

Veterans Athletic Club

Discipline and Appeals Policy and Procedure

Effective from 24/09/2018 until further notice

Discipline Policy and Procedure

All complaints regarding the behaviour of club members and/or club officers should be submitted in writing to the Chairman for consideration by the Club's Committee or sub-set of the Committee (hereafter called "the Executive Committee"). The subject matter of a complaint may include

[1] Infringement of Club rules; or

[2] Bullying and Harassment, Direct and Indirect Discrimination either within athletic activities or outside; or

[3] Inappropriate use of social media facilities, which might reasonably be considered as bringing, or having the potential to bring, the Club into disrepute or causing, or having the potential to cause, harm to one or more other members; or

[4] Any member of the Club being arrested and charged with a criminal offence which is deemed to bring the Club into disrepute. Their membership will be automatically suspended pending the outcome of the criminal investigation; or

[5] Any member of the club being accused of taking or distributing a banned substance[s]. S/he will be suspended from membership pending a full investigation.

Any of the 5 points above will automatically trigger the Formal Disciplinary Procedure

Any member of the Executive Committee with any direct interest in the matter will take no part in the discussions thereon or be part of the Disciplinary Panel. If the Chairman is not available or has a direct interest in the matter, then the Membership Secretary or another member of the Executive Committee will substitute for the Chairman.

Informal Procedure

Upon receipt of, or on otherwise being made aware of circumstances which might reasonably lead to any other issue or complaint, the Chairman shall, having taken, and subject to, such advice as s/he considers it prudent to take in the circumstances, write to the member or members concerned to inform them of the complaint or circumstances and to invite them to comment in writing within fourteen days upon the relevant allegations. If, after consideration and investigation, the Chairman considers the complaint not to be sufficiently serious to warrant formal disciplinary consideration, s/he will discuss the matter with the Secretary and possibly other members of the Executive Committee and then write to the member or members concerned to inform them of the outcome, which could include no further action being taken or a written warning to those concerned as to future conduct.

Formal Procedure

Upon receipt of a complaint, the Chairman shall, having taken, and subject to, such advice as s/he considers it prudent to take in the circumstances, write to the member or members concerned to inform them of the complaint or circumstances and to invite them to comment in writing or to attend a meeting to provide evidence, within fourteen days upon the relevant allegations. If the Chairman considers the complaint to be sufficiently serious, the Executive Committee shall be notified promptly and, otherwise, shall be notified promptly following receipt of such written comments or, if none are received, the conclusion of the 14-day period, together with such information as is then available to the Chairman.

The Executive Committee will consider the matter at their next meeting, or earlier if the matter is deemed sufficiently serious, and shall, if it considers that it is reasonably possible that a Disciplinary Panel may recommend action falling within sub-paragraphs (iii) - (v) below, set up such a Disciplinary Panel of three to five full members, to include a nominated member by and from another affiliated athletic club as well as one member of the Executive Committee as chairman, none of whom have any direct interest in the matter.

The Executive Committee will have the power to suspend temporarily from membership any member accused of an offence or misconduct. This suspension shall be to facilitate any investigation and be without prejudice to the outcome of the investigation.

The Disciplinary Panel will make such further enquiries as it thinks fit and will offer a reasonable opportunity to any member concerned, who may be accompanied by a friend, if so desired, to meet with it and answer the allegations and the Disciplinary Panel will hear such witnesses as are reasonably produced. The Disciplinary Panel will make such procedural provisions as necessary for the just and efficient disposal of the case.

If the Disciplinary Panel is not satisfied that an offence or misconduct has been committed by a member, it may recommend that the complaint be dismissed.

If the Disciplinary Panel is satisfied that an offence or misconduct has been committed by a member, then it may recommend one or more of the following actions to the Executive Committee:

- i. note the offence or misconduct but take no further action;
- ii. warn the member concerned as to future conduct but take no further action;
- iii. suspend or disqualify the member from athletic competition, coaching and/or administration and/or use of the Club's facilities for some definite or indefinite period;
- iv. recommend to the relevant governing bodies [British Masters Athletics/England Athletics] that the member be disqualified from any involvement in athletics for some definite or indefinite period;
- v. terminate the membership or such other penalty as the Disciplinary Panel considers appropriate.

The Disciplinary Panel will submit a written recommendation to the Executive Committee within seven days of the final meeting with the member or members, and the Executive

Committee will determine its decision, which may take account of all or part of the Disciplinary Panel's recommendation, as soon as is practical thereafter.

The member or members concerned will be given written notification of the outcome by hand or by recorded delivery within seven days of the decision.

Appeals Policy and Procedure

The member or members concerned may appeal in writing to the Chairman against any decision stating the grounds on which the verdict of the Disciplinary Panel is challenged. The Chairman will acknowledge the letter of appeal and shall arrange to set up an Appeal Panel of between two to four Executive Committee members (one of whom should be the VAC Chairman to chair the panel or if not available then the Membership secretary instead), plus one member from another affiliated athletics club, none of whom have already been involved directly or were members of the Disciplinary Panel.

The Appeal Panel will make such further enquiries as it thinks fit and will offer a reasonable opportunity to any member concerned, who may be accompanied by a friend, if so desired, to meet with it and make their case as to why the decision of the Disciplinary Panel should not stand. The Appeal Panel will make such procedural provisions as necessary for the just and efficient disposal of the appeal.

The Appeal Panel shall have power to make a decision on the facts as it thinks fit and may

- [1] Overturn the original decision
- [2] Confirm the original finding
- [3] Have the case reheard
- [4] Increase the original sanction
- [5] Lessen the original sanction

The Appeal Panel shall decide on any issue by majority, with casting vote for the chairman of the panel in the case of a tie.

Exceptional issues

If additional material facts come to light following the conclusion of any investigation, whether by the Executive Committee or a Disciplinary Panel, the Executive Committee may determine to reconsider the matter in accordance with the above procedures and any decision previously made may, accordingly, be revised.

Notwithstanding the provisions of these Rules, when dealing with a complaint the Chairman and the Executive Committee 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 Chairman reasonably believes is competent to provide such advice.

Legal Action

This Discipline and Appeals Policy and Procedure does not affect any member's right to take legal action as they see fit.