

# **Bure Valley Harriers Grievance & Disciplinary Procedure**

Most people participate in sport because they want to, either as athletes, volunteers or both. However, there are certain standards of behaviour that we expect and there may be occasions when these standards are not reached. In these circumstances we detail below our Grievance & Disciplinary Procedure to ensure that any issues are dealt with fairly and appropriately.

## **Step One - Resolve Informally**

If you have a complaint that involves another Member of the Club (either as a coach, volunteer, committee member etc), you should first of all try to resolve the matter by speaking directly with the other Member about the matter, if possible. The discussion should be conducted politely, with courtesy and aim to reach a resolution as soon as possible.

## **Step Two - Submit a Complaint**

If you do not wish to discuss the matter directly with the other Member, Step One did not resolve the issue or you would like assistance, you can contact the Club Chair. If the issue relates to the Chair, you can contact a Club Welfare Officer. You should provide as much detail as possible about your complaint, in writing:

- What has been happening or happened and when?
- What part/s of the Club's Code of Conduct were/are being infringed or any other offence or misconduct carried out?
- Who are the Members involved?
- What contact (if any) have you made with the Member?
- Were there any witnesses?
- What steps (if any) have you taken to resolve the matter on your own?
- What would you like to happen, eg your ideal resolution?

## **Step Three - Investigate the Complaint**

The Chair/Welfare Officer will determine if the complaint has sufficient grounds and whether it can be pursued based on the information provided. They will dismiss any frivolous complaints at this stage and inform the complainant in writing.

After taking any advice they consider prudent, the Chair/Welfare Officer will investigate the complaint as soon as practical. Such investigations may include writing to the Member/s concerned informing them of the complaint and inviting them to comment, in writing, on the allegation/s within reasonable time.

In investigating the complaint, the Chair/Welfare Officer may request more time to investigate, suspend the investigation or defer the decision if more information is required. They also have the power to temporarily suspend any Member of the Club accused of an offence or misconduct, pending further investigations or enquiries. Any suspension will be to facilitate the investigation and will be without prejudice to the outcome of an investigation.

## **Step Four - Disciplinary Panel Decides**

The Chair/Welfare Officer will appoint three Club Members to form a Disciplinary Panel, none of whom will have a direct interest or involvement in the complaint.

The Chair/Welfare Officer will report their investigations to the Disciplinary Panel within seven calendar days of appointment. The Panel will consider the allegation/s and the formal responses from the Member/s involved.

The Disciplinary Panel can direct the Chair/Welfare Office to make any further enquiries it thinks fit and necessary. The Panel will allow an opportunity for any Member/s concerned (who may be accompanied by one other person if desired), to meet with it to answer the allegations and will accept any reasonable written and/or oral evidence.

If the Disciplinary Panel is satisfied that an infringement/s of the Club's Code of Conduct or any other offence or misconduct was committed by a Member, it can take one or more of the following actions:

1. note the infringement, offence or misconduct but take no further action;
2. formally warn the Member concerned as to their future conduct;
3. suspend or disqualify the Member from athletic competition, club coaching and/or administration and/or use of premises used by the Club for a definite or indefinite period;
4. recommend to the relevant governing body that the Member be disqualified from any involvement in athletics for a definite or indefinite period;
5. terminate the Membership or any other such other penalty as the Disciplinary Panel considers appropriate.

All Members concerned will be provided with the Disciplinary Panel's decision, including its reasons, in writing, within seven calendar days of its decision.

#### **Step Five - Submit an Appeal**

The notification of the decision of the Disciplinary Panel will set out the Right to Appeal.

Either party can appeal against the decision of the Disciplinary Panel by serving a 'Notice of Appeal' to the Chair/Welfare Officer within seven calendar days of receiving the written decision. The 'Notice of Appeal' must state why the decision of the Disciplinary Panel is being challenged.

The Chair/Welfare Officer will acknowledge a 'Notice of Appeal' within seven calendar days of receipt and inform all parties concerned that they have received said 'Notice of Appeal'. Within seven calendar days, they will determine whether the reason/s for the appeal are sufficient and whether any evidence adequately supports the challenge. If not, the appeal will be dismissed and all parties will be written to confirming the appeal is dismissed and why.

If the grounds are sufficient, within seven days, the Chair/Welfare Officer will appoint three Club Members to form an Appeal Panel. None of these Members will have a direct interest or involvement, in either the events that gave rise to the complaint, investigation or the Disciplinary Panel's decision.

#### **Step Six - Appeal Process**

The Chair/Welfare Officer will inform all parties concerned of the composition of the Appeal Panel. Any party may object to the composition of the Appeal Panel by notifying the Chair/Welfare

Officer of their objection and setting out the reasons for it, no later than seven calendar days after being informed of the composition of the Panel.

Within seven calendar days of an objection being received, the Chair/Welfare Officer will notify the parties in writing that either:

- the Appeal Panel members have changed, in which case the Chair/Welfare Officer will provide details of the new Appeal Panel; or
- the Appeal Panel has not changed, in which case the Chair or Welfare Officer will give their reasons for not accepting the objection.

Within seven calendar days of informing all parties the composition of the Appeal Panel or responding to an objection to the composition of the Appeal Panel, whichever is the later, the Chair/Welfare Officer will inform all parties:

- whether the appeal will proceed through written submissions and/or an oral hearing;
- whether parties will need to submit written statements of their evidence and if so, a timetable and the procedure for providing those

### **Step Seven - Appeal Panel Decides**

The Appeal Panel will meet on a date fixed by the Chair/Welfare Office to consider all the evidence of the complaint. The Appeal Panel can, at its sole discretion, disregard any failure to adhere to the appeal procedure and give such further directions as it deems appropriate.

Meetings will be in private unless all parties agree, or the Appeal Panel directs, otherwise.

Following consideration of the appeal, the Appeal Panel has the power to make a decision as it thinks fit. It can:

1. Cancel the original decision;
2. Confirm the original decision;
3. Request the case be reconsidered;
4. Increase the original sanction;
5. Reduce the original sanction.

The Appeal Panel shall decide on any issue by majority.

All Members concerned will be provided with the The Appeal Panel's decision, including its reasons, in writing within seven calendar days of its decision.

The decision of the Appeal Panel is final.

### **Records of Disciplinary Panels and Appeal Panels**

The decision of any Disciplinary or Appeal Panel will be recorded and retained in confidential records for six years by the Club. Supporting documents will be retained for the same period.

## Notification to UK Athletics (UKA) and England Athletics (EA)

Where necessary, following conclusion of the Grievance and Disciplinary Procedure, the Chair/Welfare Officer will inform EA and/or UKA:

- Disciplinary Panel - details of its decision, including any sanctions imposed to ensure compliance with a sanction, for the safety, and wellbeing of those engaged in athletics activity.
- Appeal Panel - details of a decision, including any sanctions imposed to ensure compliance with a sanction, for the safety, and wellbeing of those engaged in athletics activity.

EA/UKA may decide to publish details on its website.

## Procedural Assumptions

These procedures assume all parties will cooperate in the interest of resolving the complaint in question. In absence of such cooperation, or the complaint is withdrawn at any stage, the Club reserves the right to continue with the Grievance and Disciplinary Procedure, based on any evidence and information the Disciplinary or Appeal Panel has available.

The Chair/Welfare Officer and Club Members appointed to the Disciplinary or Appeal Panel are entitled to take, or omit to take, any action recommended by legal advice received from a legal practitioner who the Chair/Welfare Officer reasonably believes is competent to provide such advice and/or EA's legal representative service for affiliated Members (contact EA Membership Services for further details on 0121 347 6543).

Any communication issued by post will be deemed to have been received by the end of the third working day after being sent. Proof of postage should be obtained when posting.

Any communication issued by email will be deemed to have been received by the end of the second calendar day after being sent.

The Chair/Welfare Officer, Disciplinary Panel or Appeal Panel may make any reasonable procedural provisions they deem necessary for the just, fair and efficient adjudication of a complaint. Such provisions may include extending any deadlines for submissions or rearranging dates of meetings.

## Policy Version History

Version	Description of Changes	Date Approved	Next Review Due
1.0	First version of policy	01 April 2022	01 April 2023
	No changes	29 April 2024	01 April 2025