

Loughborough Boat Club

Grievance and Disciplinary Procedure

Introduction

This document describes the grievance and disciplinary procedures followed by Loughborough Boat Club, to ensure that disciplinary issues and grievances are resolved in a fair, effective and timely manner.

Informal Process

When the Committee is alerted to a discipline or grievance issue it will, in the first instance, attempt to deal with the matter informally. It will appoint an officer of the club to investigate the issue further and, in the case of a grievance, seek to mediate wherever possible. Such mediation is not obligatory but may help to resolve the situation, clarify any misunderstandings or help identify the issues in dispute before a hearing is convened. Informal resolution of a disciplinary issue will include a meeting of the officer with the member who is the subject of the allegation. If the outcome of the informal process fails to lead to a resolution it may be referred to in any subsequent hearing or appeal, as may any failure or refusal to participate in such proceedings.

Formal Process

Where the matter cannot be resolved informally or where the Committee deems the issue serious enough to warrant formal resolution, it may appoint a hearing panel with power to act on its behalf and to adjudicate on any disciplinary or grievance matter. For a grievance, the complainant will be required to set the nature of the grievance out in writing and request a hearing via the club secretary.

A hearing will be convened within a reasonable timescale, which may vary depending on the issue at hand but should not, where possible, exceed one month. At a minimum, the hearings panel should comprise a chair and two officers, including a club welfare officer. All panel members will be independent of the dispute and those involved should signify their agreement to the constituted panel. The panel must give a fair and independent hearing to all sides of the dispute within an appropriate and agreed timescale. The subject of the complaint, and the complainant in the case of a grievance, will have the right to be accompanied to the hearing. Notes will be taken and all parties will be given copies of the written record of the hearing.

The hearing panel shall have the power to suspend, fine or impose such other penalty as seems appropriate for the conduct which is the subject of the complaint. If the panel concludes that a member should be expelled from the club, then this decision must be ratified by the Management Committee which shall meet within 21 days of the date when the decision was made by the hearing panel. At the committee meeting considering this, the quorum will be increased to 50% plus two. The hearing panel and the Committee may only refuse, expel or suspend membership for good cause such as conduct or character likely to bring the sport into disrepute or actions which undermine the management of the Club.

If any party chooses not to attend the hearing, the panel has the right to proceed with the hearing based on written submissions. The outcome and sufficient explanation of the decision will be communicated to the parties within 14 days. If the outcome of the hearing is unacceptable to the parties involved they may have the right to appeal.

Appeal Procedure

If any of the involved parties wish to appeal against the outcome of the hearing they should set out the grounds on which they wish to appeal in writing. This letter should be sent to the Club Secretary within 14 days of the outcome of the initial hearing being known. An appeal will only be granted where there is a “strong arguable case” that either: -

1. Relevant information was ignored or not considered by the original panel.
2. The disciplinary process was tainted by unreasonable bias or conflict of interests.
3. The provisions of the disciplinary procedure were not adhered to.
4. The original panel exceeded its jurisdiction.
5. The findings of the original panel were irrational.

The Committee will appoint an independent appeal panel to consider the appeal, none of which have had any prior involvement in the matter. The appeal panel will be constituted along the same principles as the hearings panel outlined above and will be similarly recorded.

The chair of the appeals panel will convene a hearing in a timely manner and, in consultation with the other panel members, will decide the conduct of the proceedings. If appropriate, the appeals panel may request written submissions and may or may not require the parties to attend. It may confirm the penalty, vary it by increasing or reducing it, or substitute some other sanctions. The outcome and sufficient explanation of the decision will be communicated to the parties within 14 days of the appeal panel hearing.

The outcome of the appeal will be final.

Stuart Ward
Club President
Loughborough Boat Club