



Clubs Discipline and Complaints Procedures

This document is designed to assist the Club and its members in handling discipline, disputes and complaints. With the introduction of the Code Of Ethics and the increased risk of litigation it is important that internal disputes are handled correctly from the onset.

From time to time there will be disputes that can be managed and resolved amicably between the individuals concerned.

Sometimes, a more serious dispute arises in a Club and because such a situation does not occur frequently, the Club is unsure on how to handle the matter. This can lead to the dispute becoming more serious with recourse to the judicial procedures becoming necessary. It must be noted that the Club only has the power to legislate for a breach of its own rules and can only suspend an individual from its own activities. The Club does not have the power to handle a dispute with another club.

The key principle to be followed is that the Club conforms to the law of the land in so much that an individual accused of an alleged offence is innocent until proven guilty and he/she must have reasonable opportunity to present a defence and have his/her views heard. Therefore, the message when dealing with disputes is to ensure that :

- All parties are treated fairly
- The complainant has the opportunity to present the case
- The accused has the opportunity to respond

The Club shall have the power to expel a member when, in its opinion, it would be in the interests of the Club for him/her to not remain a member.

COMPLAINT OR GRIEVANCE BY A MEMBER OR THE MEMBERS PARENT/GUARDIAN

1- Any complaint or grievance by a member or the members parent/guardian shall be made to the Club Secretary not later than seven days after the incident (or series of incidents) to which the complaint refers. After this period, the Club without further consideration or appeal shall dismiss a complaint unless good reason is shown why it could not have been brought within the period of seven days.

2- The Club Secretary must receive full details of the complaint or grievance from the member or the members parent/guardian. This complaint must be filled in on the Clubs official complaint/grievance Proforma.

3- On receipt of the complaint/grievance proforma being received the Club secretary should immediately inform the Club Chairperson.

4- The Chairperson should proceed in accordance with Internal Club Dispute procedures.

5- If the complaint or grievance is made regarding another member, the Club Secretary must inform the member whom the complaint/grievance is being made against as soon as possible after receipt of the complaint/grievance but not later than seven days.

CLUB DISCIPLINE

1. There are occasions when a problem arises in a Club, for example fighting between members at training sessions or a member(s) misbehaving or causing disruption at a training session, where immediate action is required. Examples of such misbehaviour would be a temporary suspension or exclusion from a training session or wider Club activities.

2- Coaches and ET Officers are given the power to invoke a temporary suspension or exclusion when in their opinion such actions are in the interest of the Club and/or its members.

3- In instances where temporary suspension or exclusion has been imposed, the Coach or the responsible ET Officer should report the incident (or series of incidents) within seven clear days to the Club Secretary or to the Club Chairperson, if the Secretary was the ET Officer imposing the punishment. The report should be filled in on the appropriate Complaint/Grievance Proforma.

4- The Club should keep a register of offenders stating details of the offence and punishment.

5- If the same member continues to offend, the Club Secretary should then treat it as a dispute between the Club and the member and follow the Club procedures on Internal Club Dispute in an attempt to resolve the issue.

INTERNAL CLUB DISPUTE

It is assumed for the purpose of these procedures that the dispute between the Club and one or more of its members. It is important that the same people in the Club do not become both the prosecutor and the judge or the defender or involved in the dispute then they must find other members not connected with the matter to hear the evidence from both parties.

Procedures

- 1- On receipt of the dispute, the Club Secretary should inform the Club Chairperson who should ensure that every effort is made to resolve the matter by informal discussion.
- 2- If this fails, the Chairperson is empowered to appoint an independent arbitrator to assist in achieving a settlement.
- 3- If this fails, or it is clearly necessary to discipline a member, the Club should set up a Disciplinary Committee to deal with the matter.

DISCIPLINARY COMMITTEE

The Committee should consist of three persons with one to act as a Chairperson. A Secretary may also be needed. The Committee will need to consist of people not involved in the dispute and the Club may ask individuals from outside the Club to sit on the panel. The full Club Committee could hear the dispute but given the number on the Committee this could be seen as intimidating and it is usually preferable to have a smaller number of people to hear a disciplinary matter hence the recommendation to set a Disciplinary Committee of three persons.

The Club Chairperson should notify both parties of the date, time and place of the hearing and the names of the Disciplinary Committee.

Both parties should be given copies of all the papers and every effort should be made to hold the hearing within fourteen days of the receipt of the dispute.

If either party is aged sixteen years or less then they must be advised of their right to be accompanied by a parent (or other person with a parental responsibility for them) or coach to help them present their case. It is advisable but not mandatory that the Disciplinary Committee does not hear any charge against the member of the Club aged sixteen or less unless their parent or guardian is present. Any such parent or guardian shall be allowed to speak as well as the said member.

Any other Club member aged seventeen or over against which a disciplinary charge has been made shall have the right to have one member of the Club present with them at the hearing and such additional members shall have the right to speak.

Both parties should be allowed to bring witnesses.

The hearing should be informal as possible but needs to be controlled. Points to note:

- 1- The complainant should present evidence first and the accused should have the right to apply.
- 2- Both parties to the dispute should be able to call witnesses, the complainant going first and each party should be allowed to question the other parties witnesses.
- 3- Witnesses should wait outside the hearing room until they are called. After questioning they should wait in the hearing room taking no further part in the proceedings.
- 4- The Chairperson or Secretary should make notes of the hearing and the Disciplinary Committee should make every effort to announce their decision verbally to all parties without delay followed by written confirmation to reach all parties within seven days.

The Committee may take any one or more of the following decisions in relation to the complaint. The Committee shall have the power to :

- 1- Give a verbal warning
- 2- Give a written warning
- 3- Suspend from the Club
- 4- Expel from the Club