

VCA Procedures Fixture Incidents / Complaints

Introduction

This document outlines the procedures for dealing with incidents / complaints at fixtures where a VCA Representative has been appointed as required by VCA Regulations.

The procedures for dealing with incidents and complaints differ according to the type of incident or complaint that is involved. For administrative purposes, incidents / complaints at fixtures are divided into four categories:

1. Complaints related to the organisation of, or the facilities at, a fixture.
2. Dog Incidents as defined in Regulation 3.5.6.
3. Objections and Protests under Regulation 3.10 and
4. Other incidents / complaints, involving misconduct, an alleged breach of VCA Rules, Regulations or Codes or a dispute between members, members and the VCA, or non-members and members.

Note:

1. *In this document the term Show is used to refer to a VCA sanctioned event of any type.*
2. *Prior to commencement of judging the affiliate should a) nominate a panel of three members who will be available and b) identify an area where the panel can convene in private, to hear evidence related to any dog incident that may occur. These panel members must be VCA members, do not have to be Committee members and should not include the Show Secretary.*



Procedures

1. Complaints about organisation or facilities

Complaints related to the organisation of, or the facilities at, a fixture are to be handled by the fixture Committee following advice from the VCA Representative. Details of the complaint(s) and of any corrective actions taken should be included in the Representative's report which will be forwarded to the relevant sub-committee (Agility, Conformation, OTEC etc.). If the report identifies a need for changes such as better facilities, the sub-committee can make appropriate recommendations to Management Committee.

2. Dog Incidents

Dog incidents involve unruly or disruptive behaviour by one or more dogs or aggression by dog(s) towards other dog(s) or person(s). The management of dog incidents is governed by Regulation 3.5.6 which provides that a dog incident must normally be dealt with on the day that it occurs.

In accordance with Regulation 3.5.6.3, the official to whom a dog incident is first reported should:

- a. Ensure that any offending dog(s) is/are securely confined.
- b. Instruct the owner(s) or handler(s) of any such dog(s) to remain at the venue until advised that they are free to leave; and
- c. Inform the Show Secretary and the VCA Representative of the reported incident.

Once a report of a dog incident has been received:

1. The VCA Representative, assisted if required by the fixture committee, should obtain written statements from the person(s) who reported the incident, the owner(s)/handler(s) of the dog(s) involved and other witnesses.
2. A hearing into the incident must be conducted where a panel of 3 members assesses evidence related to the incident. The VCA Representative should attend the hearing, in line with Regulation 3.5.9.4 and must afford all parties involved in the incident the opportunity to be heard and to ask questions of the other parties. It is recommended that all parties who have submitted written statements should be called into the hearing, asked to confirm their original statement, and asked if they have anything to add to

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that statement. Any additions or alterations should be recorded in writing, clearly identified as additions to the original statement and initialled by the person who submitted the statement, the panel Chair and the VCA Representative,

3. If illness, injury, or other unexpected occurrence prevents a key participant or witness from providing a statement or evidence on the day, the provisions of Regulation 3.5.6.3.1 shall apply.
4. The Dogs Victoria Dog Incident Checklist & Report form must be completed and signed by the panel members who conducted the hearing and the owner(s)/ handler(s) of the reported dog(s). The minutes of the hearing should also be signed by the panel members.
5. The completed report including witness statements and minutes should be submitted to the Dogs Victoria office within five working days. If the panel concludes that an offence has been committed, the owner(s)/ handler(s) of the dog(s) should be advised that this finding may be appealed in writing within seven days of the date that the panel reaches its conclusion and informs the owner(s).

3. Objections and Protests

A member or exhibitor may object against a dog for various reasons including the validity of its registration, its fitness for exhibition or the presence of disqualifying faults such as incorrect colour. Such objections are to be dealt with by the Committee of the Affiliate concerned as provided in Regulation 3.10 which does not require the VCA Representative to have any role in the process.

4. Other incidents / complaints

Incidents and complaints that involve alleged misconduct, an alleged breach of VCA Rules, Regulations or Codes or a dispute involving members should be directed in the first instance to the Show Secretary who should inform the VCA Representative. The VCA Representative is then responsible for carrying out any investigation that may be required and preparing a report to the Chief Executive.

Most complaints in this category are dealt with under Rule 2.20 whereby Dogs Victoria requires its Complaint Form to be completed, usually later, after the complainant has been contacted by the Dogs Victoria Office.

Regardless of whether the matter does or does not require an investigation, the VCA Representative should ensure that:

- a. Details of the incident / complaint are recorded in writing by the complainant(s).
- b. Written witness statements are collected.
- c. The alleged offender is informed of the complaint and given the opportunity to provide a written response.
- d. The report identifies any Rules, Regulations or Codes that have allegedly been breached.
- e. The complainant(s) is/are advised that if they are contacted by Dogs Victoria Compliance and asked to complete the relevant Complaint Form, this must be done if the matter is to be pursued, and
- f. Copies of all relevant documents are attached to the report.

If the incident / complaint requires investigation:

1. The VCA Representative is primarily responsible for gathering evidence and statements in accordance with the guidelines in Appendix A.
2. Under Regulation 5.1.7 Management Committee may require any person to make a written statement or statutory declaration of the facts of any matter, and that authority is delegated to the VCA Representative. Accordingly, the VCA Representative shall be empowered to require written statements relating to the incident from any member. The VCA Representative shall also be empowered to co-opt any VCA Member to assist with the investigation.
3. The fixture Committee shall make available to the VCA Representative any logistic support required by the VCA Representative. [Code of Practice 20.5.9]
4. The fixture Committee shall assist the VCA Representative to compile a full report on the incident / complaint. This report, together with all statements and evidence should be submitted to the Chief Executive for consideration by the VCA Management Committee.
5. The purpose of the investigation is not to establish guilt or innocence of any party / parties involved in the incident / complaint. The purpose is to provide evidence to enable the Investigation Committee to establish whether the nature of the incident / complaint, if proven, would constitute a breach of VCA Rules, Regulations or Codes.

VCA Procedures

Guidelines for an Investigation - Appendix A

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Where an incident / complaint is reported, the VCA Representative will investigate the incident / complaint. The following actions by the VCA Representative are applicable:

1. Identify any members who were involved in, or witness to, the incident / complaint. Identify yourself and instruct them that an investigation will be conducted, and that all parties are to remain at the venue until advised by the VCA Representative that they are no longer required.
2. Obtain written statements from those members who were involved in, or witness to, the incident / complaint. The statements must bear the full names, membership numbers, addresses, telephone numbers and signatures of the members, and specify the date, time and location of the involvement or observation.
3. View the site of the incident / complaint and make notes on the characteristics of the site. If applicable, sketch or photograph the site and note any actions that occurred relevant to the incident / complaint.
4. Advise the complainant and the respondent that the matter will be referred to the Chief Executive.
5. Once satisfied that all relevant statements and evidence has been obtained, advise all parties that they are free to leave the venue.
6. Compile a full report on the investigation and forward the report and all documents to the Chief Executive within five days.

Note:

If after having been instructed to remain at the venue the complainant, respondent, or any witness fails to remain at the venue or fails to supply a statement after having been directed to do so, that fact must be recorded in the report.

