



# **Complaints Policy and Procedures**

**June 2025**

**Policy Owner: England Squash**

**Next review: June 2026**

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## 1. Policy Purpose

- 1.1. England Squash, as the National Governing Body for squash in England, is committed to providing a high standard of service and maintaining a positive environment across the squash community. We take all complaints seriously and aim to resolve them promptly, with fairness and transparency.
- 1.2. The purpose of this document is to contribute to the effective and efficient operation of England Squash by providing a means of receiving and addressing complaints from individuals who are dissatisfied. This document explains the process of how to make a complaint and what you can expect from us if you do.

## 2. Definition of a Complaint

- 2.1. For the purposes of this Policy, a complaint is an expression of dissatisfaction or concern with the action(s), apparent failings, decisions and/or behaviour of England Squash (and/or England Squash staff or volunteers) in relation to services or activities provided by England Squash (a 'Complaint').

## 3. General Principles

- 3.1. England Squash takes all Complaints it receives seriously and aims to provide a high quality and responsive service to our members, affiliated clubs, partners and the public. When we receive a Complaint we will:
  - 3.1.1. Provide a clear and easy to follow Complaints process;
  - 3.1.2. Respond fairly and efficiently, in line with this Policy;
  - 3.1.3. Handle all information sensitively and in line with data protection requirements;
  - 3.1.4. Apologise if we have got something wrong and, where possible, act quickly to put it right; and
  - 3.1.5. Monitor Complaints and learn from them.

- 3.2. England Squash staff will conduct themselves in a courteous and responsive manner, listening to requests and concerns to advise what can be provided and in what manner. Where England Squash is not able to meet a request, we will let you know why and advise you of the most appropriate place to direct your request, seeking your permission to forward your email onto the relevant person or department and requesting that they progress the matter directly with you. We will treat all people with respect, on the basis of equal opportunities and free from discrimination, taking any necessary steps to accommodate reasonable requests, wherever practicable.
  
- 3.3. England Squash may, in its absolute discretion, refer any Complaint or Appeal to an external and independent person or body, where it considers that it is unable to investigate the Complaint due to:
  - 3.3.1. A conflict of interest;
  
  - 3.3.2. The Complaint is deemed sufficiently complex; or
  
  - 3.3.3. Resourcing requirements warrant external consideration

In the event of such a referral, the procedures and timelines for the Complaint shall be determined by the independent person or body and notified to the Complainant.

- 3.4. England Squash reserves the right to refer a matter to the Sport Integrity Service under the Rules of Procedure of that service. This may involve the commission of an independent investigation or disciplinary procedure into alleged grievances, or allegations of misconduct involving: i) athletes; ii) athlete support personnel; or iii) England Squash office holders as defined within the Rules of Procedure;
  - 3.4.1. where an individual is deemed a 'Relevant Person' under the Sport Integrity Service Rules of Procedure; and
  - 3.4.2. they are a respondent to allegations of misconduct as defined as a 'Relevant Matter' under the same regulations.

In such circumstances they are required to cooperate with any investigation conducted by Sport Integrity.

## 4. Complaints Covered by this Policy

- 4.1. This Policy applies to Complaints raised by England Squash members, volunteers, affiliated clubs and any other individuals who have dealings with England Squash.
- 4.2. You can complain to England Squash under this Policy if you think that England Squash has:
  - 4.2.1. Provided you with poor customer service;
  - 4.2.2. Treated you unfairly or has discriminated against you;
  - 4.2.3. Failed to properly follow one of its own policies or procedures;
  - 4.2.4. Not reached a decision within the scope of its jurisdiction properly; and/or
  - 4.2.5. Failed to give you access to information
- 4.3. In the event that you consider England Squash has committed serious maladministration, you may complain to the England Squash Senior Leadership Team. Disappointment with the outcome of a whistleblowing, safeguarding or judicial matter is not grounds for a Complaint.

## 5. Complaints not Covered by this Policy

- 5.1. England Squash will endeavour to resolve all Complaints and reach a satisfactory outcome where possible. However, there are some Complaints that England Squash will not be able to consider under this Policy, or that would be more appropriately dealt with under other England Squash policies (all of which are reviewed and amended regularly), including (but not limited to):
  - 5.1.1. Safeguarding concerns – concerns of this nature should be raised in accordance with the England Squash Child and Adult Safeguarding Policies and Procedures;
  - 5.1.2. Complaints concerning matters or decisions of a club, body, organisation, association, County Association or region within the remit of the relevant constitution (including, for example, decisions on selection of teams, normal business of clubs, club membership, or by individuals acting on behalf of the relevant club, body, organisation, association, County Association or region,

etc.) – such Complaints should be made directly to the relevant club, body, organisation, association, County Association or region;

- 5.1.3. The **England Squash Competition Rules and Regulations** cover England Squash sanctioned competitions and include the regulations relating to disputes. If your Complaint relates to an England Squash sanctioned competition, then you should raise it with the appointed tournament organiser at the competition itself or within seven days of the competition ending. Please do not contact England Squash **about any decisions relating to play which you perceive to be incorrect**. England Squash will not look into these and no amendment to the result of any match will be made by England Squash;
- 5.1.4. If your Complaint relates to an England Squash accredited coach and is **not a safeguarding issue** or a **disciplinary matter falling under the Code of Conduct** then it should be raised with the club, venue or coaching provider that the coach currently works for. Please follow your venue's procedure for reporting issues or write to the relevant person e.g. chairperson, manager etc. If you are unsure who to approach or are having difficulty contacting someone at your registered venue, please get in touch with England Squash and we will help you find the right person;
- 5.1.5. If your Complaint relates to a local matter at an England Squash affiliated venue such as any of the following, you should raise it directly with your venue in accordance with its policies, processes, procedures or constitution/rules or report to the police if you believe a crime has been committed:
- 5.1.5.1. Any matter arising between a member and an affiliated venue
  - 5.1.5.2. Any matter arising between two or more individual members of an affiliated venue
  - 5.1.5.3. Any matter relating to the employment/engagement of a coach or official by an affiliated venue
  - 5.1.5.4. Any matter arising from an affiliated venue's own events and competitions involving only members of that venue
  - 5.1.5.5. Player or team selection
  - 5.1.5.6. Committee selection or appointment

If you are unsure who to approach or are having difficulty contacting someone at your registered venue, please get in touch with England Squash, who will help you find the right person;

- 5.1.6. Whistleblowing or allegations of serious misconduct in respect of England Squash staff that falls outside of any other England Squash policies – such issues will be raised under the ‘England Squash Whistleblowing Policy’;
  - 5.1.7. Complaints which have been concluded in accordance with another policy or Complaints which have been investigated and resolved in accordance with this Policy;
  - 5.1.8. Complaints about a decision to refer or not refer a complaint to an external and independent person or body pursuant to paragraph 3.3 of this Complaints Policy;
  - 5.1.9. Anonymous Complaints – we will consider anonymous Complaints, however, in the event that anonymity prevents us from investigating the matter appropriately then we reserve the right to advise that we are unable to accept such a Complaint;
  - 5.1.10. Complaints brought by England Squash employees relating to their employment by England Squash – any such Complaints will be dealt with under the relevant internal policies/procedures; and/or
- 5.2. Where England Squash is unable to accept your Complaint under this Paragraph 5, we will advise you of why and explain the most appropriate course of action that would allow for your matter to be addressed.

## **6. Suspension Before Determination of the Complaint**

- 6.1. In the event that the Complaint is deemed to be sufficiently serious, England Squash may seek at any time following the receipt of the Notice of Complaint to impose an interim suspension upon the Respondent.
- 6.2. An interim suspension shall not be deemed to be a disciplinary sanction until such time as the matter is determined by the Disciplinary Panel, when it may be taken into account in respect of the imposition of any sanctions.
- 6.3. Interim suspension orders will be made where it is considered by England Squash that such action is appropriate which shall include without limitation the following reasons:
  - 6.3.1. The level of seriousness of the Complaint;

- 6.3.2. For the protection of the Respondent or other Participants;
- 6.3.3. In cases involving allegations of gross misconduct;
- 6.3.4. Where there is a risk to the reputation of England Squash to fail to suspend;  
and
- 6.3.5. Where a failure to suspend may impede internal investigations or prejudice investigations by external organisations.
- 6.4. Suspensions may be imposed for a defined or indefinite period. The nature of the suspension will be communicated to the Respondent in writing. All suspensions will be reviewed on a periodic basis.
- 6.5. A Respondent who has been suspended may apply to England Squash for the suspension to be lifted. England Squash shall determine whether the decision to impose a temporary suspension was and remains appropriate in the circumstances and shall communicate the decision to the Respondent within 10 working days of the application for appeal of the original decision.
- 6.6. England Squash may communicate the fact of the suspension to any relevant third parties.
- 6.7. Interim suspensions imposed on a Respondent will apply universally such that a person will not play, coach, spectate or participate in any England Squash activities and/or some or all activities of a member as indicated to the Respondent in the notice of suspension anywhere in England during the period of suspension.
- 6.8. Any suspension under this paragraph will automatically cease if any of the following occurs (whichever is soonest):
  - 6.8.1. The matter has been determined by the Disciplinary Panel under the Discipline Policy and Procedures; or
  - 6.8.2. The Complaint is withdrawn and no further action is taken; or
  - 6.8.3. The matter is resolved by way of mediation or alternate dispute resolution
- 6.9. When an individual is under interim suspension, England Squash will endeavour to instigate, manage and conclude any proceedings under this Policy and Procedures as soon as reasonably practicable.

6.10. Any breach of an interim suspension shall constitute grounds for further disciplinary action under the Disciplinary Policy and Procedures.

## **7. Resolution Procedure**

### **7.1. Informal Complaint Resolution**

7.1.1. An Informal Complaint is one which we consider could be likened to feedback for England Squash or relates to a minor matter that does not require a formal investigation or response. If you have an Informal Complaint, in the first instance an England Squash member of staff who has responsibility for the area related to your concern will look at your issue and may involve other colleagues if necessary. They will endeavour to work with you to understand why you are dissatisfied and, if possible, act to resolve the matter quickly without the need for the formal complaint process to be initiated.

7.1.2. In the event that the Complaint is resolved through the Informal Complaints Resolution process, the England Squash member of staff will make a written record of the key details of the Complaint which will be kept securely by England Squash. Feedback will be provided to the Complainant following the conclusion of the Informal Complaints Resolution process.

### **7.2. Stage 1 – Formal Complaint Resolution**

7.2.1. Where it has not been possible to achieve a resolution to a Complaint informally, or the Complaint is complex and/or requires further investigation and a formal response, the Complaint will be dealt with as a Formal Complaint and we will follow the resolution process as set out in Paragraph 7.2 of this policy (i.e. Stage 1).

7.2.2. In order to submit a Formal Complaint under this policy, the individual raising the Complaint should do so in writing, with as much relevant detail as possible, as soon as practicable. Whilst passage of time is not a barrier to raising a Complaint, especially where new evidence has become available, Complainants should appreciate that non-recent Complaints may be challenging to investigate and respond to.

7.2.3. A dedicated email address is available specifically for Complaints and we recommend you use the [Log of Complaint](#) form to submit your complaint to:

a) Email address: [complaints@englandsquash.com](mailto:complaints@englandsquash.com)

7.2.4. England Squash shall acknowledge receipt of the Complaint in writing within 10 days of receipt of the Complaint.

7.2.5. On receipt of the Complaint, England Squash may, at its discretion:

7.2.5.1. Commence an initial investigation into the matter to source information and evidence as soon as practicable;

7.2.5.2. Forward a copy of the Complaint to the Respondent and invite a written response from the Respondent within a specified period;

7.2.5.3. Undertake any further investigation England Squash sees fit in order to ascertain the best course of action to resolve the Complaint;

7.2.5.4. Refer the Complaint to any other relevant body which has a legitimate interest in the subject of the Complaint, for action;

7.2.6. Upon completion of the steps set out in paragraph 7.2.5 and any further investigation undertaken by England Squash, England Squash may take any of the following steps:

7.2.6.1. Decide that no further action is required and England Squash will notify the Respondent, where they have been notified, and the Complainant in writing;

7.2.6.2. Reject the Complaint because it does not fall within the jurisdiction of England Squash, and if appropriate refer it to another relevant body;

7.2.6.3. Dismiss the Complaint on the grounds that too long has elapsed since the event giving rise to the Complaint, and England Squash will notify the Respondent, where they have been notified, and the Complainant in writing;

7.2.6.4. Dismiss the Complaint on the grounds that there is not enough evidence to warrant further action being taken and England Squash will notify the Respondent, where they have been notified, and the Complainant in writing;

7.2.6.5. Refer the Complaint to another authority deemed more appropriate in practice or in law to handle it, including but not limited to, social care or other agencies or the police for criminal matters;

7.2.6.6. Deal with the Complaint under another relevant England Squash policy;

7.2.6.7. Refer the complaint to the Disciplinary Panel to be progressed as a Disciplinary matter under the Discipline Policy

- 7.2.6.8. On the agreement of the Complainant and the Respondent, deal with the Complainant by arbitration or mediation, administered by persons agreed with England Squash;
- 7.2.6.9. Deal with the Complaint informally by way of advice or information because it is not serious enough to warrant full disciplinary procedures;
- 7.2.7. As soon as practicable, England Squash shall inform the Complainant and Respondent, where they have been notified, and any interested party or parties if the Formal Complaint has been accepted or declined.
- a) If accepted, details will be provided of how the matter will be progressed including the indicative timeframe for a decision (see paragraphs 7.2.8 to 7.2.10 below).
  - b) If declined, details will be provided as to why the Formal Complaint has been declined. Following this, England Squash will not enter into further correspondence with the Complainant or engage in discussion after a decision is made, unless new information is presented.
- 7.2.8. If the Formal Complaint is accepted, a member of the England Squash Leadership Team or any other person who England Squash appoints as an alternative (the '**Investigating Officer**') will undertake an investigation of the matter to establish the facts of the case. As part of any investigation into a Complaint, in addition to evidence provided in the Formal Complaint, it may be necessary to obtain further evidence from the Complainant and other relevant individuals/witnesses. The Investigating Officer will endeavour to complete the investigation within twenty-five (25) working days from the Complaint being formally accepted.
- 7.2.9. It is in the best interests of all parties concerned for a Formal Complaint that has been accepted to be adequately investigated. In this regard, a more complex Formal Complaint is likely to require more time to be investigated and a Complainant is requested to be patient and understanding in this respect. If the investigation cannot be completed within the timescale set out at paragraph 7.2.8 above due to a more complex investigation being required, an update will be provided to the Complainant with an expected completion date of the investigation.
- 7.2.10. Following such investigation, and within twenty-five (25) working days from the Complaint being formally accepted, the Investigating Officer will provide their decision on the outcome of the Formal Complaint in writing, stating the reasons for the decision. If the decision cannot be completed within the timescale set out herein, an update will be provided to the Complainant with an expected date for the provision of the decision.

### 7.3. Stage 2 – Appeal

7.3.1. Where the Complainant is unsatisfied with the decision provided under Stage 1, there will be a right of appeal to England Squash (an '**Appeal**').

7.3.2. In order to submit an Appeal, the individual raising the Appeal must do so in writing to England Squash, within ten (10) days of the Complainant receiving the decision.

7.3.3. When submitting an Appeal, the Complainant must provide details of the reasons why they are unsatisfied with the decision and/or course of actions recommended by the Investigating Officer. The Complainant shall refer to matters raised within the original Complaint and no new information shall be provided at Appeal.

7.3.4. England Squash will seek advice to determine whether the Appeal should be considered externally of England Squash on a principles-led approach:

- a) If it is determined that the Appeal should be considered externally of England Squash, the person or organisation shall act as the Reviewing Officer. England Squash shall have the ability to 'hold' a Complaint or Appeal which would be considered externally whilst such external body is appointed. England Squash shall act in as timely a manner as possible in relation to the appointment of such.
- b) If it is determined the Appeal should not be considered externally of England Squash, the Appeal shall be forwarded to a member of the Senior Leadership Team (Reviewing Officer) or a Board member who has had no prior involvement in the Complaint for a formal and final decision.

7.3.5. The Reviewing Officer shall review the Complaint decision, alongside any information provided by the Complainant as to why they are unsatisfied with the decision. The Reviewing Officer may conduct further investigations at their discretion.

7.3.6. The following timescales apply under Stage 2 of this Policy:

- a) A formal acknowledgement of the Appeal will be sent to the Complainant within ten (10) working days of receipt of the written Appeal.

- b) A formal decision on the outcome of the Appeal will be provided to the Complainant in writing within twenty five (25) working days of receipt of the written Appeal.

7.3.7. If the Appeal decision cannot be provided within the timescale set out above due to a more complex review being required, an update will be provided to the Complainant with an expected completion date of the Appeal decision.

7.3.8. The Reviewing Officer's decision is final and binding and there will be no further right of appeal in respect of a Complaint made under this Policy.

7.3.9. England Squash reserves the right to close correspondence beyond an Appeal decision at their discretion.

## **8. Potential Outcomes of a Complaint or Appeal**

8.1. If a Formal Complaint or an Appeal is upheld, the Investigating Officer or Reviewing Officer (as appropriate) may respond in any of the following ways:

8.1.1. Recommend an apology is made on behalf of the Respondant or England Squash;

8.1.2. Recommend service improvements or training to prevent the problem occurring again;

8.1.3. Recommend exclusion from England Squash activities including England Squash tournaments, teams, meetings or other events as a player, official, spectator or volunteer

8.1.4. Recommend suspension for a specified period of time or removal from any office held within England Squash

8.1.5. Recommend exclusion from holding office within England Squash for a specified or indefinite period of time

8.1.6. Recommend any other decision or proposed remedy as deemed appropriate and within England Squash's power taking into account all of the circumstances of the case.

## 9. Persistent, Malicious or Vexatious Complaints

- 9.1. Whilst we acknowledge an individual's right to complain and will do all that we reasonably can to assist, we expect our staff and volunteers to be treated courteously at all times. Violent, abusive or discourteous language or behaviour towards England Squash staff and/or volunteers will not be tolerated and may result in the Complaint of anyone engaging in such behaviour being rendered invalid. Where there is a threat or use of physical violence or verbal abuse towards England Squash staff and/or volunteers, England Squash, in its sole discretion may cease all communication with the relevant individual and the behaviour may be reported to the police.
- 9.2. Whilst England Squash appreciates that in certain circumstances you may not be happy with the outcome of your Complaint/Formal Complaint or Appeal, where the proper process has been followed in accordance with this Policy, England Squash will be unable to take any further action.
- 9.3. In order to enable all involved to draw a line under a matter and move on, persistent or repeat Complaints will be dealt with as follows:
  - 9.3.1. A Complaint will be deemed persistent if it is substantially the same as a previous Complaint from that Complainant and contains no fresh allegations and/or evidence which significantly affect the account of the previous Complaint.
  - 9.3.2. A Complaint will be deemed a repeat if it is substantially the same as a previous Complaint from a different Complainant and contains no fresh allegations and/or evidence which significantly affect the account of the previous Complaint. In the event that a Complaint is received which relates to a matter which is already being considered under this Policy, the additional Complaint will be adjoined to the first Complaint and will be considered as a whole. Where a Complaint is received which relates to a matter already considered and finalised, the Complainant will be advised that the matter has been considered previously and advised of the outcome. Their Complaint will therefore be considered concluded on the same basis.
- 9.4. England Squash will make all reasonable efforts to resolve a Complaint, and we encourage you to make a Complaint if you consider that it may fall within this Policy. On rare occasions a Complaint may be initiated to cause annoyance or

nuisance and/or is made with the sole purpose of abusing England Squash's processes and procedures for dealing with Complaints. Where this is the case, the Complaint will be deemed frivolous or vexatious.

- 9.5. If a Complaint is considered persistent, frivolous or vexatious, England Squash will write to the Complainant explaining our decision and thereafter bring the communication to a close, no longer dealing with a Complainant in relation to that Complaint.