

DPS COMPLAINT RESOLUTION AND APPEALS PROCEDURE

RESOLVING COMPLAINTS

The purpose of this procedure is to ensure that complaints are taken seriously, dealt with fairly, appropriately, objectively and recorded accurately. The procedure provides information for members, volunteers, and officials wishing to raise a complaint or problem.

WHAT COMPLAINTS ARE ACCEPTED?

Complaints are accepted about how a person, whether a member, volunteer, or official have been treated by the Dales Pony Society or one of its members.

COMPLAINT ACCEPTANCE RULES

Complaints must be raised within three months of the complainant knowing the facts. The Society will not deal with complaints that are older.

The Society does not generally investigate anonymous complaints.

The Society does not accept complaints that are raised on behalf of or regarding other people.

The Society does not accept complaints that are broadly or substantively the same as a previous complaint by the same complainant.

The Society does not progress complaints that we believe to be vexatious or malicious.

INITIAL MAKING OF A COMPLAINT

Initially, an informal approach should be made to the Chair of Council using email or telephone to attempt to resolve the matter. It is hoped that many complaints can be dealt with quickly and informally.

Should the complaint be about the Chair of Council, then the Vice Chair should be approached.

If this informal approach fails to resolve the matter, then the matter needs to be a formal written complaint.

FORMAL WRITTEN COMPLAINT

If the initial informal complaint process has failed to resolve the matter, a formal written complaint in writing by post or by email addressed "For the attention of Council" and sent to the Secretary. An acknowledgement of receipt will be made.

A formal complaint must include the complainant's full contact details, a concise statement of the complaint, and the desired outcome to resolve this complaint.

A Society Representative may need to speak to the Complainant and others to understand the complaint fully and the circumstances surrounding the complaint in order to investigate further.

The Society Representative will refer the matter to Council who will make their decision and advise the Complainant of its decision in writing.

Any Council Member who declares an interest in the complaint or its parties will stand down from the decision making process.

Three Council members drawn by lot will stand down from the decision making process and take no further part. These three Members will form the Appeal Committee should it be required.

DEALING WITH A COMPLAINT

In order to have a full understanding of a complaint, the circumstances surrounding it and how to deal with it, the person(s) conducting investigations may need to speak to the Complainant, and other people, including, where applicable, the person about whom the complaint is made. It must be borne in mind that the majority of those taking part in the complaint resolution process are volunteers and have other calls on their time. It may therefore take a while to

resolve a complaint. The Society aims to deal with all complaints in a timely manner and updates on progress will be provided to both parties as necessary. The Complainant will be kept informed of the progress and outcome of your complaint with an acknowledgement within seven days and regular updates. The society aims to deal with all complaints in a timely manner and regular updates on progress will be provided to both parties as necessary.

APPEAL AGAINST THE OUTCOME OF A COMPLAINT

If the Complainant is not satisfied with the outcome of the complaint or the way in which it was handled, then an appeal may be made, in accordance with the following procedure.

The Appeal must be lodged in writing with the Chair of Council, within 14 days of receiving the decision of the Council.

An Appeal Deposit of £100 must be made to the Dales Pony Society.

An acknowledgement of the appeal will be made within seven days of lodging it.

The Chair or Vice Chair of Council will convene an Appeal Committee consisting of three Council Members not involved in the original decision, chaired by the Company Secretary who will facilitate the process but not have a vote.

The Chair and Vice Chair have joint authority to change the composition of the Appeal Committee in exceptional circumstances.

The appeal must clearly explain the basis on which the appeal is being made and the preferred outcome to resolve the issue. Only evidence obtained during the initial investigation may be reviewed as part of the appeals process, no new additional evidence may be submitted.

In order to have a full understanding of the complaint, the circumstances surrounding it and how to deal with it, the Appeal Committee may need to speak to the Complainant, and other people, including the person, where applicable, about whom the complaint was made.

The Appeal Committee will consider the process undertaken to handle and the outcome of the original complaint.

The Complainant will be advised of the outcome of the Appeal Committee.

The Appeal Committee's decision is final. There is no further escalation or action to be made.

The Society will not consider further any action regarding the complaint or the appeal. Appeal fees will be returned in the event of a successful appeal.

Where a person is the subject of the complaint and wishes to appeal against the outcome or sanction, that person may submit one appeal in writing as above. Only evidence obtained during the initial investigation may be reviewed as part of the appeals process, no new additional evidence may be submitted. Once the appeal has been considered and a decision made no further appeals will be considered.

CHARITY REGULATORY BODIES

As a charity, the Dales Pony Society is regulated by Charity Commission. In very serious matters, which may include whistleblowing, the regulatory body may consider acting on a complaint made to it directly. The regulatory body will not generally become involved with a dispute between members of the charity or where a concern is about policies followed or actions taken by the Trustees within the law and the provisions of the charity's governing document. The Dales Pony Society complaint resolution process should deal properly with a complaint; however, a person has the right to raise a serious issue directly with the Charity Commission at www.charitycommission.gov.uk.

COMPLAINTS REGARDING REGISTRATIONS AND PASSPORTS

Registration of Dales ponies into the stud book is regulated by 2016 Commission Implementing Regulation (EU) 2015/262 (the '2016 EU Regulation'). In England, this is implemented by The

Equine Identification (England) Regulations 2018 which replace the Horse Passports Regulations 2009. In Wales, The Equine Identification (Wales) Regulations 2019, and in Northern Ireland, The Equine Identification Regulations (Northern Ireland) 2019. Now that the UK has left the EU, the 2016 EU Regulation has been retained in UK law by the European Union (Withdrawal) Act 2018, subject to amendments made by the Equine (Records, Identification and Movement) (EU Exit) Regulations 2019 (as amended). As a result of the NI protocol, the retained 2016 Regulation has no application in NI and NI is instead still subject to the 2016 EU Regulation as it has effect in the EU rather than the UK retained law.

Society policies are set out in the Registration Regulations and the Introduction of each volume of the published Stud Book. The Society publishes a registration form containing Registration Guidance and Fees for foals. By signing the registration application form the applicant confirms that they will abide by the terms and conditions set out in that document. Applicants should ensure that they are familiar with all the above documents.

A person cannot complain if they:

- are making an initial request for a service;
- have failed to meet required deadlines;
- have failed to supply all required information;
- have failed to pay all required fees.

Complaints cannot be made about loss or delay caused by the actions or inactions of third parties beyond the control of the Society. Examples would be (but are not limited to) industrial action or loss of items in the post caused by failure to use tracked postage as recommended by the Society.

It is strongly advised to inspect equine passports carefully and immediately on receipt.

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