

Complaints policy

The sailing club is always pleased to receive feedback: feedback can be verbal, and we also have feedback forms, all of which helps us improve the sessions we deliver.

However, occasionally something may occur that gives rise to a concern or complaint.

Racing complaints will be dealt with by the Race Officer of the day, in accordance with racing rules.

Safeguarding concerns will be dealt with by our welfare officer in accordance with our safeguarding policy.

Complaints around a member's conduct will be dealt with in accordance with our Equality and inclusion policy by the sailing club committee. The Club regards all the forms of discriminatory behaviour as unacceptable (Appendix A) and would like to ensure that individuals feel able to raise any complaint related to such behaviour without fear of being penalised for doing so.

In the first instance, the issue should try to be resolved directly at the time.

There may be occasions where it is not possible to raise issues directly or that those issues raised are not resolved to the satisfaction of all concerned. In this case complaints should be made in writing or by email and submitted to a member of the committee. This can be a person who they feel is appropriate, or the welfare officer juliatsmith@me.com. An initial reply will be made within 48 hours.

A submitted complaint should identify the person/people complained against, the date of the event or ongoing if applicable, and the precise reason for complaint. Should the complainant have a specific outcome that they would like to see, they should mention this too.

An investigating officer will then be appointed. This person should have no conflicts of interest eg family member, direct interest. Should it not be possible to find an impartial investigating officer from the committee, the club will look for a suitable member of the community to undertake this role.

Any person/persons who are the subject of a complaint shall be informed and given a reasonable opportunity to respond before any decision is reached.

The results of the investigation will then be considered by the sailing club committee. Family members will be asked to recuse themselves at this point. (Appendix B constitution). Where the violation of the Equality Policy by way of harassment, victimisation or discrimination amount to a criminal offence, the appropriate authority will be informed.

As far as possible, the complainant's identity will remain confidential throughout the process. Anonymous complaints may be considered and dealt with by the committee if there is sufficient evidence. Our remit is not to discuss matters outside the club unless its a safe guarding complaint.

The process from receiving the complaint to decision should not take longer than 8 weeks. At the end of this period the Commodore or appointed committee member will write to the complainant regarding the outcome of the investigation and complaint.

An appeal against any decision may be submitted for consideration by an impartial person appointed by the committee not involved in the first decision.

The decision of the disciplinary panel shall be in writing and retained as confidential records along with any supporting material for a period of six years.

APPENDIX A – Relevant legislation and forms of unacceptable discrimination

Legal rights

Discrimination has been legally defined through a series of legislative acts, including the Race Relations Act, the Sex Discrimination Act, the Disability Discrimination Act and the Equality Act 2006.

In April 2010, the Equality Act 2010 received Royal Assent. The Equality Act 2010 is a new law which harmonises where possible, and in some cases extends, protection from discrimination. It applies throughout the UK and came into force in October 2010.

Discrimination refers to unfavourable treatment on the basis of particular characteristics, which are known as the 'protected characteristics'. Under the Equality Act 2010, the protected characteristics are defined as age, disability, gender reassignment, marital or civil partnership status, pregnancy and maternity, race, religion or belief, sex (gender) and sexual orientation.

Under the Equality Act 2010, individuals are protected from discrimination 'on grounds of' a protected characteristic. This means that individuals will be protected if they have a characteristic, are assumed to have it, associate with someone who has it or with someone who is assumed to have it.

Forms of discrimination and discriminatory behaviour include the following:

Direct discrimination

Direct discrimination can be described as less favourable treatment on the grounds of one of the protected characteristics.

Indirect discrimination

Indirect discrimination occurs when a provision, criterion or practice is applied to an individual or group that would put persons of a particular characteristic at a particular disadvantage compared with other persons.

Discrimination arising from disability

When a disabled person is treated unfavourably because of something connected with their

disability and this unfavourable treatment cannot be justified, this is unlawful. This type of discrimination only relates to disability.

Harassment

Harassment is defined as unwanted conduct relating to a protected characteristic that has the purpose or effect of violating a person's dignity, or which creates an intimidating or hostile, degrading, humiliating or offensive environment for that person.

Victimisation

It is unlawful to treat a person less favourably because he or she has made allegations or brought proceedings under the anti-discrimination legislation, or because they have helped another person to do so. To do so would constitute victimisation.

Bullying

Bullying is defined as a form of personal harassment involving the misuse of power, influence or position to persistently criticise, humiliate or undermine an individual.

APPENDIX B Lochcarron Sailing Club Constitution Point 5:

The Management Committee shall have the power to expel any person from club membership if the member is deemed by two-thirds of the majority of the Management Committee to have permitted or condoned conduct detrimental to the Club and its objectives. Such a member has the right of appeal to the Annual General Meeting.

Decisions of the Management Committee will be reached by simple majority of those present with the Commodore or such other committee member acting as Chairman having a second or casting vote where there is an equality of votes. A quorum at Management Committee Meetings shall be three members.

Written: 2026

Reviewed: