

15/05/2022



Complaints Policy

KGB Executive Committee



COMPLAINTS POLICY

This Policy applies to complaints against Kickboxing GB (the organisation), all members and connected participants of Kickboxing GB, including but not limited to athletes, coaches, officials, volunteers and parents/carers of those members aged under 18.

This policy and procedure is not an alternative way of addressing criminal offences. Complainants are encouraged to report allegations or suspicions of a criminal nature to the police in the first instance. Kickboxing GB will involve the statutory authorities in appropriate matters and will support them with any resulting investigation in line with its legal obligations. Kickboxing GB will not commence an

internal investigation into the complaint before any criminal proceedings have concluded unless directed to do so by the police.

This policy does not apply to complaints made against any organisations/individuals who are not members of Kickboxing GB.

1. The person to whose attention the complaint has been brought shall immediately inform the Secretary (or if the complaint is against - or associated with - the Secretary, then one other member of the Official Board may be informed instead) - and no-body else.
2. The person shall ask the Complainant to put the details of the complaint in writing and to forward them to the Secretary, or relevant Officer, of Kickboxing GB without delay.
3. Strict confidentiality, in relation to the complainant and the person / body complained about, shall be maintained at all times.
4. The Secretary shall immediately inform the Chairperson or, if the Chair is not available (or if the complaint is against - or associated with - the Chair) one other member of the Executive, of the details of the complaint.
5. The matter shall be brought to the attention of the full Executive at the next Executive meeting (or an emergency Executive Meeting called to deal with the issue raised) and, the Executive will confirm the appointment of a three-person Committee, from the Executive Committee (inclusive of the Ethics and Complaint committee but not limited to) to investigate the complaint. This Committee will report back to the Executive at its earliest convenience.
6. In exceptional circumstances, when the investigation of the complaint could lead to criminal proceedings, the Secretary and Chairperson, (or the two relevant officers) at their discretion and in the interests of safeguarding a thorough investigation, may decide to withhold the identity of the complainant, or the person being complained about, from the full Executive until such time as the Committee has reported back.
7. The Executive Committee will then, and only then, (operating on a two-thirds majority basis) determine if the complaint is justified, whether or not it warrants disciplinary action and what action it shall take. This may range from 'words of advice' to expulsion. The Panel reserve the right to take into consideration any previous finding against the person.
8. If the Executive Committee decide on a sanction of a suspension or expulsion, the person/organization may appeal against the decision.
9. WAKO GB Executive shall have discretion on the publication to the full membership, of the outcome and/or written decision relating to the complaint, including the timing of any such publication and will take into account the following:
 - Will publishing prejudice any potential appeal?
 - Is publishing the outcome in the best interests of the sport?
 - Is the matter in the public interest?
 - Are there any aspects that should remain confidential?

If it is deemed appropriate, Kickboxing GB may also decide to withhold any publication until after an Appeal has been heard.

10. If any member is found to be misusing this procedure by initiating a false complaint / allegation or exaggerating a valid complaint / allegation – The Executive have the right to initiate an investigation re same.
11. The Executive Committee considers the starting or perpetuating of rumours as reprehensible and, if proven, as grounds for initiating serious disciplinary action - as outlined in the Kickboxing GB constitution.
12. The Executive shall appoint a committee to look into anonymous complaints - with a view to determining whether or not the Commission Complaints Procedure should be initiated.

Appeal Procedure

1. Any Appeal must be made within ten working days in writing to the Kickboxing GB Executive and include a £100 admin fee.
2. The notification of Appeal must contain the grounds for the Appeal. The only grounds for an Appeal are:
 - That there was a material error, either factual or procedural in the original Hearing.
 - There is material new evidence that, had it been known at the time of the investigation, would have affected the decision of the panel.
 - An Appeal may also be made solely against the sanction imposed.

An Appeal that does not meet one of these criteria may be refused by the Kickboxing GB Executive and will not proceed further.

3. The Appeal Panel shall comprise of three members selected from the Executive Committee and/or members of the Board of Directors at the discretion of the Kickboxing GB Executive having regard to whether parties are known to each other and the complexities of the issues. The Executive may also invite a person from another sporting NGB or a legal professional to be one of the three Panel members. The Executive will designate one of the Panel as Chair of the Panel. The Executive's decision as to membership and Chair of the Panel is final.
4. A full set of the papers will be provided to panel members and the appellant no later than ten days before the Appeal date (unless the Appeal Hearing falls within that time, in which case the papers will be provided as soon as possible). A copy of the grounds for Appeal and any supporting statement will also be provided to Panel members.
5. At the conclusion of the Appeal, the Panel shall have the power to:
 - Dismiss the Appeal.
 - Alter or vary the original decision.
 - Quash any sanction and/or substitute it for any other penalty or
 - Make any such other order or determination as it may think right or just.
6. The decision of the Appeal Panel will be communicated to the appellant within seven days of the Hearing.
7. The Appeal will be final and binding and there lies no other form of Appeal.

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