



AFC BOURNEMOUTH COMPLAINTS POLICY AND PROCEDURES

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A handwritten signature in black ink, appearing to be 'Neill Blake'.

Neill Blake, Chief Executive

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AFC Bournemouth will review this policy annually, when legislation changes or following any learning outcomes from safeguarding incidents, concerns, or allegations.

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Policy Statement:

AFC Bournemouth aims to promote the highest standards of conduct and demonstrate leadership in transparency, accountability and safeguarding. This extends to how we engage with our stakeholders and the wider community. AFC Bournemouth welcomes comments and complaints from stakeholders and from the general public. We use this process to improve the services that we provide for our stakeholders and the wider community in which we exist.

The club is committed to continuous improvement. We recognise that, occasionally, the service offered will not meet an individual's requirements or expectations. For these reasons it is our policy that genuine complaints, that cannot be resolved at the time of the occurrence, should be:

- Treated seriously and in an open manner:
- Acknowledged immediately, preferably in writing: The complaint will be directed to the appropriate Head of Department or Senior Manager for comment/response.
- Investigated:
- Resolved, wherever that is reasonably practicable, within no longer than 13 working weeks.
- Used as feedback to improve the service that the club offers.

No complainant bringing a complaint under this procedure will be treated less favourably by any member of staff. If there is evidence to the contrary, the member of staff may be subject to disciplinary proceedings.

Scope:

The policy applies to all AFC Bournemouth employees including volunteers but does not replace procedures for staff grievances, disciplinary action, scholar contract resolution/arbitration or FA case management processes. Those procedures should be used where appropriate.

For the avoidance of doubt, when using the term 'club' in the policy document, this includes activities and participants of the AFC Bournemouth Academy. Complaints in respect of community activities should be made directly to AFC Bournemouth Community Sports Trust.

Responsibilities:

All AFC Bournemouth employees have a responsibility for receiving complaints, treating them seriously and dealing with them promptly and courteously in accordance with the procedure set out below.

The club has a responsibility for resolving a complaint, and leading or contributing to an investigation into a complaint when this is considered appropriate.

A member of the club's Senior Management will be responsible for resolving complaints where this cannot be achieved during previous stages. Any decision made by the Chief Executive is final.



The club Board is responsible for ensuring that the complaints policy and procedure are operating effectively and may become directly involved if the complaint relates to a senior member of staff.

Timescales for Making a Complaint:

The club encourages all complaints to be made as soon as possible as this will assist in more effective investigation of the complaint. However, complaints must be made not later than:

- One month after the date on which the matter, which is the subject of the complaint occurred, **or**
- One month after the date on which the matter which is the subject of the complaint came to the notice of the complainant.

If there are good reasons for not having made the complaint within the above timeframe and, if it is still possible to investigate the complaint effectively and fairly, the club may decide to still consider the complaint.

Actions to Implement and Develop Policy:

Stage One:

Wherever possible complaints should be resolved informally. Complaints can be made directly to a member of staff or to the club or relevant department. A record of the complaint should be made by the person receiving the complaint.

Advice from Head of Safeguarding or Safeguarding Officer should be sought immediately if any safeguarding concerns are suspected or apparent.

It is hoped that most complaints can be resolved at this level and an agreed action is captured in a record that is agreed by all parties.

All complaints should be acknowledged within one week. The complaint will then be forwarded to the relevant departmental manager for investigation. It may be appropriate to appoint an independent senior member of staff to investigate the complaint if the departmental manager has been directly involved in the complaint or has a personal interest in the case.

Stage Two:

The allocated departmental manager or independent staff member will respond in writing within one working week explaining what has happened as a result of the complaint. Where this involves a member of staff, specific details of action taken will not be made available. This is to ensure that our employees are afforded appropriate confidentiality and respect for their dignity at work.

If the complaint requires further investigation that cannot be carried out within the week, the investigating staff member shall keep the complainant informed and indicate the expected timescale for a response to be provided.



Stage Three:

If the complainant is dissatisfied with the relevant investigating staff members response, then the complaint will be forwarded to a member of the club's Senior Management to resolve.

The member of Senior Management will acknowledge receipt of the complaint and respond to the complainant within 2 working weeks and a final reply will be completed within 8 working weeks to allow time for any further information gathering and investigations to be undertaken.

The total comments/complaints procedure should be finalised in no more than 8 weeks unless there are exceptional circumstances in which the complainant will be kept informed of progress.

Stage Four:

It is important that the club's complaints procedures are followed in full (non-safeguarding concerns) before escalating further.

Issues should only be escalated when the full process has been exhausted and a satisfactory response has not been achieved.

If the complainant is still dissatisfied with a decision made by the club under this policy, they have the right to submit a complaint to:

The Independent Football Ombudsman (IFO)

By Post: Premier House, 1-5 Argyle Way, Stevenage, Hertfordshire, SG1 2AD

By e-mail: contact@theifo.co.uk

Via the website: www.theifo.co.uk

By telephone: 0330 165 4223

Method of Complaints:

Complaints can be raised directly to a staff member in person, over the telephone or we would encourage in writing (letter, email).

Reports/complaints should include:

- Details of what, when and where the occurrence took place
- Any witness statements and names
- Names of any others who have been treated in a similar way
- Details of any former complaints made about the incident, date, when and to whom made
- A preference for a solution to the incident.

Anonymous Complaints:

It is very difficult to investigate anonymous complaints as there will always be information that cannot be gathered or clarified. All written anonymous complaints will be logged. The



relevant manager will decide on the level of investigation into the complaint and the outcome will be recorded on file.

Third Party Reporting

Third party complaints can only be received by organisations representing the individual, such as those detailed within this policy or AFC Bournemouth supporter charter, or supporter led organisations. In such circumstances where the complainant is under the age of 18 or an adult at risk, the complaint may be brought to the attention of the club by an appropriate adult.

Third party complaints where a supporter is bringing the complaint to the attention of the club on behalf of another supporter will not be accepted. In this instance we would implore the complainant to raise the matter directly with the club to ensure AFC Bournemouth are able to appropriately deal with their specific needs.

Monitoring and Evaluation:

The club will maintain a confidential record of all complaints, appeals and outcomes and consider the learning from issues raised to assess what action if any would create a more positive experience and environment for those involved in participating in or providing club activities and to promote a safer environment. Themes and issues arising during each season will be collated to inform planning and priorities for the following season.

Safeguarding/Welfare Concerns:

Any complaints relating to potential safeguarding risks will be taken seriously, including those which fall under the umbrella of the club's safeguarding policies which includes the managing safeguarding allegations against staff policy.

A concern would be classified as safeguarding when it relates to either:

- A child, young person or adult at risk who is suffering from abuse or significant harm or is at risk of suffering abuse or significant harm.
- A concern in relation to a member of club staff abusing or causing harm either physically or emotionally to a child, young person or adult at risk within their care.
- A member of staff whose behaviour could be classed as poor practice when dealing with children, young persons or adults at risk within their care.

The club's safeguarding policies should be referred to and followed in these circumstances.

Managing Safeguarding Allegations against Members of Staff:

Where the complaint relates to a safeguarding allegation against a member of staff, advice should be sought from the club's Head of Safeguarding.

In the absence of the Head of Safeguarding a Senior Manager/Safeguarding Officer in the area in which the complaint relates should be contacted.

The club's Managing Safeguarding Allegations against Staff Policy should be referred to and followed in these circumstances.

This policy provides a framework for managing cases where allegations or concerns are raised from any source that an employee or volunteer has:



- Behaved in a way that has, or may have, harmed a child, young person or adult at risk.
- Possibly committed a criminal offence against, or related to a child, young person or adult at risk.
- Behaved in a way that indicates they may pose a risk of harm to children, young person and adults at risk. This can include behaviour in their personal life that raises safeguarding concerns.

Where appropriate the club will refer complaints/concerns to Statutory Agencies/LADO/Premier League Safeguarding Team and the FA Case Management Team where the relevant thresholds above have been met.

Safeguarding complaints or concerns should be reported to the Head of Safeguarding, Meredith Hack.

meredith.hack@afcb.co.uk

Process for dealing with Unacceptable Behaviour from Complainants:

AFC Bournemouth aims to provide a service that is responsive to the complaints made by fans, customers, young players, parents and carers or any other person who may use our services. However, the club retains the right to respond appropriately, where we consider any person(s) behaviour to be unacceptable.

We need to ensure that club staff and other users of our services do not suffer any disadvantage from complainants who act in an unacceptable manner.

This section of the policy sets out the approach which will be taken in circumstances where the actions or behaviour of an individual are considered to be unacceptable. This applies to anyone who is interacting or communicating with AFC Bournemouth and their subsidiary agencies, including complainants or their representatives

AFC Bournemouth recognises that sometimes mental ill health or disability may make it difficult for people to express themselves or communicate clearly. The club will always consider making reasonable adjustments for the individual if we are asked to do so – but we may still need to manage contact in these circumstances if considered necessary.

Definitions and Examples of Unacceptable Behaviour:

The club understands that bringing a complaint can be a stressful experience. People may act out of character in times of frustration or distress. Our staff recognise this and, as such, would not necessarily view a complainant's actions or behaviour to be unacceptable solely because they appear to be assertive or determined.

However, the actions of complainants who are angry, demanding, or persistent may result in unreasonable demands on, or unacceptable behaviour towards, club staff. It is these actions or behaviour that we consider unacceptable and aim to manage under this guidance. We have grouped these actions or behaviour under two broad headings: 'aggressive, offensive or abusive actions or behaviour' and 'unreasonable demands or persistence'.



All of our staff have the right not to be subjected to aggressive, offensive or abusive actions; language; behaviour; or aggressive, belligerent or threatening emails or communications regardless of the circumstances.

Examples of actions or behaviour grouped under this heading include any actions or behaviour that may have the potential to cause staff to feel intimidated, threatened or offended. These include, but are not limited to:

Threats, physical violence, personal verbal abuse, derogatory remarks, and rudeness. We also consider that inflammatory statements and unsubstantiated allegations can amount to abusive actions or behaviour.

It is possible to commit offences online and via social media, and/or incur civil liability in respect of, for example, defamation, and there have been a number of high-profile legal cases in sport.

AFC Bournemouth has a responsibility to ensure that our work is undertaken in an efficient and effective manner. It is for the club to decide what information it requires and when. On occasions, customers or complainants may make what we consider to be unreasonable demands on the club or its staff, through the amount of information they seek or provide, the nature and scale of service they expect, or the frequency of requests for contact. This will be assessed on a case-by-case basis.

AFC Bournemouth recognises that some customers or complainants will not or cannot accept that the club is unable to assist them further or provide an unrealistic level of service when dealing with their complaint. Customers or complainants may continue to disagree with the action or decision taken in relation to their case or the frequency or level of contact they expect from the club and persistently request further correspondence on the same issue.

Examples of unreasonable demands may include:

Requesting responses within an unreasonable timescale; insisting on seeing or speaking to a particular member of staff; continual phone calls, emails, or letters; repeatedly changing the substance of the complaint or raising unrelated concerns.

We consider it unreasonable for customers and complainants to attend our offices without an agreed appointment unless they are delivering documents to our reception desk only.

Examples of unreasonable persistence include:

Continual refusal to accept a decision made in relation to a complaint; persistent refusal to accept explanations relating to what the club can or cannot do or continuing to pursue a case once it has been closed by the club.

The way in which these customers or complainants approach the club may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.

AFC Bournemouth consider that the level of contact has become unacceptable where the amount of time spent speaking to or corresponding with the customer or complainant, either by telephone or dealing with written correspondence, negatively impacts on our ability to deal with that complaint, with other complaints or to draw the matter to a close.



AFC Bournemouth Procedure for Handling Unacceptable Behaviour:

When we consider that the actions or behaviour of a customer or complainant is unacceptable, we will tell them why we find it unacceptable, and we will give them the opportunity to modify their actions or behaviour. If the unacceptable actions or behaviour continue, we will take appropriate measures.

AFC Bournemouth staff who experience unacceptable behaviour over the telephone have the right to either place callers on hold or end telephone calls. Staff are accountable for their actions and are required to log all instances of when calls have been terminated, noting the reason(s) for ending the call.

We have to take action when unreasonable actions or behaviour impair the functioning of the club. We aim to do this in a way that, wherever possible, allows a complaint to progress through our process. We will try to ensure that any action we take is the minimum required to address the unacceptable actions or behaviour, taking into account any relevant personal circumstances of the customer or complainant.

It may be necessary to apply restrictions to the customer or complainants contact with the club or its staff. A decision in this regard may be taken by the Chief Executive or Senior Management Team.

AFC Bournemouth will take any action(s) that it considers to be appropriate in relation to any unacceptable actions or behaviour. Normally we will write to tell the complainant why we believe their behaviour is unacceptable, what action we are taking and the duration of that action. Some of the options that we are likely to consider are:

- Limit a customer or complainant to making telephone calls on a specified day and time per week:
- Require that contact is with a specified member of staff only:
- Decline to accept any further telephone calls from a customer or complainant while still maintaining at least one form of contact.
- To require a customer or complainant to communicate with the club through a representative. Alternatively, we might require a customer or complainant to appoint a different representative.
- Read and file future correspondence but acknowledge or respond to it only if the customer or complainant is raising new information or making a new complaint.
- To terminate or suspend consideration of a complaint in accordance with the club's complaints procedure.
- The customer or complainant may appeal a decision to suspend or terminate consideration of a complaint. In exceptional cases, we also reserve the right not to consider a future complaint from a customer or complainant when we consider the customer or complainant to be a vexatious complainant. We will take into account the impact on the customer or complainant and also whether there is a broader public interest in considering the complaint further.
- Where appropriate, to report the matter to the Police, appropriate governing body or take legal action. In such cases, we may not give the customer or complainant prior warning of that action.



We will record all incidents of unacceptable actions or behaviour by a customer or complainant and any action taken by the club to address these.

Vexatious Complainants:

AFC Bournemouth may reject a complaint at any time if, in the reviewer's opinion, the complaint is considered "vexatious". A frivolous or vexatious complaint can be characterised in a number of ways:

- Complaints which are obsessive, persistent, harassing, prolific, repetitious (Repetitious would include, for example, that after appropriated procedures have been followed and a full and final judgement has been provided and the complainant continues to pursue the complaint)
- Insistence upon pursuing meritorious complaints in an unreasonable manner
- Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason:
- Complaints which are designed to cause disruption or annoyance:
- Demands for redress which lack any serious purpose or value:
- Complaints which are designed to bring the club into disrepute.

Deciding whether a request is vexatious is a difficult task. AFC Bournemouth will consider all the circumstances of the case and if a final judgement has already been confirmed as part of the complaint's procedure.

Our main consideration will be the issues raised in the complaint however consideration will be given to the behaviour of the customer or complainant bringing the complaint if it is felt that their behaviour has become unacceptable.

If we decide that a customer or complainant's complaint is vexatious, we will write to the customer or complainant explaining that we are terminating our consideration of the complaint or further correspondence on the issue in line with the club's process for dealing with unacceptable behaviour from complainants. We will give reasons for our decision, and we will send a copy of our letter to the subsidiary organisation, partner agency or member club which is the subject of the complaint.

Any customer or complainant who is unhappy with AFC Bournemouth terminating consideration of a complaint due to unacceptable behaviour/vexatious reason has the right to submit a complaint to The Independent Football Ombudsman as detailed in this policy.

Other Applicable Club Policies:

- AFC Bournemouth Grievance Procedures.
- AFC Bournemouth Sanctions Policy.
- Code of Ethics, Conduct & Behaviour.
- Equality & Promoting Diversity Policy & Procedures.
- Low Level Concerns Policy
- Managing Safeguarding Allegations against Staff Policy & Procedures.
- Safeguarding Adults at Risk Policy & Procedures.
- Safeguarding Children Policy & Procedures.
- Whistleblowing Policy & Procedures.