

ST MARTINS KARATE GROUP

Complaints and Appeals Procedure

Fair, prompt and respectful resolution of complaints and appeals

Organisation	St Martins Karate Group
Clubs covered	St Martins Junior Karate Club and St Martins Karate Carnforth
General enquiries and complaints	info@stmartinsjuniorkarateclub.co.uk
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Approved by Paul Turner and Chris Haggan

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Policy information

This procedure is owned by St Martins Karate Group and applies to both clubs, all sessions and related activities. It should be read alongside the Group's safeguarding policies, reporting and case- management procedure, codes of conduct, safe-practice policy and CMAA requirements.

1. Purpose, scope and principles

This procedure provides a fair and accessible route for raising complaints and appealing decisions. It applies to members, children and young people, parents, carers, instructors, volunteers, visitors and others affected by Group activities.

- Complaints will be treated seriously and respectfully.
- No one will be disadvantaged for raising a genuine complaint in good faith.
- The response will be proportionate to the seriousness and complexity of the matter.
- People involved will be given a reasonable opportunity to explain their position.
- Decisions will be based on relevant information and reasons will be recorded.
- No person should be the sole decision-maker where they are personally involved or have a conflict of interest.
- The welfare of children and adults at risk takes priority.

2. What this procedure covers

Examples include complaints about:

- class organisation, communication, fees or administration;

- the behaviour or attitude of an instructor, volunteer, member, parent, carer or visitor;
- poor service, unfair treatment or failure to follow a published procedure;
- bullying, harassment, discrimination or breaches of a code of conduct;
- unsafe practice, inappropriate training or failure to make reasonable adjustments;
- a decision to warn, restrict, suspend or exclude a member; or
- the handling or outcome of an earlier complaint.

The procedure does not replace statutory safeguarding, criminal, employment, insurance or legal processes. Where another process is more appropriate, the complainant will be told as far as reasonably possible.

3. Safeguarding concerns and urgent matters

Any complaint that indicates possible abuse, neglect, exploitation, grooming, serious bullying, unsafe contact, a serious boundary breach, risk to a child or adult at risk, or a possible criminal offence will be managed first under the relevant safeguarding and reporting procedures.

- Immediate danger, a serious crime in progress or urgent medical need: call 999.
- A safeguarding referral must not be delayed while an ordinary complaint is considered.
- CMAA, the police, Children's Social Care, Adult Social Care or the LADO may be consulted or notified

as appropriate.

- An internal disciplinary or complaints investigation may be paused or limited while statutory agencies act.

4. Who may make a complaint

- A current or former member.
- A child or young person, directly or with support.
- A parent, carer or support worker.
- An instructor, assistant instructor, cadet leader or volunteer.
- A visitor, spectator, contractor or another organisation.
- A person acting on behalf of someone else with their agreement, where appropriate.

5. How to make a complaint

Complaints may be made verbally or in writing to Paul Turner or Chris Haggan. Written complaints are preferred where practical because they reduce misunderstanding. They may be sent to info@stmartinsjuniorkarateclub.co.uk or handed to an instructor.

A complaint should include, where possible:

- the complainant's name and contact details;
- what happened, including dates, times and locations;
- who was involved and any witnesses;
- any supporting information or documents;
- what action has already been taken; and
- what outcome the complainant is seeking.

Help will be provided to put a verbal complaint into writing where needed. Complaints will not be rejected solely because every detail or document is not immediately available.

6. Informal resolution

Where the matter is low-level, safe to address informally and the complainant agrees, the Group may try to resolve it through an explanation, apology, correction, practical adjustment or facilitated discussion. Informal resolution will not be used to avoid recording or referring a safeguarding concern, serious misconduct or repeated poor practice.

If informal action does not resolve the matter, or is unsuitable, it will move to the formal complaint procedure.

7. Formal complaint procedure

1.

Receipt and acknowledgement: the complaint is recorded and normally acknowledged within five working days.

2.

Initial assessment: the complaint is checked for immediate safety, safeguarding, criminal, insurance or conflict-of-interest issues.

3.

Scope and responsible person: Paul or Chris will identify who will handle the complaint. This will normally be the person who is not directly involved.

4.

Information gathering: relevant accounts, records, messages, policies and other evidence may be obtained. Only necessary and proportionate information will be sought.

5.

Opportunity to respond: a person whose conduct is criticised will normally be told the substance of the complaint and given a fair opportunity to respond, unless this would increase risk or prejudice another process.

6.

Assessment and decision: the available information will be considered against the Group's policies, codes and reasonable standards of conduct.

7.

Written outcome: the complainant will normally receive the decision, main reasons, any action that can properly be disclosed and details of the appeal route.

8.

Follow-up: actions, review dates and learning points will be recorded and monitored.

8. Investigation and decision-making

- The investigation will be proportionate and impartial.
- The investigator may speak separately with the complainant, the person complained about and relevant witnesses.
- Children and adults at risk will be supported to participate safely and in a way appropriate to their communication needs.
- No one will be required to confront another person.
- Temporary, neutral safety measures may be introduced while a complaint is considered, without implying guilt.
- Where the facts cannot be established, the outcome may be recorded as unsubstantiated rather than proved false.
- Important decisions should be discussed by Paul and Chris where both are sufficiently independent;

otherwise CMAA advice or independent involvement will be sought.

9. Possible outcomes

- No further action or no case to answer.
- An explanation, clarification or acknowledgement that communication could have been better.
- An apology.
- A practical correction, refund or administrative change where appropriate.

- Mediation or an agreed restorative discussion, where safe and voluntary.
- Additional supervision, support, training or review of practice.
- An informal or formal warning.
- Conditions or restrictions on participation, duties, communication or conduct.
- Suspension or exclusion from Group activities.
- Referral to CMAA, another organisation, the DBS or statutory agencies.
- A policy, risk assessment, training plan or working practice review.

The Group will not disclose confidential personal or disciplinary information beyond what is lawful and appropriate.

10. Timescales and updates

- Non-urgent written complaints will normally be acknowledged within five working days.
- The Group will aim to provide a full written outcome within 20 working days.
- Where the matter is complex, depends on other agencies, involves absence or requires additional evidence, more time may be needed.
- The complainant will be given a progress update and a revised expected date where the target cannot be met.
- Urgent safety or safeguarding action will be taken immediately and is not subject to these ordinary timescales.

11. Confidentiality, records and data protection

- Complaints will be handled as confidentially as possible, but absolute confidentiality cannot be promised.
- Information will be shared only with people who need it to assess, investigate, decide or act on the matter.
- Records will distinguish fact, allegation, opinion and decision.
- Complaints, evidence, correspondence, actions and outcomes will be stored securely and separately from ordinary membership records.
- Access will normally be limited to Paul Turner and Chris Haggan, with any wider access restricted to what is necessary.
- Records will be retained in line with legal, safeguarding, insurance and CMAA requirements and disposed of securely.

12. Complaints involving Paul Turner or Chris Haggan

- A complaint about Paul Turner should be handled by Chris Haggan where Chris is independent of the matter.
- A complaint about Chris Haggan should be handled by Paul Turner where Paul is independent of the matter.
- Where the complaint involves both, neither is sufficiently independent, or the complainant reasonably lacks confidence in the internal route, CMAA should be contacted for advice or independent involvement.
- Where safeguarding or criminal concerns exist, CMAA involvement must not delay contact with statutory agencies.

13. Anonymous complaints

Anonymous complaints will be considered where enough information is provided to assess risk or take reasonable action. The Group may be unable to clarify details, test evidence or report an outcome to

the complainant. Anonymous information may still be shared or referred where safeguarding or serious risk is indicated.

14. Complaints by children and young people

- A child may complain directly, through a parent or carer, or with help from another trusted adult.
- The child will be listened to and information will be explained in language appropriate to their age and understanding.
- Their wishes will be considered, but adults may still need to act to protect them or another person.
- The child should not be questioned repeatedly or asked to investigate the matter themselves.
- Where appropriate, the child will be told what happened as a result of their complaint, while respecting other people's privacy.

15. Appeals

A person directly affected by a formal decision may appeal in writing within 10 working days of the written outcome. An appeal is not a complete re-hearing simply because the person disagrees with the decision.

Valid grounds may include:

- the published procedure was not followed and this may have affected the outcome;
- relevant evidence was not considered;
- significant new evidence has become available and could not reasonably have been provided earlier;
- the decision or sanction was unreasonable or disproportionate; or
- there was bias or an unmanaged conflict of interest.

The appeal should identify the decision challenged, the ground or grounds of appeal, the outcome sought and any supporting information.

15.1 Appeal handling

- The appeal will be acknowledged within five working days.
- It will be considered by a person who did not make the original decision and is sufficiently independent.
- Where Paul made the original decision, Chris may consider the appeal if independent; where Chris made it, Paul may do so.
- Where neither is sufficiently independent, CMAA will be asked to advise, review or arrange an independent route.
- The appeal reviewer may uphold the original decision, vary it, overturn it, or require part or all of the complaint to be reconsidered.
- The appeal outcome will normally be issued within 20 working days, with updates if more time is needed.
- The appeal decision is the end of the Group's internal process, without preventing any lawful external complaint or referral.

16. External escalation

A complainant may contact CMAA where the complaint concerns safeguarding, serious conduct, conflicts of interest or dissatisfaction with the internal process. Statutory services, police, regulators or legal advisers may also be contacted where appropriate.

- CMAA Central Designated Safeguarding Lead: Andrew Morrell, 07909 673894.

- Emergency danger or serious crime in progress: 999.
- Police non-emergency: 101.
- Lancashire Children's Social Care: 0300 123 6720.
- Lancashire out-of-hours social care: 0300 123 6722.
- Lancashire Adult Social Care safeguarding concerns: 0300 123 6720.

17. Unreasonable or persistent conduct

The Group will not label a complaint unreasonable merely because it is forcefully expressed, repeated, difficult or unsuccessful. However, proportionate limits may be set where conduct becomes abusive, threatening, discriminatory, excessively repetitive, knowingly false, or prevents the Group from handling the matter fairly.

- Any restriction will be explained in writing, including its reason, scope and review date.
- A reasonable route for necessary communication will normally remain available.
- Safeguarding information will still be assessed regardless of the complainant's behaviour.

18. Monitoring and review

- Paul and Chris will maintain a confidential record of formal complaints, outcomes, appeals and agreed actions.
- Open matters will be monitored until actions are completed and a closure decision is recorded.
- Patterns, repeated issues, delays and learning points will be reviewed to improve practice.
- The procedure will be formally reviewed at least every three years and earlier after a significant case, relevant guidance change or identified weakness.

Appendix A: Complaints flowchart

Stage

Action

1. Concern or complaint received

Listen, record the issue and check whether anyone is in immediate danger.

2. Safeguarding or crime indicated?

Yes: follow safeguarding procedure and contact statutory services where required. No: continue below.

3. Conflict of interest?

Allocate to Paul or Chris if independent. If neither is independent, seek CMAA involvement.

4. Informal resolution suitable?

If safe and agreed, attempt explanation, apology, correction or discussion. If unsuitable or unresolved, use formal process.

5. Formal assessment

Acknowledge within 5 working days, define the complaint and gather proportionate information.

6. Fair opportunity to respond

Tell the person complained about the substance of the complaint where safe and appropriate.

7. Decision and outcome

Aim for written outcome within 20 working days, with reasons and any actions that can properly be disclosed.

8. Appeal?

Written appeal within 10 working days on a recognised ground, considered by someone independent of the original decision.

9. Close and monitor

Record outcome, complete actions, review learning and formally close the case.

Appendix B: Complaint form

Name of complainant:

_____ Contact details:

_____ Name of person affected, if different:

Date complaint submitted:

Date, time and location of incident or issue:

People involved and witnesses:

What happened:

What action has already been taken:

_____ Supporting information or documents:

_____ What outcome are you seeking?

_____ Any communication, access or support needs:

Signature:

Date:

Appendix C: Appeal form

Name of appellant:

_____ Contact details:

Date of original written outcome:

_____ Decision being appealed:

_____ Ground or grounds of appeal:

_____ Details supporting the appeal:

_____ New evidence, if any, and why it was not available earlier:

_____ Outcome sought:

Signature:

Date:

_____ Complaints will be heard fairly. Safeguarding will always come first.

Document control

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General enquiries	info@stmartinsjuniorkarateclub.co.uk