



RFU SAFEGUARDING COMPLAINTS PROCEDURE

What is this procedure for?

The RFU takes complaints about our work in all aspects of safeguarding seriously. We encourage feedback and view complaints as an opportunity, where possible, to learn and improve the advice and support that we offer to the Game. If you are not satisfied with the work of the RFU safeguarding team, please follow the process below.

Our aims are to:

- provide a fair complaints procedure which is clear and easy to understand;
- be open about how we will deal with complaints;
- ensure that all complaints are investigated fairly and in a timely way; and
- gather information in order to improve our work.

For the purpose of these procedures, a complaint is any expression of dissatisfaction about any aspect of the safeguarding work provided to you by the RFU.

How do I make a complaint?

Stage One

In many cases, a complaint is best resolved by the person responsible for the issue that is being complained about. If the complaint has been received by that person, we expect that all reasonable efforts will have been made to resolve it swiftly if possible and appropriate (informal resolution). However we appreciate that this is not always possible or appropriate and therefore have the following additional process in order to deal with all complaints raised.

Stage Two

If it has not been possible to resolve the complaint in Stage One of this process, the complaint should be made to the RFU Legal and Governance Director. This can be in writing or by telephone. Contact details are set out at the bottom of this procedure. All telephone conversations will be recorded in writing. The complaint will be acknowledged and

responded to within 10 working days and a copy of this complaints procedure will be supplied.

Within this timescale, the RFU Legal and Governance Director will form a view as to whether the complaint is being addressed to the correct organisation (if not, it will be forwarded as quickly as possible to the correct organisation (such as the relevant local authority, or the police)) and that organisation's complaints procedure will apply from thereon in.

If the complaint is most appropriately dealt with by the RFU, then the RFU Legal and Governance Director will form a view and decide who the best person to respond to the complaint is (which may be the RFU's Legal and Governance Director him or herself).

The investigating individual at Stage Two is referred to in this procedure as the Stage Two Reviewer.

The Stage Two Reviewer will:

- consider whether the complaint falls within the ambit of this procedure;
- consider whether any action taken with regards to the complaint would hinder the progress of any other safeguarding investigation or other proceedings;
- initiate discussions, meetings or other correspondence with the complainant to fully understand their issue, seek clarity and be clear on what would constitute a resolution for them;
- consider whether the substance of the complaint has already been dealt with in the response to another complaint or as part of Stage One of the process. If it has already been dealt with appropriately, then no further action will be taken.

It is hoped that an acceptable resolution can be found and the complaint can be concluded to the complainant's satisfaction at this stage. However if this is not the case, the complainant must inform the RFU Legal and Governance Director within 10 working days of the decision to initiate Stage Three, which will be progressed as follows:

Stage Three

At Stage Three, the details of the complaint and actions taken at Stage One and Two will be passed to another senior manager within the RFU (which may be the RFU Legal and Governance Director if he or she was not the Stage Two Reviewer). The investigating individual at Stage Three is referred to in this procedure as the Stage Three Reviewer.

The Stage Three Reviewer will:

- within five working days acknowledge receipt of the Stage Three complaint and that they are reviewing it;
- make it clear when a response can be expected. The aim will be for complainants to receive a definitive reply within 20 working days. If this is not possible because, for example, an investigation has not been fully completed, a further communication will be sent with an indication of when a full reply will be given;
- review principal documentation and the actions taken so far.

The role of the Stage Three Reviewer is to assess whether the conclusion reached by the Stage Two Reviewer was one to which a reasonable person could have come, or whether he or she acted fairly to the complainant. The Stage Three Reviewer will not ordinarily review the matter from the beginning. The Stage Three Reviewer shall not ordinarily ask for further statements from the complainant or third parties.

If the Stage Three Reviewer concludes that the conclusion reached by the Stage Two Reviewer was one to which a reasonable person could not have come, or failed to act fairly to the complainant, he or she shall instruct another individual to conduct a Stage Two Review again. Alternatively, or in addition, the Stage Three Reviewer may propose that the complainant engages in mediation with the RFU and/or any relevant third parties, or he or she may refer the matter to the Child Protection in Sport Unit of the NSPCC, Sport England, or another body for resolution in accordance with such body's procedures. If the Stage Three Reviewer is satisfied that the conclusion of the Stage Two Reviewer was reasonable, and that the complainant was treated fairly, then the Stage Three Reviewer shall inform the complainant that the matter is closed.

The reply (within 20 working days where possible) to the complainant will inform them of the action(s) taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

What happens next?

The decision of a Stage Three Reviewer on whether to close the complaint's file and/or recommend an alternative action is final.

Where any recommendations of the RFU Legal and Governance Director, any Stage Two Reviewer or Stage Three Reviewer result in disciplinary action for any person, the relevant

disciplinary rules will be followed, including those relating to appeal against any resulting sanction.

What else you need to know

The person making the complaint must be the person directly affected by the issue (or any parent and/or person with parental responsibility for a child directly affected by the issue) and not a third party. We will not ordinarily respond to third party complaints.

This procedure does not apply to any process which is the subject of the RFU Regulations (such as RFU Regulation 19 (Discipline, or RFU Regulation 21 (Safeguarding)), for example if you have been given a disciplinary sanction or a safeguarding bar or other restrictions.

If you wish to appeal against a bar, whether interim or final, then the procedure for appeal will be set out in the letter in which you were informed of your bar. That letter will also set out the deadline by which you must make any appeal.

Final bars will ordinarily include a date after which the subject may ask for this to be reviewed. This may be, for example, the date at which the subject is no longer listed on the sex offenders' register. Should you wish to apply for any such review, then you should write to the RFU Head of Discipline, Rugby House, Twickenham Stadium, 200 Whitton Road, Twickenham TW2 7BA.

The RFU need not engage this procedure if the RFU Legal and Governance Director, any Stage Two Reviewer or Stage Three Reviewer considers that any complaint is vexatious, frivolous or made in bad faith.

How do I make contact?

You can contact the RFU Legal and Governance Director in one of the following ways:

- By telephone: [0871 222 2120](tel:08712222120)
- By email: legal@rfu.com
- By post: Legal and Governance Director, Rugby Football Union, Rugby House, Twickenham Stadium, 200 Whitton Road, Twickenham TW2 7BA

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