

CUSTOMER APPEAL POLICY



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Scottish Charity No. SC 00 8314

1. Where a customer is not satisfied with any decision made in respect of them in relation to the rules and conditions of use of facilities within the Galleon Centre, they have the right of appeal against that decision and the following will apply.
 - 1.1 Where the original decision has been taken by a manager other than the General Manager, then the letter of appeal should be addressed to the General Manger. The appeal will be heard by the General Manager.
 - 1.2 Where the General Manger has taken the original decision then the letter of appeal should be addressed to the Chair of the Kilmarnock Leisure Centre Trust at the Galleon Centre. The appeal will be heard by an Appeal Sub-committee of the board of trustees of the Kilmarnock Leisure Centre Trust.
2. Irrespective whether the appeal is to the General Manager or to the Chair of the Kilmarnock Leisure Centre Trust to be heard by an Appeal Sub-committee of the board of trustees of the Kilmarnock Leisure Centre Trust, the following shall apply.
 - 2.1 The appeal must be in writing setting out the basis for any appeal and be received within 5 days date of the letter confirming the original decision.
 - 2.2 The appeal shall be heard as soon as reasonably practicable after receipt of the letter intimating appeal.
3. The process to be adopted for the appeal is set out as follows:-
 - 3.1 Both parties must provide each other, seven days prior to the appeal hearing date, with the following:
 - 3.1.1 Copies of any documentary evidence that the parties intend to rely upon at the appeal hearing, including any letters, e-mails and witness statements.
 - 3.1.2 A list of any witnesses that the parties propose to call to give evidence on their respective behalf.

4. Where the appeal is to be heard by the General Manager, the appellant when informed must attend the appeal hearing with the General Manager. If they do not attend the appeal hearing then the General Manager will take a decision based on the evidence available. There is no other avenue of appeal available once this part of the process is completed and the decision of the General Manager is final.
 - 4.1 Where the appeal is to be heard by an Appeal Sub-committee of the board of trustees of the Kilmarnock Leisure Centre Trust, the appellant when informed must attend the appeal hearing with the Appeal Sub-committee. If they do not attend the appeal hearing then the Appeal Sub-committee will take a decision based on the evidence available. There is no other avenue of appeal available once this part of the process is completed and the decision of the Appeal Sub-committee is final.
5. The procedure at the appeal hearing before the General Manager or the Appeal Sub-Committee where the appeal is to the Chair of the Kilmarnock Leisure Centre Trust, will be as follows.
 - (a) The appeal hearing will commence with the General Manager/Appeal Sub-Committee members, the officer(s)/official(s) appointed to assist them, the management representative, the appellant and their representative (if applicable) in attendance. The General Manager/Chair will invite introductions.
 - (b) The appellant/or their representative (if applicable) will put their case to the appeal hearing in the presence of the management representative and, in doing so, will refer to relevant documents and lead evidence from relevant witnesses.
 - (c) The management representative will have the opportunity to ask questions of the appellant or their representative (if applicable) and to ask questions of any witness called by them.
 - (d) The General Manager/Appeal Sub-Committee shall have the opportunity to ask the appellant or their representative (if applicable) and any witness called by them questions. Once witnesses have been questioned they will then retire. If necessary, the General Manager/Appeal Sub-Committee can recall a witness to clarify any point as is considered necessary by the General Manager/Appeal Sub-Committee.

This does not apply to the appellant or their representative (if applicable) or the management representative.

- (e) The management representative will then put the case on behalf of the Galleon Centre to the appeal hearing in the presence of the appellant and their representative (if applicable), and, in doing so, will refer to relevant documents and lead evidence from relevant witnesses.
 - (f) The appellant or their representative (if applicable) will have the opportunity to ask questions of the management representative and to ask questions of any witnesses called by them.
 - (g) The General Manager/Appeal Sub-Committee shall have the opportunity to ask the management representatives and any witness called by them questions. Once witnesses have been questioned they will then retire. If necessary, the General Manager/Appeal Sub-Committee can recall a witness to clarify any point as is considered necessary by the General Manager/Appeal Sub-Committee. This does not apply to the appellant and/or their representative (if applicable) or the management representative.
 - (h) The appellant or their representative (if applicable) followed by the management representative, will then have the opportunity if they so wish to sum up their respective cases, introducing no new material.
 - (i) The appellant or their representative (if applicable) and the management representative, shall then withdraw from the appeal hearing.
 - (j) The General Manager/Appeal Sub-Committee together with any officer(s)/official(s) appointed to assist them shall deliberate in private only recalling both parties to clarify any points of uncertainty or evidence already given. If a recall is necessary, both parties are to return, notwithstanding only one is concerned with the point giving rise to doubt.
6. If practicable, the General Manager/Appeal Sub-Committee shall announce the decision to both parties at the conclusion of the appeal hearing following the adjournment for deliberation. In any event, the decision will be confirmed in writing to both parties within five working days.

7. Once the decision has been made by the General Manager/Appeal Sub-committee the process is completed and there is no other avenue of appeal available.