

**gaelcon irish games association**

**1999**

# Complaints Policy

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## 1. Background – Who we are and what we do

For information on the Gaelcon Irish Games Association (hereafter referred to as The IGA), Refer to our Vision and Missions Statement and our website.

## 2. Statement of Policy

This policy lists the methods that The IGA is using to handle complaints and potential violations of the Code of Conduct (CoC). This process can only deal with complaints which fall within our remit. Any complaints deemed to be outside our scope will be referred on to other organisations where appropriate.

The best way of communicating queries or feedback to The IGA is via our 'Contact Us' page on the website.

This policy shall be amended as required and the Executive will review this policy as part of its organisation-wide policies review process outlined in the matrix for reviewing all IGA policies.

The person raising the Complaint shall be referred to as the Complainant. The person whom the complaint is about shall be referred to as the Subject of the Complaint (SOC).

## 3. Definitions

### **Serious Misconduct**

*Nature of Behaviour:* Actions that are severe, egregious, or significantly harmful.

*Impact:* Results in substantial negative consequences, either for individuals or the organisation.

### **Sustained Misconduct**

*Consistency or Duration:* Behaviour that persists over time, indicating a pattern rather than an isolated incident.

*Repetition:* Involves repeated occurrences of the same or similar misconduct.

### **Unacceptable Behaviour**

*Contravention of Policies:* Actions that directly violate the established rules, regulations, code of conduct, or policies of the organisation.

*Disrespectful Conduct:* Behaviour that shows a lack of consideration, courtesy, or regard for others.

*Harmful Actions:* Actions that cause harm, whether physical, emotional, or reputational, to individuals or the organisation.

*Discriminatory or Offensive Language:* Use of language that is discriminatory, offensive, or inappropriate, including but not limited to harassment or hate speech.

*Repeated Infractions:* Persistent or recurring behaviour that disrupts the functioning of the organisation or community.

*Behaviour Contrary to Values:* Actions that run counter to the core values and principles of the organisation.

## **SOC**

Subject of Complaint - the person about whom a complaint has been raised.

## **Complainant**

The person who is making a complaint.

## **Staff**

Any Director, Exec member, or volunteer of The IGA, or any person acting in an official capacity as part of or on behalf of The IGA.

# 4. The role of The IGA

The IGA acts in the public interest and not on behalf of any individual member of the public or group. We operate in accordance with our stated values - including fairness and proportionality.

A key role of The IGA is to monitor and ensure compliance by all members, volunteers and attendees with the CoC.

This policy explains:

- Matters we generally can and cannot deal with;
- How to raise a Complaint about a member, event attendee, staff member or volunteer;
- How we will deal with Complaints about breaches to the CoC;
- What to expect if you raise a Complaint about a CoC breach with us;
- What to expect if you are the subject of a Complaint;
- Considerations when providing information to The IGA; and
- How we decide on the outcome.

## 5. Matters we ordinarily deal with

Where an issue is raised regarding a member, volunteer, event attendee, or staff, henceforth referred to as the SOC, the principal focus of The IGA is on whether there has been a breach of the CoC.

For example:

- A risk of significant loss or damage to The IGA, its assets or beneficiaries;
- Breach of duty by volunteers or trustees;
- Serious or sustained misconduct by those in attendance at an IGA event;
- Where a member of the public may be presenting themselves as being a member of the executive or volunteer when they are not.

## 6. Matters we will not ordinarily deal with

- Matters that do not relate to The IGA. For example, video gaming, gambling, etc.;
- Complaints relating to services provided by venues which should be raised with the venue directly;
- Issues that are not within The IGA remit; and
- Personal grievances a person may have with an Individual, or any venue staff.

In certain circumstances, while a Complaint may initially fall within one of these categories, it may nevertheless be appropriate for The IGA to be notified of the Complaint. Examples of these would include where an internal dispute leads to a total breakdown in the operation of the volunteer group, thereby posing a risk to The IGA's reputation, assets or beneficiaries, or where a service provided by a volunteer was not in line with the CoC. If you are in any doubt, please contact The IGA directly.

## 7. How to raise a Complaint

Anyone can raise a Complaint about an individual with The IGA. Complaints may be raised with us by charity trustees, volunteers, members of the public, charity beneficiaries, donors, funding bodies or other authorities.

If you wish to raise a Complaint with us, please complete and submit our online Complaint Form.

### 7.1. Complaints raised via Third Parties

Once a Complaint is raised about an SOC, The IGA may require further details, information or clarification. Being able to contact the person who raised a Complaint directly will help The IGA in this regard.

We will not usually deal with a Complainant's Complaint via a third party, unless there is a valid and necessary reason to do so. In circumstances where a third party raises a Complaint on behalf of another individual, we may request the contact details of the individual on whose behalf the third party is acting.

## 7.2. Anonymous Complaints

While The IGA will accept anonymous Complaints, it may not be possible to progress the Complaint in terms of further enquiry or examination in the absence of contact details for the person raising the Complaint.

## 8. How we deal with Complaints about charities

We take an evidential, risk-based and proportionate approach to responding to Complaints. This means targeting our resources at the areas of highest risk and where we think our intervention will have the greatest impact.

Upon receipt of a completed online Complaint Form and where contact details have been supplied, we will acknowledge the Complaint(s) as quickly as possible, and no later than 10 working days of receipt of the Complaint.

We assess Complaints to establish:

- Whether we have the legal power to act in the particular set of circumstances;
- Whether there is risk:
  - to The IGA's assets (including reputation) and/or its beneficiaries;
  - of abuse of charitable status; and
  - to other members, staff, volunteers or attendees.
- Whether the Complaint should be dealt with by another regulator, inspectorate or public body;
- The level of action required by The IGA.

We may carry out background enquiries to make sure that any information provided to us is correct and credible. This may include making contact with charities, organisations or other persons as appropriate.

We will not act on unsubstantiated allegations, rumour or opinion as to do so would be unfair to the SOC; false allegations can lead to reputational damage, anxiety, depression and other short or long-term physical and/or mental health impacts.

Where we suspect an offence has been committed, we may provide information to An Garda Síochána and other relevant bodies as appropriate.

## 9. What to expect if you raise Complaints with us

We aim to conclude our enquiries as quickly as possible. However, some enquiries may be complex and require input from many sources. It may also be necessary to initiate contact with An Garda Síochána.

The Complainants identity will not typically be disclosed to the SOC. However, there may be circumstances where The IGA may be required to provide the Complainants identity, for example, if we are required to do so by a Court. Even in circumstances where the Complainant is not identified, their identity may be apparent to the SOC due to the issue raised.

The IGA will not comment or give updates on enquiries while they are ongoing, as this could prejudice the investigation and our regulatory work. When The IGA has completed enquiries, we will let the necessary parties know the outcome in general terms. We will not usually provide the Complainant with detailed findings on each and every issue. The IGA's decision regarding a particular Complaint is final.

In circumstances where a Complainant raises a Complaint with us, which relates to their specific interaction with a charity and they provide us with their name, in order to examine the issue they have raised we may need to provide their name and the details of their interaction with the charity to the charity SOC. In those circumstances, The IGA will obtain permission from the Complainant first to refer to their personal details when contacting the charity. It is important to note that in these instances, we are not acting on the Complainants' behalf but are using the Complaint they have raised about a charity to assess if the charity is operating in compliance with charity law.

### 9.1. Vexatious Complaints

The IGA reserves the right not to engage with a person or group on Complaints which it regards as vexatious.

## 10. What to expect if you are the subject of a Complaint

The IGA encourages compliance by all individuals in attendance at IGA events and acting on behalf of The IGA with the CoC.

All Complaints received are assessed and risk rated in accordance with our Risk Assessment policy. Following our assessment, some Complaints may be deemed to be outside our scope and referred on to other regulators where appropriate.

We will generally contact you if it is established that the Complaint raised in respect of your conduct merits enquiry.

Contacting the SOC does not imply that we agree with the Complaint raised nor does it infer any wrongdoing on their part. We will explain to a SOC what the Complaint is in general terms

and will ask for information in order to give us a better understanding of the particular issues that have been raised with us.

Where we have been advised that a solicitor has been instructed to act on a Complainant's behalf, we will direct our correspondence to them. We will also deal with a third party contact where it has been confirmed that they have been nominated by the Complainant to act on their behalf. However, there may be occasions where we need to contact the Complainant directly; when this happens we will copy the solicitor or nominated staff member acting for them on our correspondence as appropriate.

In the course of our enquiries we may ask for information from any person connected with the Complainant. This may occur by way of written or email requests or face-to-face meetings.

We will not disclose the identity of those who have raised Complaints with us to the subject of the complaint unless we have been given permission or have a legal obligation to do so. This is because it is important that Complaints about individuals can be raised with us in confidence.

It should be noted that we may contact an individual in respect of issues identified other than from Complaints raised by members of the public such as media reports, monitoring or other compliance and enforcement work. However, the principles set out in this section in respect of how we will interact with an individual apply to both circumstances regardless of how a Complaint arises.

We will take all reasonable steps to minimise disruption to the work and reputation of involved persons/groups during our enquiries. However, we acknowledge that there may be an impact to reputation, particularly in instances where we have to enact restrictions under the CoC.

## **11. Providing information to The IGA**

In the course of our enquiries, we may collect information from the original Complainant who raised the Complaint, as well as the SOC, or other relevant third parties complained about. It is a breach of conduct for a person to knowingly make a false statement to The IGA that a breach of the CoC has or is being committed.

## **12. How we decide on the outcome**

In making a decision, we will weigh up all the information we have obtained during the course of our enquiries, and consider any ongoing risk to The IGA, including its assets and beneficiaries.

Where non-compliance or harm to The IGA is identified, we will consider any corrective action already taken, and the stated intentions of the SOC going forward.

The IGA will decide whether we need to take any action in terms of using our formal powers, or whether it is more appropriate and proportionate for us to provide support to the Complainant and SOC, which may be in the form of recommendations for specific action by



the SOC. Where we make a recommendation to a charity to take specific action(s), we will follow up with the charity as appropriate to ensure those actions have been taken.

There may be cases where The IGA decides that it is not proportionate or necessary for us to take a matter forward with a charity. In such cases, we will keep the information on record and may refer to it in future if another Complaint about the same charity is raised with us.

In some cases, where we use our formal powers in a specific case, or where we consider it to be in the public interest, we will publish a report on our website explaining what has happened and the actions we have taken in the specific case.

While The IGA will aim to have Complaints investigated and handled within five weeks, it is important to note that each Complaint is different and may require additional time to ensure a thorough investigation.

## **13. Data Protection and Freedom of Information**

All personal information received by The IGA in relation to a Complaint shall be stored in accordance with our Data Protection Policy.

Personal information provided to The IGA will only be used in line with the purpose for which it was provided and it will not be shared with third parties unless allowed or required by law. The IGA may use anonymised personal data for statistical purposes.

## **14. Communicating with IGA committee**

While we understand that persons who contact us in respect of Complaints may be experiencing difficulties or be in a stressful situation, we will be polite and courteous to members of the public and expect the same in return. We will not tolerate unacceptable behaviour, including aggressive or abusive behaviour, unreasonable demands or unreasonable persistence. Where such unacceptable behaviour occurs, we may advise the person that we will not engage with them further.

## **15. Training**

The IGA will empower dedicated staff and train them to deal with the receipt of Complaints.

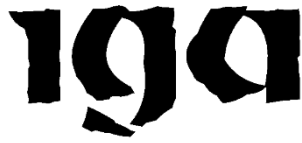
Suggestions of additional training will be taken on board and processed to add to our resources.

## **16. Legal Disclaimer**

This policy is intended to explain how The IGA deals with Complaints. It is not, nor is it intended to be, a definitive statement of the law in this area. Organisations and individuals may wish to

obtain their own independent legal advice when making decisions relating to any of the matters referred to in this document.

## Appendix 1: Complaints Form



# complaints form

Complainant Details	
Name of Person Lodging Complaint:	
Date	
Address	
Contact Number	
Email	
Person you are Acting on Behalf of (if applicable)	
Name of Person Being Represented	
Email	

Complaint Details			
Date of Incident		Time	
Location of Incident			
Who/What is the Subject of Your Complaint			
Summary of Complaint/Issue:			



# complaints form

Complainant Details	
Name of Person Lodging Complaint:	
Date	

Witness Details 1 (Leave Blank if Not Relevant)	
Name	
Email	
Contact Number	

Witness Details 2 (Leave Blank if Not Relevant)	
Name	
Email	
Contact Number	

Witness Details 3 (Leave Blank if Not Relevant)	
Name	
Email	
Contact Number	

Witness Details 4 (Leave Blank if Not Relevant)	
Name	
Email	
Contact Number	