



HRC Grievance and Disciplinary Policy and Process

Introduction

This document sets out HRC's Grievance and Disciplinary Policy, along with the Process that members should use to report complaints, concerns, or allegations of misconduct, and how such complaints will be managed by HRC.

The Process has been based on the guidelines published by England Athletics in [Managing Club Disputes and Complaints](#), which provides more detailed information about the principles that HRC will adopt in managing such complaints.

HRC Policy

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' Safeguarding Policy and Procedures shown on the [HRC website](#).

Any complaints of misconduct (improper or unprofessional conduct) regarding the behaviour of Members or Officers shall be dealt with in accordance with the Process set out in this document. Examples of misconduct that will be managed by HRC through this process include:

- Using inappropriate language
- Internet misuse
- Disagreements
- Minor instances of not following Codes of Conduct
- Lateness/Absenteeism

Complaints, concerns, or allegations of more serious misconduct shall be brought to HRC's attention using the Process set out in this document. However, more serious cases will be reported on to England Athletics who will lead investigations and work with HRC to conduct their enquiries. Examples of serious misconduct include:

- Violent behaviour
- Bullying or harassment
- Theft or fraud
- Behaviour that endangers the health and safety of others
- Doping violations
- Safeguarding policy breaches.

If a dispute arises between any Members or Officers of the Club about the validity or propriety of any action taken a Member or Officer, in accordance with HRC's policy and process, 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.

More general complaints, such as complaints about HRC policies and administration, should be submitted in writing to secretary@haverhillrunningclub.com, to be dealt with by the Committee.

HRC Process

Stage 1: Complaint investigation

This section deals with the initial submission, investigation, and resolution of a complaint about the misconduct of one or more club members.

- 1.1 Complaints regarding the misconduct of club members should be submitted in writing to the Club Secretary at secretary@haverhillrunningclub.com. If the matter concerns the Club Secretary, then the complaint should instead be submitted to the Lead Welfare Officer at welfare@haverhillrunningclub.com.
- 1.2 Complaints should be submitted promptly (within seven days of any incident) and include specific details of the allegations. Allegations might relate to any infringement of Club Rules or other misconduct carried out during, or in association with Club activities, and which might be considered as bringing, or having the potential to bring the Club into disrepute. Evidence to support the allegations should also be included.
- 1.3 If having received a complaint, the Club Secretary (or Lead Welfare Officer) feels that they have an association which could be regarded as a conflict of interest, e.g., being a named witness in the allegations, the matter will be passed to another Welfare Officer or Committee member who does not have such a conflict, to manage the complaint from that point.
- 1.4 Upon receipt of a complaint, the Club Secretary, Welfare Officer, or other person, hereinafter referred to as the Complaints Officer (CO) will, within 14 days of the allegations being made, and subject to any advice that he or she considers prudent to obtain, write to the member(s) concerned to inform them of the complaint and invite them to respond in writing. Note: If the matter constitutes a more serious misconduct (defined in the Policy above), the CO will report the matter to England Athletics and take no further action until instructed to do so by them.
- 1.5 Taking account of the evidence received from the complainant and any additional information provided by the member(s), the CO will determine if there are sufficient grounds for the complaint to proceed. Any frivolous complaints will be dismissed at this stage.
- 1.6 Providing there is sufficient evidence and depending on the type of complaint, consideration will be given to whether the complaint can be resolved informally through mediation. If this is feasible, the CO will identify an independent Mediator who can talk to both parties to try and find an amicable resolution.
- 1.7 If it is possible to find a resolution through mediation, the CO will write to all parties to confirm the outcome, and the complaint will be closed.

- 1.8 If it is not possible to find a resolution through mediation, or mediation is not an option, the CO will appoint three club members to form a Disciplinary Panel. One member of the Panel will take the role of Chair and one member will be a Club Welfare Officer. Disciplinary Panel members will have had no direct interest or involvement in the matter.
- 1.9 The CO will also identify and appoint an independent Investigator, who can conduct any further investigations that may be necessary to inform the Disciplinary Panel's decision. The Investigator may be a member of the Disciplinary Panel.
- 1.10 If further investigations are needed, the appointed Investigator will, in liaison with the Chair of the Disciplinary Panel, agree and implement an investigation plan. The plan may include formal investigation meetings with all parties, including any named witnesses. Investigation meetings will be planned and conducted in accordance with England Athletics guidelines.
- 1.11 The appointed Investigator will prepare a written report setting out his or her findings and any conclusions from the investigation. The report will then be submitted to the Disciplinary Panel, along with any supporting evidence, including the initial complaint and copies of any responses from the member(s) concerned.
- 1.12 The Disciplinary Panel will have the power to suspend temporarily from membership any member(s) who are accused of an offence or misconduct, pending further investigations or enquiries. This suspension will be to facilitate the investigation and will be without prejudice to the outcome of the investigation.
- 1.13 On receipt of the investigation report and supporting evidence, the Disciplinary Panel will consider the matter carefully and invite the member(s) under investigation to a Grievance and Disciplinary Panel Hearing. The member(s) may bring a named supporter with them to the Hearing and the meeting will be conducted in accordance with England Athletics guidelines. The CO or another named person will be present to take notes.
- 1.14 If the Disciplinary Panel is satisfied that the member(s) has committed an offence of misconduct, then it may recommend one or more of the following actions:
 - Note the offence or misconduct but take no further action.
 - Formally warn the member(s) concerned as to future conduct.
 - Suspend or disqualify the member(s) from club competition, club coaching, club administration, or any other role or activity for a definite or indefinite period.
 - Recommend to the relevant governing body that the member(s) be disqualified from any involvement in athletics for a definite or indefinite period.
 - Terminate the membership or such other penalty as the Disciplinary Panel considers appropriate.
- 1.13 The Disciplinary Panel's recommendation will be passed to the Club Chair, who will approve the recommendation on behalf of the Committee. The CO will then communicate the decision in writing to all parties, by hand or by e-mail, within 14 days of the Panel meeting. The letter notifying the decision will also set out the right to appeal.

Stage 2: Appeal Process

This section covers the process relating to any appeals that arise from decisions taken in Stage 1.

- 2.1 The accused and/or the Complainant may appeal against the decision of the Disciplinary Panel, by serving a Notice of Appeal on the CO within seven calendar days of receiving the written decision. The Notice of Appeal must state the grounds on which the verdict of the Disciplinary Panel is challenged. The grounds for appeal may include one or more of the following:
 - The grievance and disciplinary outcome is wrong, or too severe.
 - Any part of the grievance and disciplinary procedure was wrong or unfair.
 - There is new evidence to show.
- 2.2 The CO will acknowledge a Notice of Appeal within seven calendar days of its receipt and will then, in liaison with the Club Chair, take a decision regarding 'the grounds on which the verdict is challenged'. If there are sufficient grounds/evidence to support the challenge, the appeal process will commence. If there are insufficient grounds, the Appeal will be dismissed and the CO will confirm this to the person who submitted the Appeal, including the reasons for dismissal.
- 2.3 The CO will appoint an independent Appeal Panel consisting of three members who have not been involved directly in the case, either in the events giving rise to the Disciplinary Panel Hearing, or in the Disciplinary Panel Hearing itself. One member of the Appeal Panel will undertake the role of Chair and one member will be a Welfare Officer who has not been involved in the case thus far.
- 2.4 The CO will inform all parties concerned of the composition of the Appeal Panel. Either party may object to the composition of the Appeal Panel by notifying the CO of their objection and setting out the reasons for such an objection, no later than seven calendar days from the date of being informed of the composition of the Panel.
- 2.5 The CO will, within 14 calendar days from the date of receipt of an objection, notify in writing to the parties that either:
 - the composition of the Panel has changed, in which case the CO shall provide details of the new Appeal Panel; or
 - the composition of the Panel has not changed, in which case the CO shall give reasons why the objection has not been accepted.
- 2.6 Within 14 calendar days from EITHER the date when all parties were informed about the composition of the Appeals Panel, OR the date the CO responded to an objection (if one was received), the CO shall give such directions to all parties that include:
 - the date and place at which the Appeal Panel will meet to determine the Appeal
 - whether the appeal will proceed by way of written submissions or an oral hearing
 - whether the parties should be required to submit statements of their evidence and/or written submissions prior to the hearing and, if so, a timetable for doing so and the procedure for exchanging such statements and written submissions.
- 2.7 The Appeal Panel will meet on the date confirmed by the CO. The Panel may at its sole discretion disregard any failure by a party to adhere to this appeal procedure and may give such further directions as may be appropriate.

- 2.8 Appeal Panel Hearing will be in private unless all parties agree otherwise. The member(s) concerned may be accompanied by a named supporter throughout the appeal process and the meeting will be conducted in accordance with England Athletics guidelines. The CO or other named person will be present to take notes.
- 2.9 The Appeal Panel will decide on the outcome by majority vote and based on the facts presented to them. The outcome may be one of the following:
- Overturn the original decision.
 - Confirm the original findings.
 - Request that the case be reheard (re-trial).
 - Increase the original sanction.
 - Abate the original sanction.
- 2.10 The Appeal Panel's decision will be communicated to the Club Chair, who will confirm the decision on behalf of the Committee. The CO will then communicate the decision in writing to all parties, by hand or by e-mail, within 14 days of the Panel meeting. The letter notifying the decision will include the reasons for the decision and confirm that the decision of the Appeal Panel is final.

Confidentiality and Record Maintenance

All correspondence relating to complaints (written or verbal) will be treated in the strictest confidence with only those that need to know having access.

Decisions of Grievance and Disciplinary Panels and/or Appeal Panels will be retained confidentially for a period of six years by the Club. Supporting documentation, including relevant evidence, shall also be retained in the same fashion.

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

Once an Appeal notice has expired HRC may need to inform EA/UKA of Disciplinary and/or Appeal Panel decisions, including any sanctions imposed, if this is necessary to ensure compliance with a sanction, or for the safety and well-being of those engaged in athletics activity. EA/UKA may decide to publish details on their websites.

Co-operation of All Parties

The procedures described herein assume that all parties will co-operate in the interest of resolving the issues in question. In the absence of such co-operation, or if it is withdrawn at any stage, the Club reserves the right to proceed with a Grievance and Disciplinary Hearing, or an Appeal, based on such evidence and information as it is able to obtain.

When dealing with a complaint, the CO or nominated Club representative shall be entitled to take, or omit to take, such action as is recommended pursuant to legal advice received from a legal practitioner whom the CO reasonably believes is competent to provide such advice and/or England Athletics' legal representative service for affiliated members (contact England Athletics Membership Services for further details on 0121 347 6543).