

# Mountain Training Board Ireland Candidates Complaints Process

## What is a complaint?

A complaint is any expression of dissatisfaction, whether oral or written, from or on behalf of a complainant about Mountain Training Board Ireland's provision of, or failure to provide, a service.

## What constitutes a complaint?

- The conduct and/or behaviour of a course staff member and/or the course provider is alleged by the complainant to have fallen below Mountain Training Board Ireland's standards.
- The service or quality of experience provided by a course provider and/or their associated staff is alleged by the complainant to have failed to meet Mountain Training Board Ireland's standards.
- A failure to reasonably ensure a candidate's safety and well-being is alleged against a course staff member and/or the course provider.

## Sources of information

- **Mountain Training** website – General information including scheme handbooks and candidate guidance
- **Mountain Training Board Ireland's Provider and Course Staff Area** – Information and guidance for providers and course staff.

## Complaint procedure

### Stage 1

Complaints must be received by Mountain Training Board Ireland within 3 months of the incident occurring.

Once a complaint is received it is normally initially considered at 'Stage 1'

During Stage 1 the Technical Staff member contacts both parties by phone and/or email to offer support. The individual concerned impartially supports dialogue between both parties to find resolution.

Direct entry to 'Stage 2' is possible at the discretion of the Technical Staff member where significant prior communication has been evidenced, the issue raised is particularly serious or the issue concerned prevents effective 'Stage 1' communication.

## Stage 2 – Formal Investigation

Stage 2 occurs where;

- Communication breaks down between the two parties or
- The proposed resolution is not acceptable to both parties at Stage 1.

Resolution is possible at any point during Stage 2 if acceptable to both parties.

### *Roles of key parties*

- Investigation Lead – To independently oversee the complaint investigation. In doing so the Investigation Lead establishes the facts by gathering evidence and receives written and verbal submissions by all parties.
- Mountain Training Board Ireland– MTBI is a subcommittee of Mountaineering Ireland Executive Board. The final decision to uphold the complaint or not is made by the Board of Directors. They declare any subsequent further course of action. It is not the role of the Board of Directors to reinvestigate the case.

### *Stage 2 steps*

Once the complaint is acknowledged to be at Stage 2 the process follows a number of steps;

### **Statement**

The complainant submits a statement to Mountain Training Board Ireland outlining the following;

- Complainant name and MI or MT ID (if applicable)
- Provider and course staff concerned
- Course and dates concerned
- Summary of issues raised
- Evidence for each issue raised
- A suggestion on acceptable outcome/s

The statement forms the basis of the subsequent investigation.

The Technical Staff member acknowledges receipt of the statement and in doing so declares the Investigation Lead. Both parties are informed in writing and when doing so the statement is shared with the other party.

The Investigation Lead is required to complete a declaration of interest on accepting the role. This is shared with both parties. Either party can object to the Investigation Lead chosen if within 5 working days of declaration.

Mountain Training Board Ireland recognise some individuals may have difficulty submitting a statement in writing. As a result the complainant is offered the opportunity to communicate their views in person or by video conferencing to Mountain Training Board Ireland to support their statement submission. This is not mandatory. The complainant may choose to have a supporting individual present. Minutes are taken by the Investigation Lead (on another party) and agreed by those present before being shared with both parties.

## **Investigation**

Each party is given equal opportunity to communicate their views.

The Investigation Lead establishes the facts of the case. This may involve;

- Further questioning of each party via email, phone or video conferencing.  
Both parties have a right to request questioning in methods noted above.
- Supplementary evidence submission on the Investigation Lead's request.
- The Investigation Lead contacting witnesses.

The Investigation Lead ascertains and compiles a summary of facts from the statement with supporting evidence. Only established, evidenced facts which relate to the case are stated.

These facts and evidence are presented to the Mountain Training Board Ireland Complaints Panel (a sub-committee of the Board) along with a recommendation to uphold, partially uphold or not uphold the complaint. No further comment is given nor reference to evidence not in the initial statement or subsequent investigation. The recommendation is made on the balance of probability.

## **Complaints Panel**

The Complaints Panel is comprised of Mountain Training Board Ireland members who adjudicate on the evidence presented to them and propose any outcome/s to the full Mountain Training Board Ireland for agreement. The Mountain Training Board Ireland is responsible for making any final decisions. The Panel may request further clarity on specific points in which case the Investigation Lead addresses these with the parties concerned. This may relate to previous investigations or sanctions imposed. Any subsequent appeal will be headed by a Mountain Training Board director not involved in the Complaints Panel stage.

## Outcome

The Mountain Training Board Ireland considers the recommendations made by the Complaints Panel.

The Investigation Lead or Executive Officer communicates the outcomes to both parties. If sanctions are imposed or further training is required as a result of upholding recommendations this is addressed prior to communicating with the complainant.

## Appeal

Both parties have the right to appeal if they have concerns regarding the legitimacy of the investigation process or the appropriateness of the sanctions imposed. It is not possible to appeal against the outcome and in doing so request reconsideration of the case. Appellants must have legitimate cause for concern and present their case to the Investigation Lead or Executive Officer within 4 weeks of the complaint outcome being given. The Executive Officer will decide whether there is a case to answer. If an appeal is granted this will be considered by an independent Appeals Panel including an independent director as described above, and members drawn from the national Mountain Training organisations who have not been involved with the case. Appellants will be informed of the membership of the Appeals Panel and may lodge an objection within five days of declaration if they feel that any member is not sufficiently independent. The outcome of the Appeals Panel is final.

## Vexatious complaints

Mountain Training Board Ireland reserves the right to identify a complainant as vexatious after having exhausted the complaints process. Where such an individual has been identified, and evidence given, Mountain Training Board Ireland will communicate this to the individual concerned. Hence forth verbal and written communication will cease.

This procedure has been agreed and is applied across the Mountain Training network.