



Northbrook Kyu Shin Kai Complaints Procedure with Acknowledgement To British Judo Association complaints procedure

1. The British Judo Association will investigate all complaints without prejudice and with due regard to the obligation upon the Association to ensure natural justice.
2. **There should be an attempt to resolve most complaints at the lowest level of the Table of Authority (see page 2 of this document).**
3. Where it is not possible to resolve an issue at a lower level, complaints should be sent in writing along with the name and address of the person making the complaint to: The Chairman, Complaints and Conduct Panel, **The British Judo Association, University of Wolverhampton (Walsall Campus), Gorway Road, Walsall WS1 3BD**. The Chairmen will ensure that all complaints are resolved or investigated thoroughly by a Complaints & Conduct (C&C) Investigator.
4. All complaints will be dealt with in the strictest confidence and, where possible, the name of the complainant will not be divulged.
5. All complaints of a child protection nature will be referred to the BJA Lead Child Protection Officer for investigation and appropriate action. See the Association's Child Protection policy for details.
6. The result of the investigation will be forwarded to an adjudication panel composed of not less than three members of the C&C Panel who were not previously aware of the specifics of the case for a decision. The person against whom the complaint is being made will have the opportunity to submit a written defence or may also appear in person or send a representative to make a personal representation. Due to the nature of the C&C adjudication meetings and the logistical difficulties that can be involved it should be noted that there will be one date offered for a personal hearing. The person against whom the complaint is being made can then elect to attend, to not attend, or to send a representative. If the person against whom the complaint is being made elects to attend they may also bring a legal representative or companion to the hearing. The time allotted to each verbal statement will be not more than 20 minutes.
7. The decision will be communicated to the person making the complaint as well as the person against whom the complaint has been made.
8. An appeal may be made against the decision of the C&C Adjudication Panel to a panel comprised of not less than three members of the BJA Board of Directors. The appeal must be made in writing to The Chief Executive, The British Judo Association, Suite B – Technology Park, Epinal Way, Loughborough LE113GE, within seven days of the decision being advised, giving the basis on which the appeal is made (grounds of appeal). The appeal must be accompanied by an appeal fee of £50. This appeal fee will be refunded in the event that the appeal is successful. The Board may in some cases refund all or part of the appeal fee in the event of the appeal being denied under special circumstances. Please note that the panel of Board members will decide in advance whether or not the appeal is submitted with suitable grounds of



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RULES

- 1) All complaints shall be received in confidence.
- 2) Only complaints received in writing, complete with name, address and signature of the person(s) making the complaint will be accepted for investigation. This does not apply to complaints involving any issue of a child protection nature.
- 3) Anonymous and verbal only complaints will generally be disregarded. This is solely at the discretion of the Chairman of the C&C Panel.
- 4) Complaints addressed to County / Area Committees may be dealt with by them. However they may, if they wish, pass them on to the Complaints & Conduct Commission for investigation if they feel the matter is not within their jurisdiction or too serious to be dealt with at that level. **(See Para 8)**
- 5) Complaints sent to Regional Committees of Affiliated Bodies may be passed on to their National Committee for investigation.
- 6) If they wish, the National Committee of an Affiliated Body may pass the complaint on to the BJA National Complaints and Conduct Panel for investigation if they feel the matter is not within their jurisdiction or too serious to be dealt with at that level. **(See Para 8)**
- 7) Complaints addressed and sent to the BJA National Commissions may be dealt with by them. However they may, if they wish, pass them on to the BJA National Complaints and Conduct Panel for investigation if they feel the matter is not within their jurisdiction or too serious to be dealt with at that level. **(See Para 8)**
- 8) Complaints involving a physical assault, drugs or actions regarded as bringing the sport of Judo into disrepute should ALWAYS be passed on to the BJA National Complaints and Conduct Panel for investigation. This should be as soon as possible after the complaint has been made.
- 9) All complaints of a child protection nature will be referred to the BJA Lead Child Protection Officer for investigation and appropriate action. See BJA Child Protection Policy and Procedures for details.
- 10) Complaints addressed and sent directly to the BJA National Complaints and Conduct Panel will be dealt with by them. The result of their investigations and their decision will be circulated to the relevant Affiliated Bodies / Area Committees / National Commissions etc. This to be done as soon as possible after the matter has been investigated.
- 11) Complaints sent directly to the BJA Board of Directors will be re-directed to

the National Complaints and Conduct Panel for investigation.



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- 12) Under normal circumstances complaints will be dealt with through correspondence. However the complainant or the person(s) against whom the complaint is being made may present their case in person to the C&C Adjudication Panel. If the request is granted then no expenses will be paid to the party whatever the decision.
- 13) If a complaint is dealt with by a County / Area Committee - Regional / National Committee of an Affiliated Body / BJA National Commission, etc, details should be sent to the BJA National Complaints and Conduct Panel for their records. This to be done as soon as possible after the matter is closed.

Details to include:

- A) Name(s) of person(s) making the complaint.
 - B) Is she/he/they members of the BJA? If yes include BJA Membership Numbers.
 - C) Name(s) of Person(s) / Group(s) against whom the complaint is being made.
 - D) Is she/he/they members of the BJA? If yes include their BJA Membership Numbers.
 - E) Nature / details of the complaint.
 - F) Report of investigations.
 - G) Decision/penalty made.
 - H) Copies of letters sent to all involved parties advising of decision.
- 14) When the decision has been reached both the person(s) making the complaint and the person(s) against whom the complaint has been made should be informed of the decision within twenty-one (21) days of the decision being made.
- 15) The person(s) against whom the complaint has been made shall have the right of appeal. The person should be offered this right at the time the notification of the decision is made to them.

If an Appeal is to be considered the request to appeal **must** be made within seven days of notification of the original decision. The Appeal must be accompanied by an appeal fee of £50.00. This fee will be refunded in the event that the Appeal is upheld. The Board may in some cases refund all or part of the appeal fee in the event of the appeal being denied under special circumstances.

- 16) Notice of Appeal must be made in writing addressed to the Chief Executive giving details of the basis of the appeal (grounds of appeal).
- 17) If an appeal is lodged then the other party must be notified upon receipt of appeal.



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- 18) The Appeal will normally be heard by the body next in the chain of authority (see *Paragraphs 4 - 10 and "Table of Authority" on Page 1*) however the appeal may be moved to a body higher up the chain if there is a compelling reason to do so. Any such move would be with the agreement of the original appeal body and the higher body to which the appeal will be referred.
- 19) The relevant body must consider the Appeal as soon as possible following its receipt.
- 20) In some circumstances appeals may be made in person. However no expenses will be paid to the appellant whether or not the appeal is successful.
- 21) The final Appeal Body shall be a Panel formed from the membership of the BJA Board of Directors.
- 22) In considering a complaint the following procedure should normally be adopted.
- A) The person(s) against whom the complaint is made should be notified and asked for her/his/their comments. There should be a time limit of twenty-one (21) days for this.
- B) If possible other witnesses should be asked for statements. There should be a time limit of twenty-one (21) days given for their replies.
- C) If a member of the Committee / Commission considering the complaint has any involvement in the matter she/he should declare an interest and leave the meeting while the matter is being discussed. He/she may give, if requested, a statement regarding the matter before leaving.
- D) If a member of the Committee/Commission/Panel considering an appeal has been involved with the decision regarding the complaint at a lower level, that person should declare this and take no part in the decision making of the Appeal. She/he may, if asked, make a statement regarding the matter.
- E) The case must be proven on balance of probabilities. If the Panel feels that there is, on balance of probabilities, proof that the offence was committed then a guilty verdict will be returned.
- 23) a) The following are general guidelines of recommended sanctions / penalties:
- i) Major Offence 12 points
 - ii) Medium Offence 6 points
 - iii) Minor Offence 3 points



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- b) These Penalty Points are guidelines and may be varied according to the circumstances of each case. They may be in addition to any other penalty that may be imposed for the particular offence.
 - c) Repetition of an offence will carry increased points. (e.g. double points)
 - d) An accumulation of Twelve (12) Points will result in the recommendation of suspension of membership being made to the BJA C&C Panel.
- 24) The Board of Directors has delegated full authority to the Complaints and Conduct Panel to issue any and all disciplinary sanctions up to and including expulsion from the Association.
- 25) Final decisions made in each case shall be binding on all Areas / Organisations / Commissions / Committees affiliated to, or directly connected with, the British Judo Association.
- 26) The BJA Board of Directors Appeal Panel will be the final word on all disciplinary matters within the Association, and this step represents the final internal option.
- 27) The Association will keep a record of all disciplinary actions in a secure database and will circulate a disciplinary newsletter to all clubs at least once per year listing all disciplinary actions taken. These newsletters will be circulated as required.