

SOFTBALL ULSTER Complaints Procedure

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INTRODUCTION

This document is intended as a guide should the need arise for the Softball Ulster (SU) Council to investigate a complaint against any SU team, player, umpire or council member. A complaint may originate from within the SU community or from outside by a member of the general public. Equal weight must be given to all complaints received, irrespective of its source.

If a complainant requests disciplinary action against an SU member, follow the **SU Disciplinary Action Procedure** document instead. For all other complaints, this document will outline the recommended procedure to be followed.

The SU Council are encouraged to review these guidelines on a yearly basis, in line with the reviews that take place of the SU Constitution and SU Bylaws.

RECEIVING A COMPLAINT

A complaint may be received from one of a multitude of sources:

- An SU player or team
- A non-SU player or team
- An umpire
- A member of the general public
- An organisation not associated with SU e.g. City Council or other Sports Club

A complaint may be made either in writing, email or verbally to any member of the SU Council. This complaint should be communicated immediately to the SU Council and the date of receipt considered 'Day 0' in the complaints process. If the complaint originates from within SU, the complainant is encouraged to email the SU secretary (secretary@softballulster.com) in line with the SU Bylaws (**Bylaw 12**). If the complaint originates from outside SU, this should be forwarded on to the SU Council in full and no further correspondence made with the complainant (unless instructed to do so by the SU Council).

The SU Council should send an email to the following people within 24 hours of a complaint being made, acknowledging receipt and outlining the 'next steps' in the complaints process:

- The complainant
- The accused
- The accused's club representative

If asked to do so by the complainant, it is acceptable to provide them with an attached copy of this complaint guidance.

If a complaint is made against SU directly, the complaint should be acknowledged and escalated in writing to Softball Ireland (secretary@softball.ie) for investigation. The SU Chair should also inform the SI President (president@softball.ie) directly with details of the complaint and to agree a timescale for investigation.

INVESTIGATING A COMPLAINT

When a complaint has been received the SU Council must assign a **Reporting Officer** who will investigate the complaint and report their findings back to the SU Council. In disciplinary matters this will usually be the Chief Umpire, for all other matters this can be any member of SU nominated by the SU Council (including SU Council members themselves). The Reporting Officer should ideally be appointed within 24 hours of receipt of the complaint. It is imperative that the Reporting Officer is not involved in, or related to, the complaint in any capacity, and must remain neutral throughout the investigation.

The reporting officer will be responsible for:

- Obtaining witness accounts to any alleged offence(s) from:
 - The complainant
 - The accused
 - The team captain(s)
 - Any umpire(s) present, if any
 - Any other witnesses relevant to the investigation
- Keeping accurate records of each stage of the investigation
- Presenting their findings to the SU Council no later than **two weeks** from the initial date of the complaint.

The first statement obtained should be from the complainant, and include the following information as a bare minimum:

- Who the complaint is against (either an individual, a team, a club or SU)
- The date of any incidents that may have occurred
- The event and/or location where any incidents may have occurred
- The reason for the complaint
- Their expectations from the investigation

REPORTING ON A COMPLAINT

Within **two weeks** from the initial date of the complaint, the Reporting Officer should report their findings to the SU Council. This should include (as a bare minimum) a written report detailing:

- A summary of the complaint received
- A summary of all the statements received
- Any other relevant evidence obtained during the investigation
- A final decision on the validity of the complaint

Once reviewed by the SU Council, the written report will then be shared with:

- The complainant
- The accused
- The accused's club representative

OUTCOME OF A COMPLAINT

If the reporting officer finds that no offense has been committed, no further action will be taken against the accused. The complainant will be informed of this decision in writing and offered the opportunity to appeal the decision.

If the reporting officer finds that an offense has been committed, the SU Council will (within **one week**):

- Convene a meeting to hear the accused's defence.
- Impose a penalty against the accused, in line with the offence committed, as per **Bylaw 18** [Appendix 2].
- Inform the following of the outcome of the meeting and the SU Council's penalty (if any):
 - The complainant
 - The accused
 - The accused's club representative

The SU Council must make it clear what penalties are being applied and how they arrived at their decision. If the SU Council makes any requests of the accused (e.g. to offer an apology to the complainant) it must be made clear that this is a request and not essential to the completion of their penalty. If a financial penalty is to be incurred, the timescale for payment and consequences of non-payment must be clearly documented.

If a player or a number of players are suspended from a game or a series of games, they should be informed whether they are suspended from:

- Playing
- Coaching
- Spectating
- Umpiring
- Any combination of the above

If a player or a number of players are suspended from a game or a series of games, they should be informed what time period applies to their suspension. SU consider a game to take place from 30 minutes prior to the scheduled start until the time that the umpire reaches the car park following the end of play.

APPEALING A COMPLAINT PENALTY

Any appeals against an upheld complaint must be made within **one week** of the notification of penalties being incurred. An appeal must be made in writing to the SU Secretary (secretary@softballulster.com) and be accompanied by payment of the appeal fee.

SU are required, on confirmation of an appeal, to convene an appeal committee within **one week** of the appeal and complete its business within **two weeks** of this date. The appeal committee will be made up of:

- **Three** registered umpires (**Bylaw 12 Sec 15**), or (if unable to appoint)
- **One** member of the SU Council and at least **one** umpire, plus a general member (if required)

Once the appeals committee has made a decision, their decision will be immediately shared with:

- The SU Council
- The complainant
- The accused
- The accused's club representative

An appeal fee will not be returned once the appeal committee sets the date and time of the appeal meeting.

All appeal decisions are final.

APPENDIX 1: SUMMARY OF EXPECTED TIMELINE

Day 0:	The day that the complaint is received.
Day 1:	Acknowledge (in writing) receipt of the complaint to the complainant, accused and the accused's team. Assign a reporting officer. Arrange for an SU Council meeting on Day 14.
Day 2-13:	The Reporting Officer investigates the complaint.
Day 14:	The Reporting Officer submits their findings to the SU Council. The Reporting Officer shares their report with the complainant, accused and accused's club representative.
Day 15-21:	If the Reporting Officer finds no offence: Report findings to the accused and complainant and close the case. If the Reporting Officer confirms an offence: The SU Council must convene a meeting to hear the accused's defence.
Day 22:	Report penalties.
Day 22-28:	The accused may appeal only during this time.
Appeal+1 Day:	The SU Council will assign an Appeal Committee.
Appeal+7 Days:	The Appeal Committee must have convened.
Appeal+14 Days:	The Appeal Committee must present their findings.

APPENDIX 2: SCALE OF PENALTIES (SU BYLAW 18)

Sec. 1 Depending on the seriousness of the offence, SI/SU may impose any combination of the penalties within the following ranges for infraction of these bylaws.

Sec. 2 Incurring more than two written cautions for any individual or club in any three-month period is a category 4 offence.

Sec. 3 Table 1. Outlines the category and range of offenses within the SU region.

Category Of Offence	Range of penalties for individuals
1	1. Permanent expulsion; 2. Suspension for more than one season; 3. Suspension from National Squad for more than 2 years.
2	1. Suspension for one season; 2. Suspension for more than 5 games or weeks; 3. Suspension from National Squad for up to 2 years.
3	1. Suspension for less than 5 games or weeks; 2. Suspension for more than 2 games or weeks; 3. Community service between 10 and 20 hours.
4	1. Suspension for 1 game or 1 week; 2. Fine between £50 & £130; 3. Community service up to 10 hours.
5	1. Fine less than £50; 2. Written caution; 3. Community service up to 5 hours.