



***Concerns and Grievance Policy  
08-05-2022***



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## How to Report

If you would like to report any concerns, complaints or incidents, even if you're just a witness, please contact one of our coaches. If you don't feel comfortable talking to our coaches, or if a coach or senior member is implicated, you may contact the British Kendo Association.

There are two options for raising complaints;

### **Informal or Anonymous Complaints**

Informal complaints may just be a concern or minor infraction; e.g. maybe the person didn't realise they were causing offence and you'd like a coach to speak to the person on your behalf. We hope this will allow people to raise concerns without the fear of getting someone in trouble.

This is also a way to raise more serious complaints anonymously. Anonymous complaints will limit the ability for the club to respond, but it will allow the club to provide safeguards and it will add weight to future complaints against the offender. Multiple informal/anonymous complaints will trigger a formal complaint to be made by the Dojo Leader.

### **Formal Complaints**

Formal complaints will be handled by a case management team, and there will be the option for appeals. This also opens the option for stricter disciplinary measures to be taken against the offender.

In both cases, all reports will be recorded. All reports will be taken seriously. All reports will be investigated. Anyone reporting, and any victims, will be protected from retaliation.

If the report only involves members of Southampton Kendo Club, we will investigate internally.

If the report involves a member of another club, the leader of the other club will be approached.

If the report involves any coach or officer, of our club or another, then the British Kendo Association will be approached.

You can contact us at [complaints@southamptonkendo.co.uk](mailto:complaints@southamptonkendo.co.uk) (goes to all safeguarding officers and the dojo leader), or speak to any of the club coaches privately.

Alternatively, you can contact the British Kendo Association at [complaints@britishkendoassociation.com](mailto:complaints@britishkendoassociation.com)

For reports of criminal behaviour, these should also be reported to the police. ***If anyone's safety is in immediate danger, call the police on 999.***



## **Introduction**

Southampton Kendo Club aims to bring kendo to everyone who wants to study it. To train kendo safely we need to behave with respect and consideration for each other.

Southampton Kendo Club is committed to creating a culture which promotes equality, diversity and inclusion and does not tolerate discrimination among its members and volunteers.

Absolutely no harassment or bullying will be tolerated, verbal or physical. Absolutely no discrimination based on protected characteristics (real or perceived) will be tolerated. This extends to the creation of a hostile environment.

If bullying and harassment is not dealt with effectively on time and adequately, it can create a negative impact on the individuals being bullied and harassed which can have a detrimental effect on other parts of their life.

Due to the nature of martial arts being hierarchical, members who have been bullied or harassed may find it difficult to speak up if their bully/harasser is someone more senior than them which hides the extent of the bullying and harassment. Additionally, other members may not want to come forward as witness or even participate in the unacceptable behaviour for fear of the consequences.

As such, this policy has been created to safeguard members, discourage inappropriate behaviour, stop it from occurring and send out a clear message that Southampton Kendo Club does not tolerate bullying and harassment from anyone to anyone.

## **Scope**

This policy is applicable to all coaches, volunteers, members and visitors of Southampton Kendo Club.

It covers everyone regardless of their grade, experience and position in the club. It applies to within the dojo and out with the dojo, including social functions, events, and when visiting other clubs.

## **Principles**

Through respecting each other's rights and dignities, we can remove bullying and harassment.

What is deemed acceptable to one member due to the culture of 'Banter', may not be acceptable to another member and everyone has the right to determine what is acceptable to them and must be respected by others.

Bullying and harassment will not be tolerated.

Victimisation of a member for making allegations of bullying/harassment or supporting someone being bullied or harassed will not be tolerated.

All complaints of harassment, bullying and/or victimisation will be treated seriously by the Southampton Kendo Club and will be investigated fully and promptly.

In the event an allegation of harassment, bullying and/or victimisation of a member has been upheld after investigations, the member may face penalties up to and including expulsion from the Southampton Kendo Club for serious breaches of the code of conduct.

If it has been found with adequate evidence that a member has deliberately made false or malicious complaint against another member in regard to bullying, harassment or victimisation then actions will be taken against that member.

## **What is bullying and harassment?**

### **Bullying**

Bullying is any behaviour that is intimidating, abusive, threatening, insulting, aggressive or an abuse or misuse of power to humiliate, undermine or injure another member.

### **Harassment**

Harassment is any unwanted conduct which has the purpose or effect of violating a member's dignity, creating a negative, hostile, intimidating, humiliating, degrading, unwelcoming environment. The unwanted conduct may be harassment whether or not the person performing the action intends to offend. If there are other people present to whom the unwanted conduct is not directed at, these people may raise a complaint on the basis that an offensive, negative and hostile environment is being created.

Harassment can be unlawful discrimination when it concerns protected characteristics such as but not limited to the following:

- age
- gender reassignment
- being married or in a civil partnership
- being pregnant or on maternity leave
- disability
- race including colour, nationality, ethnic or national origin
- religion or belief
- sex
- sexual orientation

Sexual harassment is a criminal offense. The definitions of sexual harassment can be defined in two specific ways:

- Conduct of a sexual nature which has the intention or effect of violating a person's dignity
- Less favourable treatment due to sex or gender or gender reassignments that occurs as a result of or submission to, sexual conduct

### **Unacceptable behaviour**

Unacceptable behaviour between one member to another can vary therefore the examples listed below are just guides as there may be more types that are not covered.

- Unwanted sexual attention or advances e.g. leering, sexual innuendos, inappropriate touching without consent, standing or sitting too close to someone, offering rewards for accepting sexual favours, threats or bullying for rejecting sexual favours
- Humiliating comments about someone's looks
- Victimising and excluding them from club social activities
- Using rude gestures
- Intentionally injuring someone
- Showing objects or media form (pictures) with inappropriate sexual or racial overtones even if is not aimed at any particular person, e.g. pin-ups, adult picture book etc.
- Intentionally degrading someone by picking on them (in private or in front of others), setting them up to fail without support.
- Gossiping, spreading reputational damaging rumours or insulting someone (by giving patronising nicknames, innuendo, banter, offensive jokes or using abusive and non-inclusive language ) based on their age, disability, sexual orientation, religion, belief, race or other protected characteristics.

### **Victimisation**

Victimisation occurs when a member is treated unfavourably because:

- they have made a complaint, or

- they are perceived to have made a complaint, or
- it is suspected they will make a complaint, or
- they are supporting someone who has made a complaint.

## **Responsibilities**

All members have a responsibility to help create and foster an environment free of bullying, harassment or victimisation by:

- Having an awareness of how the things we say and do may have an impact on others and adapt it to others to be more inclusive
- Treating other members that we meet with respect and be aware that others may have different viewpoints and beliefs and to respect that.
- Challenging inappropriate comments, jokes and behaviours that are being made and make it clear that we find it unacceptable
- Supporting and checking in with other members who may be struggling
- Reporting harassment or bullying to the dojo leader, senior member of the dojo or someone trustworthy
- Not assuming, judging, harassing or victimising the complainant or the alleged harasser

Coaches are responsible for:

- Make it visible within the dojo and to all other members within the dojo that bullying and harassment will not be tolerated and should any incidents occur to be reported to them immediately
- Set a good example with their own behaviour to others
- Establish the standards of behaviour that is expected from all members within the dojo
- Be proactive and take action when an incident of harassment, bullying or victimisation is reported or if they witness such behaviours
- Be supportive and open to any member who raises a complaint of harassment or bullying

## **Types of Complaint**

If you have experienced or witnessed behaviour which you think is unacceptable, or you are worried something's not right, please speak to one of the coaches who will be able to talk you through which type of complaint is appropriate and walk you through the process.

### **Informal Complaints**

For concerns or minor breaches of acceptable behaviour you could raise an

informal complaint. This is appropriate in stopping unacceptable behaviour before it becomes a more serious problem, e.g. maybe the person didn't realise they were causing offence. In these instances we might have a talk with the person so you don't have to.

Even if you felt safe to verbally raise your concerns with the person(s) who's behaviour is unacceptable and they apologised/agreed to stop, we would still like to know about it. It could be part of a more serious complaint or a pattern of behaviour which we can only be aware of if people report it.

We will also be able to put measures in place to protect you from further harassment, bullying, and retaliation/victimisation, e.g.

- Reducing contact with each other, e.g. not pairing up with the person.
- Ensuring you are not left alone with the person.

All complaints will be considered in good faith. However, there is no punitive action can be taken in this case.

If there are multiple informal or anonymous complaints against the same person, then the Dojo Leader shall raise a formal complaint in their own name, protecting anonymous complainants.

## **Anonymous Complaints**

If you don't feel comfortable raising a formal complaint, you might report an anonymous complaint. In this case the accused will not know who raised a complaint against them.

We will be able to put measures in place to protect you from further harassment, bullying, and retaliation/victimisation, e.g.

- Reducing contact with each other, e.g. not pairing up with the person.
- Ensuring you are not left alone with the person.

Because it is not possible for the accused to defend against an anonymous complaint, all complaints will be considered in good faith. However, there is no punitive action can be taken in this case

For minor breaches, we might have a word with the person to let them know their behaviour is unacceptable.

For serious breaches, we may suggest you raise a formal complaint instead, which will allow for a more through investigation and a greater range of disciplinary measures.

If there are multiple informal or anonymous complaints against the same person, then the Dojo Leader shall raise a formal complaint in their own name, protecting anonymous complainants.





## Formal Complaints

You should raise a formal complaint if you have been harassed, bullied or believe you have witnessed it.

In this case the club will create a case management group to investigate more thoroughly, and the accused will know who raised the complaint. There will be more disciplinary measures available, and the offender will have the option to appeal any disciplinary action (if further evidence becomes available).

Appropriate safeguarding measures will be put in place to protect those raising complaints, and the victims, which might include:

- Reducing contact with each other, e.g. not pairing up with the person.
- Ensuring you are not left alone with the person.
- Suspension of the member from an official/coaching position.
- Suspension of the member while the report is investigated.

Formal complaints will be assessed using a balance of probabilities. The balance of probability standard means that the case management group is satisfied that an event occurred if the case management group considers that, on the evidence, the occurrence of the event was more likely than not.

After a verdict has been reached about the complaint, the club may take the following punitive measures if appropriate (this list is not exhaustive):

- Temporarily suspend the member for a period of time.
- Expel the member from the club.
- Remove and ban the person from an official/coaching position.
- Temporarily or permanently prevent the person from visiting the club.



## Complaints Processes

### Informal / Anonymous Complaints Process

The procedure shown in the following flowcharts are to ensure the protection of the practitioner being harassed whether it be:

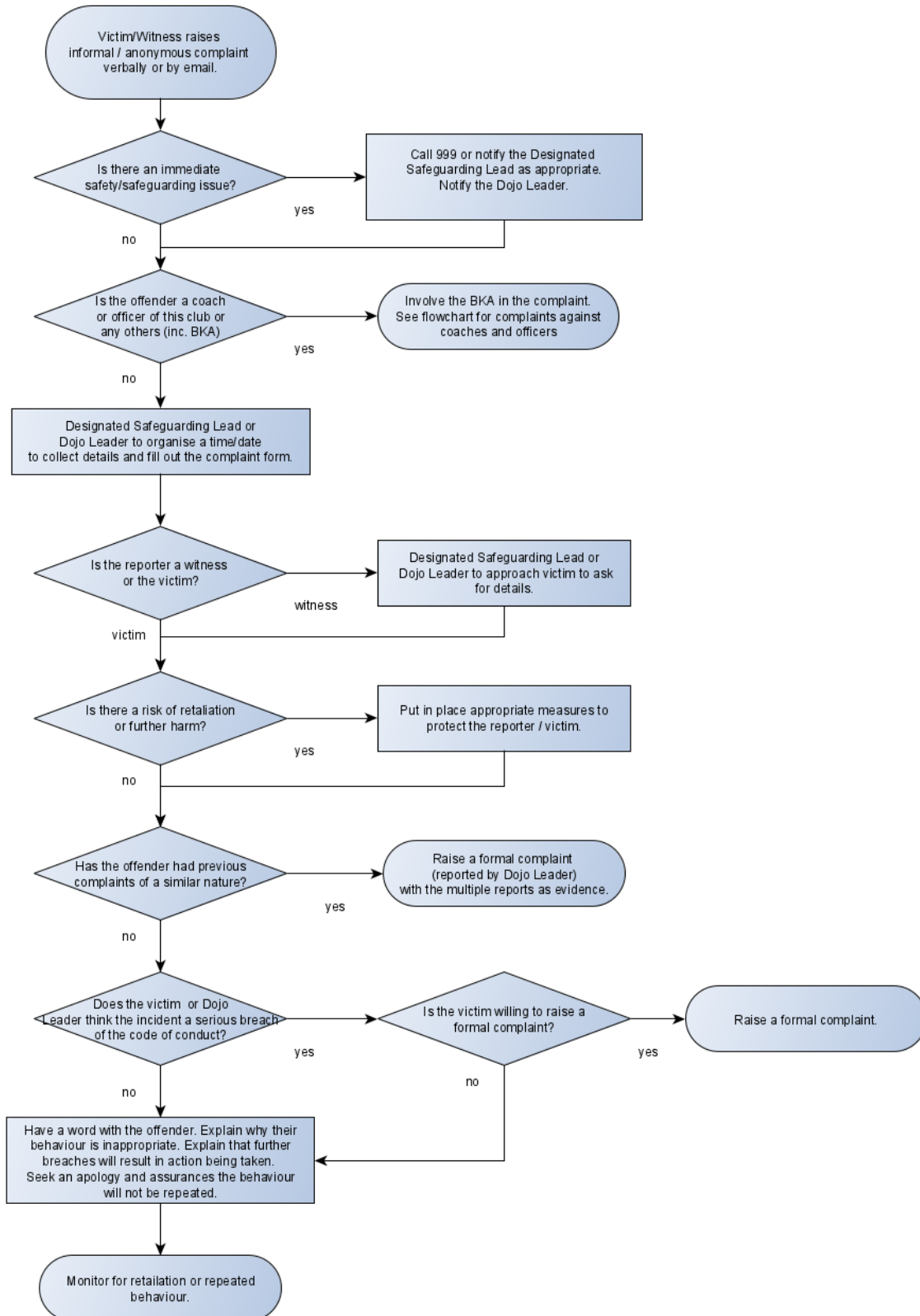
- If the report only involves members of Southampton Kendo Club, we will investigate internally with the Dojo Leader or Designated Safeguarding Lead taking the lead.
- If the report involves a member of another club, the leader of the other club will be approached by the Dojo Leader. The British Kendo Association may be asked to mediate if an outcome cannot be agreed.
- If the report involves any coach or officer, of our club or another, then the British Kendo Association will be approached to investigate.

If the complaint indicates a safeguarding incident, then a safeguarding report will be made and the safeguarding process followed instead.

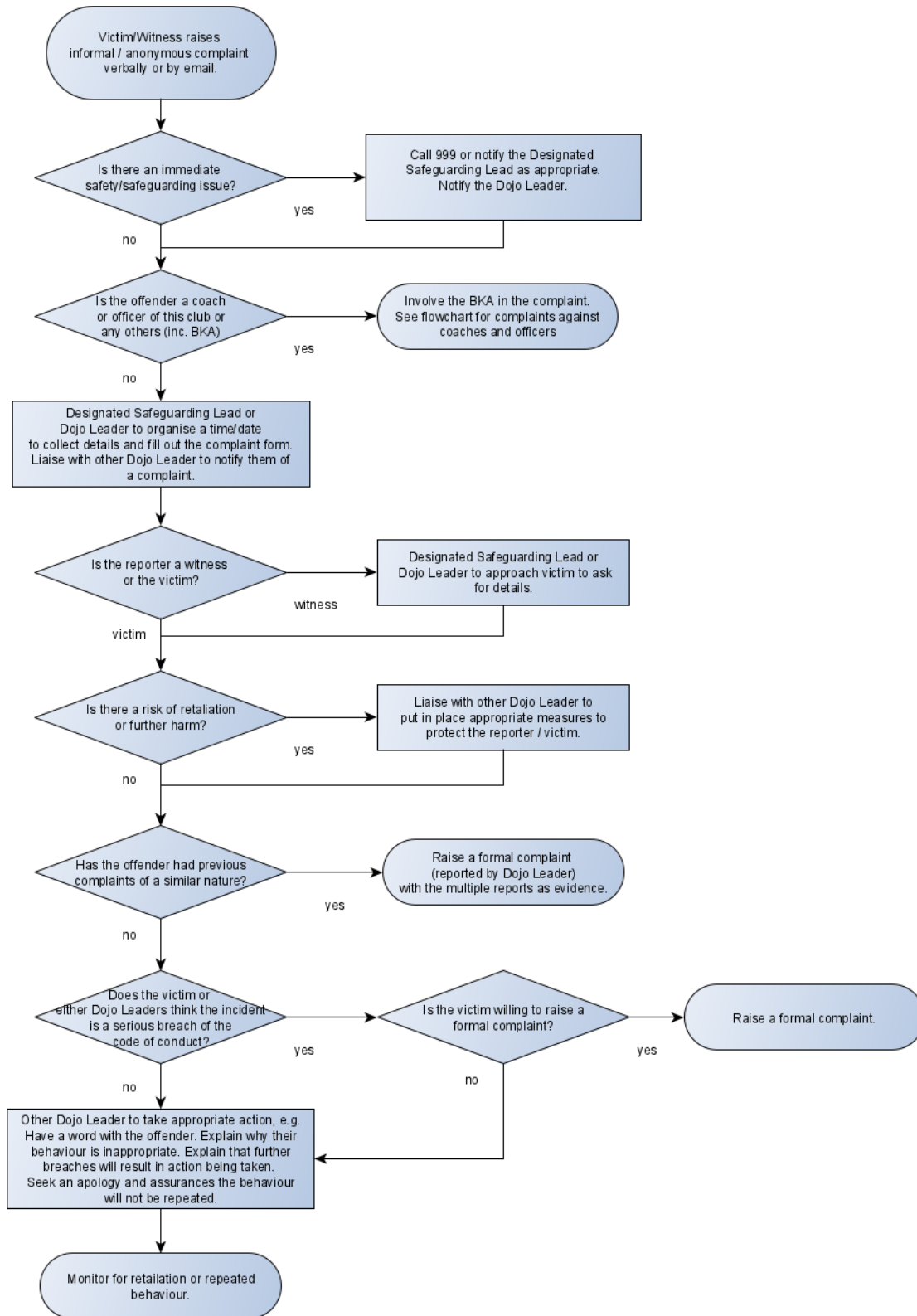
For reports of criminal behaviour, these should also be reported to the police.

***If anyone's safety is in immediate danger, call the police on 999.***

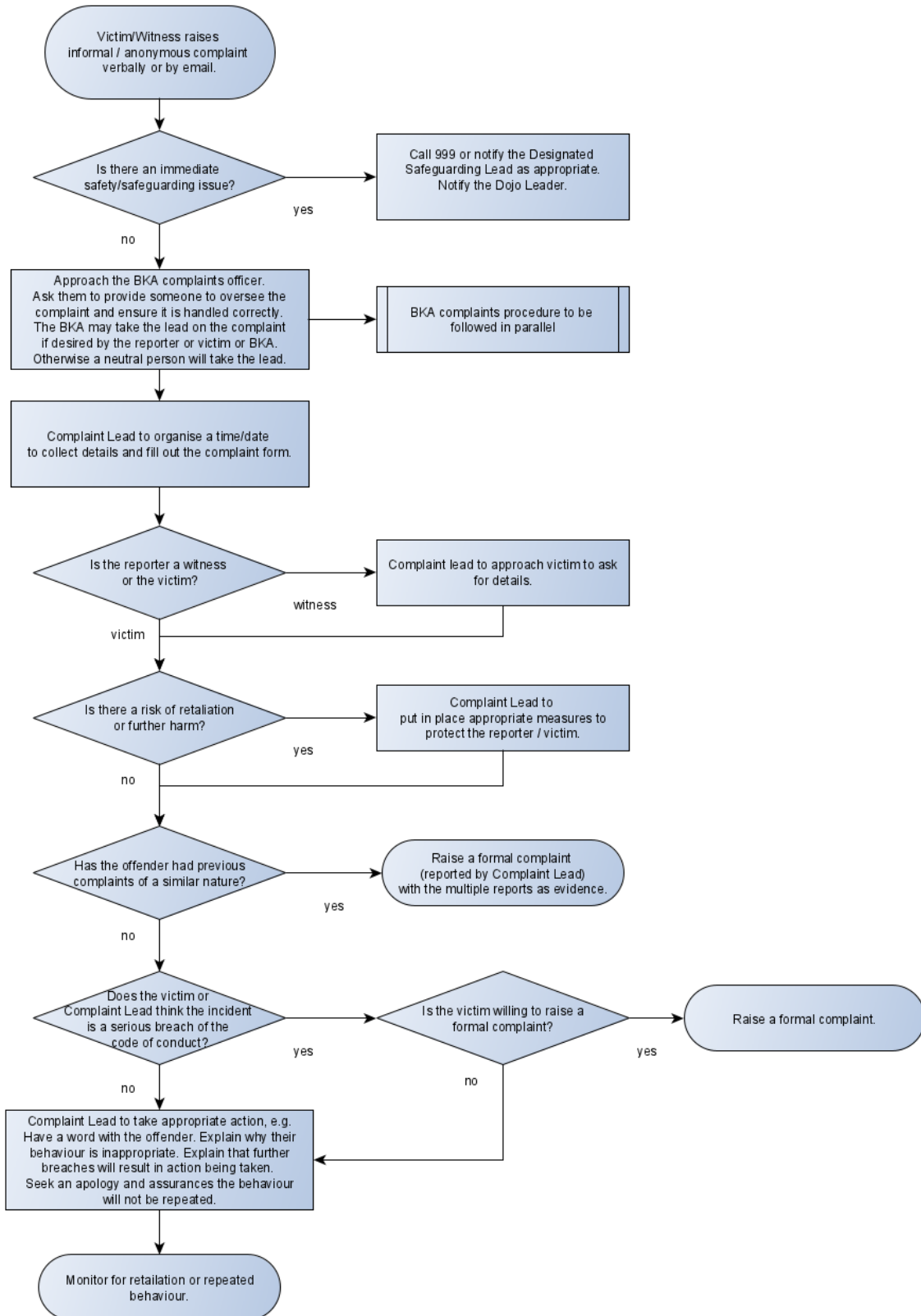
### Complaint between members of Southampton Kendo Club



## Complaint between members of Southampton Kendo Club and another club



### Complaint against any coach or officer (of SKC or another club/BKA)





## Formal Complaints Process

The procedure shown in the following flowcharts are to establish the facts, and ensure the protection of the practitioner being harassed whether it be:

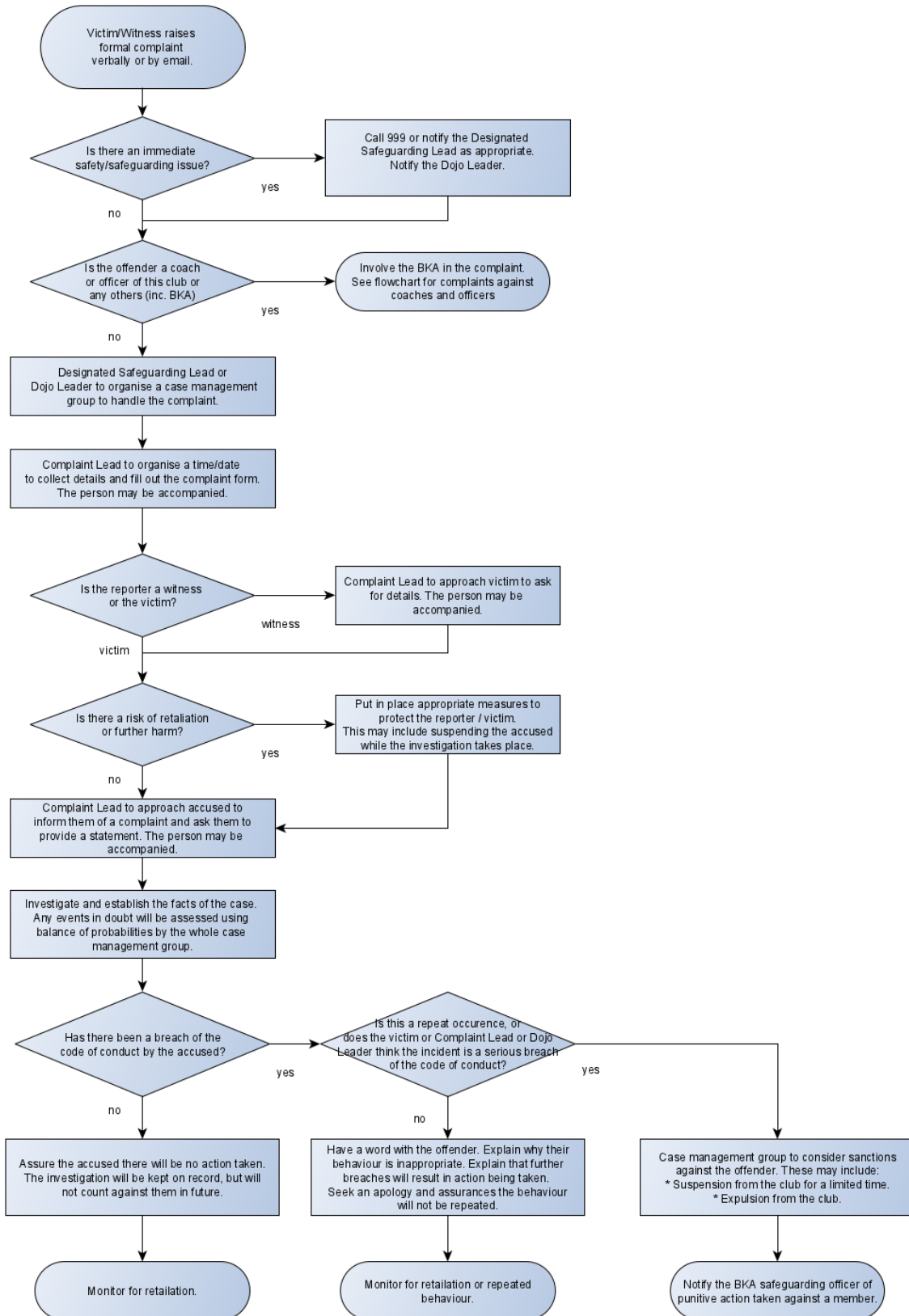
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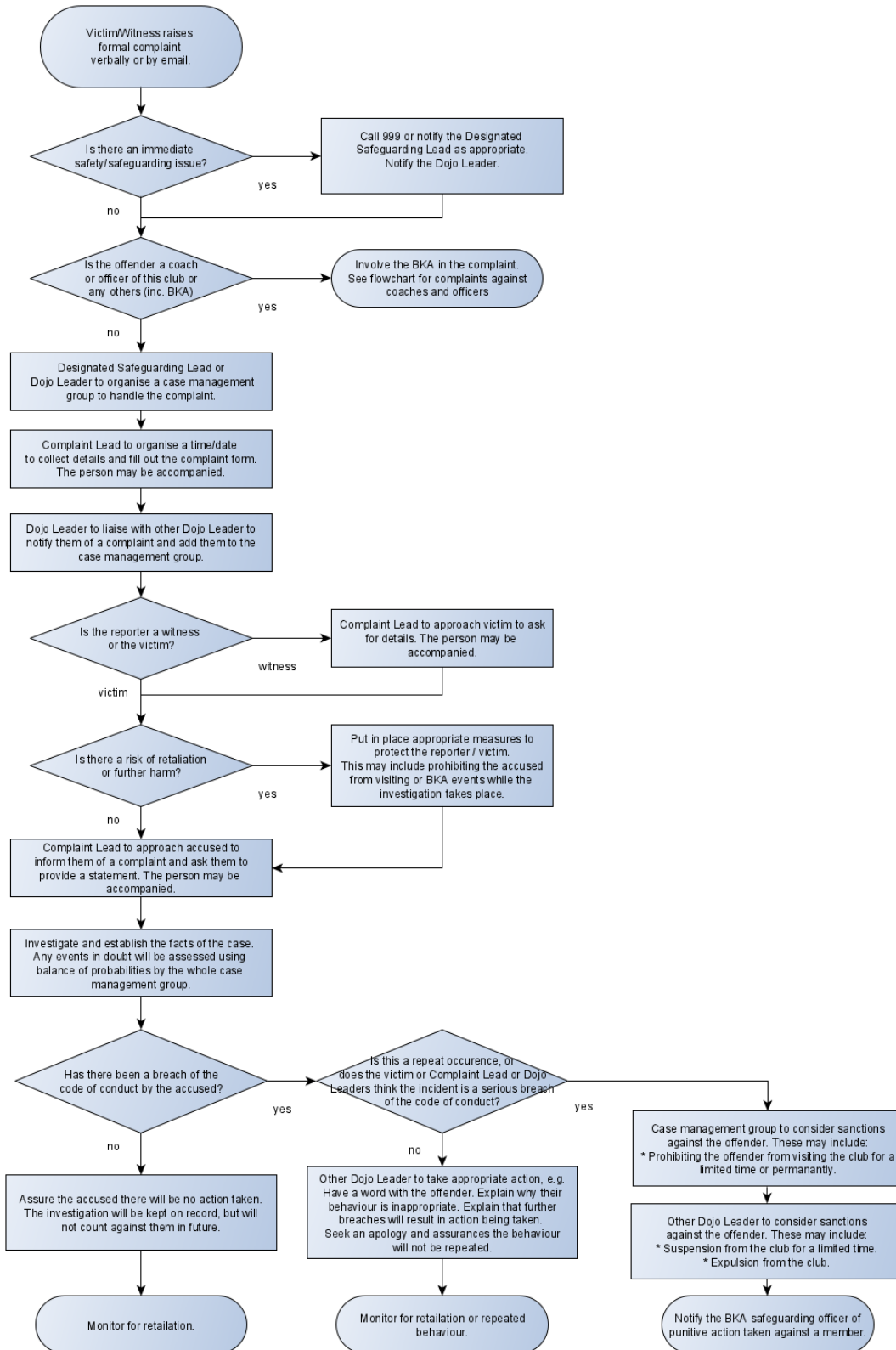
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***If anyone's safety is in immediate danger, call the police on 999.***

## Complaint between members of Southampton Kendo Club

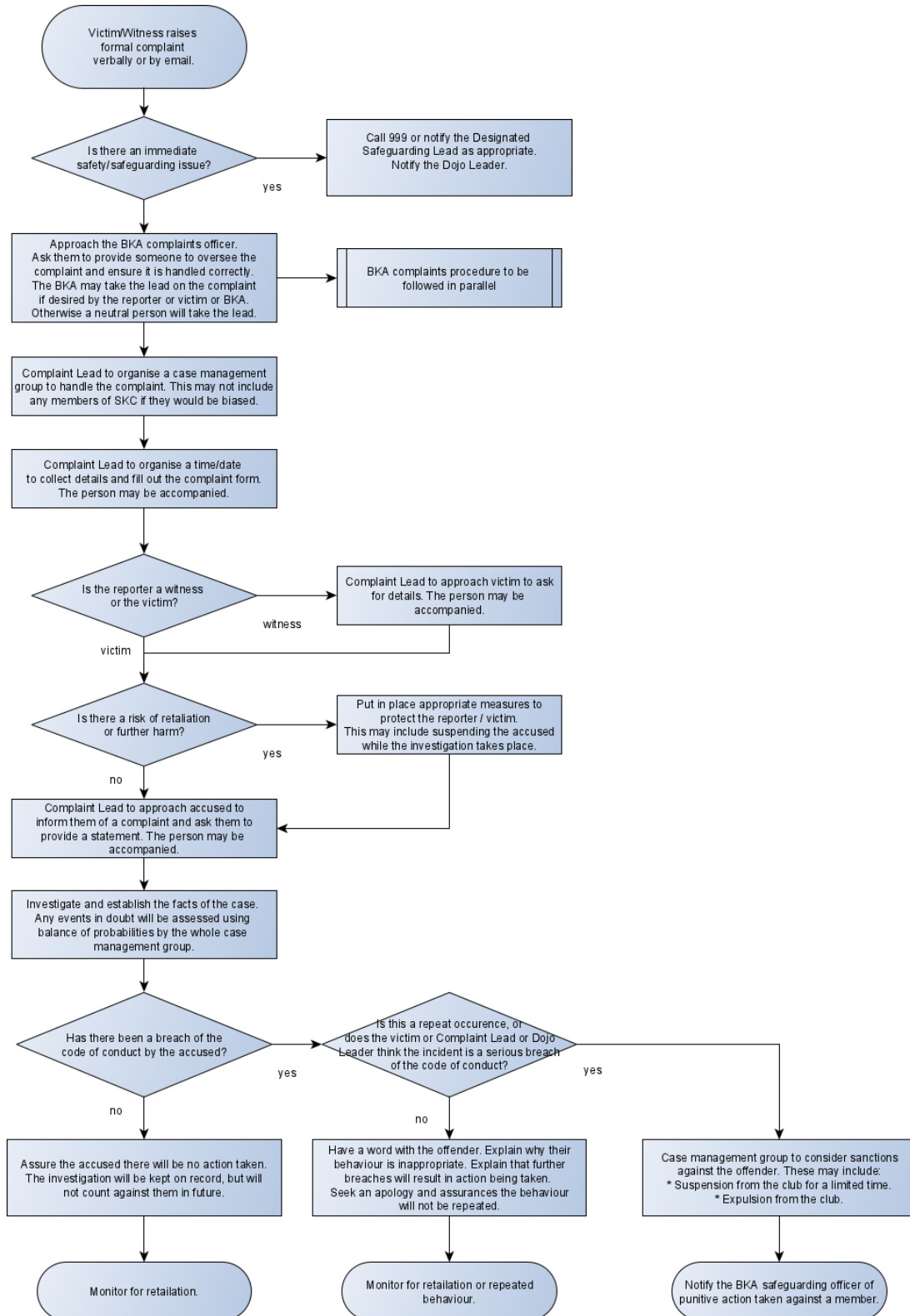


## Complaint between members of Southampton Kendo Club and another club





### Complaint against any coach or officer (of SKC or another club/BKA)



## **Appeals**

In case any new evidence becomes available, the reporter and offender will have the right to appeal a formal complaint. The case management group will be reformed as-was (where possible), and the evidence reviewed. The complaints process will be followed from the point of collecting evidence.

Because no punitive action can be taken for informal complaints, there is no right to appeal informal complaints.

In case the complaints process was found to be abused, previous complaints may be re-assessed, and may result in formal and informal complaints being removed from our records.

## **If you are accused of bullying or harassment**

If you have been challenged about your behaviour, do not dismiss it because you thought it was a joke or if you believe the person is too sensitive.

What is acceptable for you may not be acceptable for others so you may have offended others without the intention. The person may accept an apology from you if you do not demonstrate the negative behaviour in the future again.

In the event a formal complaint is raised with the Southampton Kendo Club, the incident will be fully investigated, and you will be able to request a fellow friend to accompany you as an observer at any investigation interview. Depending on the outcome of the investigation you will have the rights set out in the complaints procedure (e.g. appeal).

## **Abuse of the grievance policy**

Informal complaints are treated in good faith. However, if a person has been found to be abusing the complaints policy (with evidence), then a formal complaint will be made against them and the complaints process followed.

## **Appendix 1 - Case Management Groups**

Case Management Groups comprise a select number of individuals with identified and relevant skills, knowledge experience and/or status within the organisation and include at least one member with safeguarding adult expertise. The group's role and decision-making powers need to be embedded within the organisation's governance structure and be linked to related organisational functions such as codes of conduct, and the disciplinary policy and procedures.

Case Management Groups will be created as the need arises.

### **Case Management Group roles include:**

- to ratify any actions already taken by the reporting Coach/Officer.
- to initially assess and agree immediate response to a complaint (does there appear to be a case to answer?).
- to identify appropriate 'route' for case (e.g. internal/ disciplinary action alone or referral to statutory agencies plus internal/ disciplinary action).
- to decide the level (from local to national) at which the organisation will deal with the concern.
- to consider the need for a temporary / interim suspension order (some organisations' Case Management Group issue suspensions directly, while others can only make recommendations to their disciplinary group).
- to review progress of case(s).
- to identify/ communicate learning from cases.

Case Management Groups' membership should include:

- A designated Chair
- A secretary (often the designated Safeguarding Lead).
- Members from relevant parts of the organisation where appropriate e.g. Coaches or members with relevant experience.
- Co-opted independent safeguarding expertise (e.g. from another Sport or relevant profession such as the Police or Social services).