acknowledgement of the Appeal and review under stage 3 will be sent within 5 working days.
  - 5.15.2 A response will be provided after the review has been completed within 20 working days.
  - 5.15.3 If a full response cannot be provided within the time set out above due to a more complex review, an update will be provided with an expected completion date of the Appeal and review under stage 3.
- 5.16 There is no further right of Appeal.
- 5.17 Where a complainant has exhausted the complaints procedure and continues to dispute the outcome of their complaint, they will be advised that no further discussion will take place on this issue.

### Can I keep complaining?

- 5.18 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.
- 5.19 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 and volunteers and resulting in a disproportionate use of England Netball's resources. In dealing with such situations the Company Secretary will ensure the Feedback and Complaints Procedure has been correctly implemented and that no material element of the complaint has been overlooked or inadequately addressed.
- 5.20 Where a wider complaint is deemed to be vexatious, persistent, is considered to have no basis or genuine substance, England Netball reserves the right not to investigate.
- 5.21 In this situation, England Netball will notify the complainant within 2 working

days. In extreme cases of vexatious and/or persistent complaints England Netball may take Disciplinary Action against Members and Connected Participants.

### Potential outcomes of a complaint

5.22 If your complaint is upheld, you will be responded to with:

- 5.22.1 An apology;
- 5.22.2 A proposed remedy and timescales (if applicable);
- 5.22.3 An indication of what service improvement will be made, or
- 5.22.4 Progression to a Disciplinary Charge if the investigation discloses a breach of England Netball's Codes of Conduct or the Disciplinary Regulations.

| ROLE                         | RESPONSIBILITY                                                                                                                                                                                                                                                                 |
|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Complainant</b>           | Person or organisation who lodges the complaint.                                                                                                                                                                                                                               |
| <b>Receiving person</b>      | Person (member of staff or volunteer) who initially received the complaint and is responsible for notifying their Line Manager or the Compliance Manager at England Netball.                                                                                                   |
| <b>Investigating Officer</b> | The nominated Manager who is responsible for investigating the complaint under stage 2 of the Complaints and Feedback Policy Note. The Investigating Officer is responsible for responding to the complainant and for the correct storage, data recording and confidentiality. |
| <b>Reviewing Officer</b>     | Either an Executive Officer or a Board Member from England Netball who is responsible for stage 3 of the complaints and feedback procedure. This responsibility includes reviewing the investigation and response already provided under stage 2 of the procedure.             |
| <b>Compliance Manager</b>    | Employed by England Netball and is responsible for monitoring, collecting data on feedback and complaints received. The responsibility also includes logging, identifying and supporting                                                                                       |

Investigating Officers and Reviewing Officers who are tasked with dealing with complaints under the policy.

## **TRAINING**

- 5.23 For most staff and volunteers, training will include familiarisation and understanding of the Feedback and Complaints Policy. Where further training is required to effectively deal with feedback and complaints, this can be provided by their Line Managers through organised training events.
- 5.24 Line Managers or volunteers who will be responsible for conducting stage 2 investigations or who regularly interact with members of the public in their role, will require additional training. Appropriate training will be identified and provided by England Netball.

## **COLLATING DATA**

- 5.25 England Netball keeps records of feedback received and complaints made regarding the service provided.
- 5.26 Upon conclusion of a complaint, Investigating Officers and Reviewing Officers must forward to the Compliance Manager all paperwork used and received during the complaint and any subsequent investigation. This information will be stored confidentially in accordance with Data Protection Laws, and the England Netball privacy policy for the use of statistics and reports to the Executive Team and Board Members in their remit of ensuring good governance in England Netball.

## **AUDIT AND REVIEW**

- 5.27 The policy is designed to allow the use of feedback from our service users with the aim of improving the service we deliver.
- 5.28 The Compliance Manager will review the information gathered from feedback

received and complaints and will consider whether our services could be improved.

5.29 This policy will be reviewed within a specified period as deemed appropriate by the policy owner, but no longer than 2 years or when external influences occur such as legislation.

5.30 Specific audits may be undertaken of any part of the process, at the discretion of an England Netball Executive Officer.

### **Related Documents**

[Feedback and Complaints Form](#)

[Safeguarding Children & Young People in Netball Policy](#)

[Safeguarding Adults at Risk Policy](#)

[England Netball Codes of](#)

[Conduct England Netball](#)

[Disciplinary Regulations](#)

[Whistleblowing Policy](#)

### **Key Contacts**

England Netball's Lead Safeguarding Officer - [besafe@englandnetball.co.uk](mailto:besafe@englandnetball.co.uk), 01509 277911

England Netball Compliance Manager - [complaints@englandnetball.co.uk](mailto:complaints@englandnetball.co.uk), 01509 277911

### **FAQs**

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

Q. Can I talk 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. You can telephone your Regional Office and 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. Alternatively, you can email [complaints@englandnetball.co.uk](mailto:complaints@englandnetball.co.uk).

**Q. How do I make a complaint about the behaviour of a member of England Netball?**

A. If your complaint is about the actions or behaviour of a person who is participating or volunteering in netball (including Non-Executive Directors of England Netball, Members of the Regional and County Associations and their technical/sub groups, or Competition Official) then please contact your county or region Resolution Lead and they can support you to look to resolve informally or determine if it amounts to a breach in the England Netball's Codes of Conduct and if it should be handled through the England Netball Disciplinary Regulations.

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

A. If your complaint is related to a service delivered by England Netball you can contact a member of our staff or complete a Complaint Form.

We will strive to acknowledge your complaint within five working days. If further investigation is required, we aim to send a comprehensive response within a maximum of 20 working days.

If your complaint is related to the services of an alternative Appropriate Authority you should raise your complaint with them directly.

**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 through the Complaint Form, 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 (Stage 2), you will receive an acknowledgement in writing within five 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 20 working days.

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

A. Working with partners means England Netball may not be the right people to look at your complaint. Local netball delivery is usually through County Associations, Regional Associations, or local clubs and registered leagues and they are responsible for the services they deliver.

If your complaint is about a local netball issue, it is recommended that you contact this Appropriate Authority directly. If a complaint relating to another Appropriate Authority is received by England Netball it will be forwarded to the Appropriate Authority, where known. 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 a potential safeguarding concern or breach of the Codes of

Conduct this will be referred to be handled through the appropriate safeguarding policy or Disciplinary Regulations respectively.

Within England Netball, 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 HR & People Development Manager 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 Policy.

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

A. Yes, for complaints relating to England Netball services, you do have a right to appeal under Stage 3.

Appeals must be submitted in writing to the Company Secretary, [Company.Secretary@englandnetball.co.uk](mailto:Company.Secretary@englandnetball.co.uk), detailing why you are unhappy with the outcome or conduct of the complaint. The Company Secretary 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.

There is no further right of Appeal.

## APPENDIX A – Netball Formal Resolution Flowchart

Use the following flow chart to identify the relevant policy and procedure to raise a complaint to be handled formally

