



# Grievance and disciplinary policy

## Complaints and Disputes

1. All concerns, allegations or reports of malpractice or abuse relating to the welfare of children or vulnerable adults will be recorded and responded to swiftly and appropriately in accordance with the Club's and England Athletics's safeguarding policy and procedures. The Welfare Officer shall be the lead Officer for all Members in the event of any safeguarding concerns.
2. Any complaints of misconduct (improper or unprofessional conduct) regarding the behaviour of Members or Officers shall be dealt with by the Club in accordance with its discipline and appeals process\* and must be presented in writing to the Secretary (and where the matter relates to the Secretary, the complaint must be submitted to the Welfare Officer).
3. Unless exceptional circumstances apply, the Secretary will hear complaints within fourteen days of receiving a complaint. If the complaint is sufficiently evidenced, the Secretary will appoint 3 (three) Club Members (who have no direct or indirect interest/involvement in the matter) to sit on a disciplinary panel. Subject to rule 9 below, a decision of the disciplinary panel shall be final and conclusive.
4. Any appeals must be received by the Secretary within 7 (seven) days of receiving the written decision and, if appropriate, the appeals process will be followed.
5. Any complaints of serious misconduct (including, without limitation, theft, doping violations, fraud, physical violence, safeguarding policy breaches, serious breach of applicable health and safety, gambling and/or ticketing regulations or any act or omission of the Member or Officer which in the opinion of England Athletics, acting reasonably, brings or is likely to bring the sport of athletics into disrepute) regarding the behaviour of Members or Officers shall be reported and dealt with by England Athletics in accordance with its Disciplinary Procedures.
6. If a dispute arises between any Members or Officers of the Club about the validity or propriety of anything done by any Member or Officer under these Rules and the dispute cannot be resolved by agreement, the parties to the dispute must first try in good faith to settle the dispute by mediation before resorting to litigation.

## 7. What action may the Club take as a result of a disciplinary meeting?

The Club may decide to make further investigations or to take no further action. If the Club deems that disciplinary action is necessary, an employee may:

- a) receive an oral warning
- b) receive a first written warning
- c) receive a final written warning / Be suspended from the Club
- d) be dismissed with notice
- e) be dismissed without notice.

**8. Who has the authority to conduct disciplinary proceedings?**

The Secretary should take the lead in any disciplinary proceedings with support from either the Chair or Vice Chair. The Welfare Officer may begin disciplinary proceedings and only the Club Chair has the authority to take disciplinary action. The Club Chair may delegate investigations to another Club Officer.

**9. How will the disciplinary meetings be conducted?**

If the Club wishes to investigate any matter they may require you to attend an investigatory meeting. This is not part of the disciplinary procedure and will provide the Club with an opportunity to establish facts. You may be accompanied to such a meeting by an associate of your choice and who is not a legal representative.

If the Club are to invoke the disciplinary procedure they will inform you in writing. If so, you will be invited to attend a disciplinary meeting. The Club will endeavour to hold that meeting within ten working days. You will be given the opportunity to address any allegations made against you. You may be accompanied at the meeting by an associate of your choice and who is not a legal representative.

You will be advised in writing of the outcome of the disciplinary meeting including any disciplinary action taken and an explanation why that action has been taken (“written notice of outcome”). The Club endeavour to advise you of the outcome within five working days.

If you are unhappy at the outcome of the disciplinary proceedings, you may appeal to the Club Chair/President or within ten working days of receipt of your written notice of outcome. The Club Chair/President will acknowledge your appeal and arrange to meet you within ten working days. You will be given an opportunity to explain your appeal. You may be represented at the meeting by an associate of your choice and who is not a legal representative.

Following your meeting the Club Chair/ President will investigate your appeal and arrange to meet with you within a further ten working days. Again, an associate of your choice may accompany you, and who is not a legal representative.

The Club Chair/President may either confirm the disciplinary action already taken or decide upon a different action as described in paragraph 2 above. In any event the Club Chair/President will advise you of the outcome in writing within five working days of this meeting providing an explanation for any decision made.

**10. For what reasons may disciplinary proceedings be invoked?**

This list below provides examples only and proceedings will not be restricted to matters described below. Disciplinary proceedings may be invoked for reasons of Incapability, Misconduct or Gross Misconduct by way of example.

**Incapability means** a failure to achieve and maintain a satisfactory standard of work required in your volunteer role. Incapability may be serious, for example, following an act of gross negligence.

**Misconduct means by way of example;**

- Failure to observe standing instructions
- Failure to carry out reasonable requests of Club Officers
- Frequent and persistent absences from duty

- Unacceptable use of social media

**Gross Misconduct means by way of example;**

- Dishonesty including theft, fraud, falsification of records
- Threatening behaviour and/or physical violence, harassment, bullying and/or discrimination on the grounds of sex, marital status, race, colour, nationality, ethnicity, disability, age, religion or sexual orientation
- Insubordination in the performance of duties
- Use of computer equipment for any reason which results or may result in an operational risk to the Club; or which damages or is likely to damage the reputation of the Club.
- Working under the influence or possession of illegal substances.

If you are dismissed for Gross Misconduct or serious incapability you will be dismissed without notice.

**Step 1**

**Verbal Warning**

Following the initial meeting with the involved of any incidents if the club deems this necessary to follow this up with a verbal warning then this will take place. This verbal warning will either be given verbally or via an email. A copy of the relevant code of conduct will be given to those in question.

**Step 2**

**1st Formal Warning**

Following the initial meeting with the involved of any incidents if the club deems this necessary to follow this up with a formal warning then this will take place. This formal warning will either be give verbally or via an email. A copy of the relevant code of conduct will be given to those in question.

**Step 3**

**2nd Formal Warning / Suspension from duties**

Any further breach of the code of conducts will result in a 2nd formal warning. The incidents will be discussed and if deemed necessary could result in an athlete being moved to another training group, a parent refused entry to training sessions or a temporary suspension from the club.

**Step 4**

**Dismissal from the Club with or without notice**

Further repeat incidents will be taken seriously and discussions will be had with those in question. The persons in question will be dismissed from the club without any refund of any membership paid. Other Athletics clubs will be notified of the reasons for dismissal.

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