

British Manchester Terrier Club Complaints Procedure

This document sets out the procedure for complaints (“Complaints”) by members of the British Manchester Terrier Club (BMTC) the scope of complaints should be in relation to a breach of the BMTC’s Code of Conduct or BMTC rules.

1. Applicability of the Procedure

1. This procedure applies where a Club member believes that another Club member has failed to act in accordance with the BMTC Code of Conduct or BMTC rules, or the BMTC itself is in breach of its rules and policies.
2. The BMTC and its members are reminded that they are also subject to Kennel Club (KC) rules and regulations which may apply to any proposed sanction following a complaint, KC rules and regulations may take precedence and may result in timescales being extended to comply.
3. Any complaint raised with the BMTC may be brought to the attention of the KC for their consideration.

2. Definition of the “Committee”

1. The “Committee” shall be current elected or co-opted Committee members of the BMTC.
2. Where the Respondent is a committee member, that Respondent will not form part of the decision-making process or the complaint resolution.
3. All Committee members will be informed of the complaint in person or via online communication.

3. General

1. Complaints should aim to be resolved within 28 days of receipt of the 'Respondents' representation and presentation of evidence.
2. Complex complaints may not be reasonably predicted to be resolved within the timescale set out at 3.1. If this is the case, the BMTC Committee shall agree a reasonable time scale and contact the Complainant to inform them of the newly predicted resolution date, BMTC Hon Secretary will contact the Complainant to inform them of this decision within 28 days of receipt of the Complaint.
3. Time limits in this procedure should usually be met by all parties. Time limits may only be extended by the Committee where it is necessary to do so to ensure a fair outcome (for example, where more time is needed to gather information or evidence to fully investigate the complaint, illness, or any reasonably unexpected issue).
4. Failure of the Complainant to comply with the procedure may result in the complaint being closed.
5. Complaints will be dealt with confidentially by all parties involved, except where it is necessary to disclose information to carry out a fair investigation (e.g., the identity of the person making the Complaint will usually be disclosed to the Respondent).
6. Anonymous complaints will not be considered.

7. The Committee may decline to consider malicious, vexatious, or frivolous complaints. The Complainant will be notified of this decision and the committee's decision is final.

4. **Informal Resolution**

1. The person making the complaint should consider best practice by taking steps to resolve the matter informally before making a formal complaint. This might include discussing the matter with the Respondent, and/or seeking advice from a BMTC Committee member.

5. **Making a Complaint**

1. A formal Complaint should be made to the BMTC Hon Secretary by the following methods:
 - a. By Registered Royal Mail letter to the Home address of BMTC Hon Secretary (details of Hon Sec address can be found on BMTC website).
 - b. By email to secretary@manchester-terrier-club.co.uk
2. The complaint to be with the BMTC Hon Secretary in the format as per 5.1a or b within 28 days of the conduct complained of.
3. The Complaint should include:
 - (a) A detailed description of the event(s), Rule or Code of Conduct which has been breached.
 - (b) The outcome that is sought.
 - (c) Statements by any person(s) who witnessed the event(s) or were affected by them.
 - (d) Any other documents or evidence relied upon in support of the Complaint.

6. **Interim Measures**

1. If it is necessary to do so to protect either or both parties and/or other club members from a risk of harm and/or distress, the Committee may suspend the Respondent's Club membership and/or access to Club events or facilities pending proceedings.

7. **Response to the Complaint**

1. Within 14 days of receipt of the Complaint, the BMTC Hon Sec will write to the Respondent attaching the Complaint, all the accompanying evidence and a copy of this Procedure stating that the Respondent has 10 days to provide written representations and any evidence in response to the Complaint (the "Response").

2. Should the Respondent be seen by the investigating Committee not to be engaging in a timely manner then the Respondent will be issued one warning via email or registered post. Following the issue of the warning, should the Respondent not reply within 5 working days from issue of the warning, then the Committee reserve the right to resolve the complaint following the issue of the Respondent's 'warning'.
3. The BMTC Hon Secretary will, within 14 days of receipt of the Complaint, inform all Officers and Committee of the details of the complaint and any accompanying documentation where a meeting of Officers and Committee shall be called to discuss the 'Complaint' (this meeting may be in person or via an online process).

8. Further Enquiries

1. Upon receipt of the Response, the Committee may make any further enquiries of parties or persons that they consider necessary or desirable to fairly resolve the complaint.
2. If the Complaint is likely to result in removal of membership, the discussions of the Committee must involve consultation within the procedures of BMTC and Kennel Club rules.

9. Decision: Complaints Against Club Members Who Are Not Committee Members

1. The Committee shall record its decision and the reasons for it in writing (which may include electronic means) and shall send a copy of the reasoned decision to the Complainant and Respondent within 10 days of the agreed deadline for the Response.

10. Decision: Complaints Against Committee Members

1. If the Committee considers that it is appropriate to suspend or remove the Respondent from office, they shall:
 - a. Set out their recommendations and reasons in writing (which may include electronic means) in line with BMTC and/ or KC rules and regulations (the "Recommendations") and shall send a copy of the Recommendations to the parties within 10 days of the deadline for the Response.
2. If the Committee considers that any other sanction is appropriate, it shall record its decision and the reasons for it in writing (which may include electronic means) and shall send a copy of the reasoned decision to the parties within 10 days of the deadline for the Response.

11. **Sanctions**

1. The sanctions that may be imposed or proposed under this procedure include, but are not limited to:
 - a. Suspension of access or use of the Club's events / facilities for a fixed period.
 - b. Suspension of membership of the Club for a fixed period.
 - c. Removal from office.
 - d. Removal of membership of the Club. A Special General Meeting will be called in this instance.

12. **Right Of Appeal or Review**

1. The 'Complainant' may within 14 days of Complaint resolution, appeal or request a review of the complaint outcome. The request for review must include an outline of any errors or omissions the Complainant believes may have resulted in an unfair decision. This shall be done via the BMTC Hon Secretary as per 5.1 a or b.
2. The Complainant may take their complaint to the Kennel Club should they not be satisfied with the outcome.

13. **Litigation & Police Investigation**

1. The Complainant and or Respondent shall, at the time of lodging the complaint with the BMTC or within 24 hrs of seeking Litigation or recording a Police Investigation/Crime Report, inform the BMTC Secretary as per procedure 5.1.a or 5.1.b of any part of an ongoing complaint which involves any parties or witnesses being part of a legal investigation, complaint, or litigation.
2. Any complaint being investigated by the BMTC will cease until final resolution of legal investigation or litigation.
3. Any complaint outcomes and resultant documentation requested from the BMTC by legal bodies involved in an investigation or litigation may be submitted on request.
4. The Complainant, Witness or Respondent is not required to be notified by the BMTC that any legal request for documentation/information has been made to the BMTC regarding their case.