

# **Bearcat Running Club Grievance and Disciplinary Policy (May 2024)**

## **1. Grievances**

- 1.1 If a Club Member has a concern regarding either the conduct of another Club Member or actions/decisions taken on behalf of the Club, e.g. by Committee Members, then they are encouraged to raise this through using the grievance procedures.
- 1.2 It is expected that most matters can be appropriately addressed through the informal grievance procedure, however the formal grievance procedure is available where a complainant remains dissatisfied with the outcome of the informal procedure or where they feel their concern is of such a serious nature that it is appropriate to raise at the outset through the formal procedure.

### **Informal grievance procedure**

- 1.3 To initiate the informal process the complainant should raise the matter of concern verbally with a Committee Member.
- 1.4 The Committee Member will discuss the matter with the complainant to ensure they fully understand the concern and give provisional consideration of how it might be addressed.
- 1.5 Where the Committee Member assesses that the concern raised is one that may be appropriate to consider under disciplinary procedures, they will liaise with the Secretary so steps as set out in section 2 of this document can be considered.
- 1.6 Where the disciplinary procedure is not considered applicable in relation to the concern raised, the Committee Member will report their provisional assessment of the matter to the Secretary. The Secretary will determine whether the matter needs to be referred to the Committee for consideration or the matter can be responded to with reference to clearly established Club policies or protocols.
- 1.7 Following determination of the matter the Secretary will ensure the complainant is verbally notified of any actions/decisions being taken in relation to the concern that was raised.

### **Formal grievance procedure**

- 1.8 Where a Club Member remains dissatisfied with how a matter has been responded to after they have followed the informal procedure or where they consider the matter so serious that it is appropriate to be raised formally in the first instance, they should submit their complaint in writing to the Club Secretary.
- 1.9 The written submission can be made by email to [Office@bearcatrunningclub.co.uk](mailto:Office@bearcatrunningclub.co.uk) marking the subject matter 'Confidential for the attention of the Secretary Bearcat Running Club'. Alternatively, the written submission can be made in the form of a hard copy letter passed to one of the Committee Members in an envelope addressed 'Confidential for the attention of the Secretary Bearcat Running Club'.

- 1.10 The Secretary will make arrangements for the grievance to be investigated, either taking direct responsibility for undertaking the investigation or arranging for this to be done by another Committee Member. In considering arrangements to be taken, the Secretary will assess whether the complaint made is one that is appropriate to consider under disciplinary procedures. Where this is the case, steps as set out in section 2 of this document will be progressed.
- 1.11 Where the disciplinary procedure is not considered applicable in relation to the complaint raised, the Secretary will determine whether the matter needs to be referred to the Committee for consideration or the matter can be responded to with reference to clearly established Club policies or protocols.
- 1.12 Once actions/decisions in relation to the complaint have been determined, a written notification of outcome will be sent to the complainant. This is the conclusion of the grievance procedure.
- 1.13 In most circumstances, it is expected to be possible to issue the written notification of outcome within 2 weeks of a formal grievance complaint being received. For more complex matters a longer timescale is likely to be necessary. Where it is not possible to provide the complainant with a written confirmation of outcome within 2 weeks of the complaint being received, the Secretary will provide the complainant with an estimate of when the written confirmation of outcome will be provided.

## **2. Disciplinary procedure**

- 2.1 In all situations associated with the Club, Members are expected to uphold the core values of the Club, e.g. inclusivity, encouragement of all abilities, supporting the health and safety of all, safeguarding the wellbeing of all, being a positive contributor to the community.
- 2.2 Where concerns are brought to the attention of the Committee about the conduct of a Member (e.g. through the grievance procedures outlined above or through a complaint received from the wider community) the Secretary will nominate a Committee Member to make an initial assessment of the matter to ascertain whether the matter can appropriately be addressed on an informal basis or otherwise requires formal procedures to be applied.

### **2.3 Informal action**

- 2.3.1 Informal action would normally be appropriate for an individual act of minor indiscretion (e.g. where no malicious intent to cause harm or no serious neglect was apparent).
- 2.3.2 Informal action might take the form of a Committee Member speaking to the Member concerned to advise them that the conduct in question is considered to be inconsistent with the values of the Club and they should avoid such conduct in the future in circumstances that have any association with the Club.

## **2.4 Formal action**

- 2.4.1 Formal action would need to be considered where a Member's conduct is considered to possibly be prejudicial to the interests of the Club. This might arise where there were repeated minor indiscretions continuing after informal action had been taken or where a more serious matter arose. More serious matters would include physical or mental abuse, harassment, discrimination or defamation of any of other Members during, or subsequent to, Club events.
- 2.4.2 Where the Secretary considers a matter brought to their attention is one where a Member's conduct is considered to possibly be prejudicial to the Club, the Secretary will conduct an investigation or agree with another Committee Member to conduct an investigation.
- 2.4.3 Where possible, investigations should be completed within two weeks. Where this is not possible, the Member who is subject of the investigation will be advised of the expected timescale.
- 2.4.4 The investigator should make notes of any interviews conducted in the investigation and prepare a written summary of the evidence with a concluding statement identifying whether or not they believe there are reasonable grounds to make a formal allegation that a Member's conduct is prejudicial to the interests of the Club. The notes and the written summary are to be processed and stored on a strictly confidential basis.
- 2.4.5 Any Member may be suspended from membership of the Club, pending completion of investigation, if his or her conduct is considered to possibly be prejudicial to the interests of the Club.
- 2.4.6 Suspension shall be agreed by clear majority of those present and voting at a properly convened Committee meeting.
- 2.4.7 Where an investigation concludes there are reasonable grounds to make a formal allegation that a Member's conduct is prejudicial to the interests of the Club the procedures for considering the matter and determining the outcome are as follows:
- a. 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 the appeal process below, a decision of the disciplinary panel shall be final and conclusive.
  - b. The panel will reach a decision on the matter after conducting a hearing to which the accused Member will be given reasonable opportunity to attend. The accused Member will be given at least one week's notice of the date and time of the hearing.
  - c. The panel will refer to England Athletics guidance in managing the hearing process.

- d. With reference to the England Athletics guidance, where a Member's conduct is found to be prejudicial to the interests of the Club, expulsion is one of the potential determinations. Depending on various factors, it may be appropriate to determine a lesser outcome, e.g. a warning.
- e. A written confirmation of the panel's findings and outcome decision should be issued to the accused Member within one week of the conclusion of the hearing.
- f. A copy of all written documentation relating to the case will be retained by the Membership Secretary on a strictly confidential basis in accordance with the England Athletics guidance in managing the hearing process.

## **2.5 Appeals against disciplinary procedure outcomes**

2.5.1 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.

2.5.2 The Secretary will appoint 3 (three) Club Members (who have no direct or indirect interest/involvement in the matter) to sit on an appeal panel. A decision of the appeal panel shall be final and conclusive.

2.5.3 The appeal panel will reach a decision on the matter after conducting a hearing to which the appellant will be given reasonable opportunity to attend. The appellant will be given at least one week's notice of the date and time of the hearing.

2.5.4 Normally an appeal hearing will not conduct a full re-hearing. The focus shall be on the specific grounds for appeal raised by the appellant which shall normally relate to the following:

- (i) that particular findings made by the disciplinary panel were incorrect and/or
- (ii) the sanction determined by the disciplinary panel was excessive.

Any new evidence that has become available since the disciplinary hearing may be presented for consideration by the appeal panel.

2.5.5 The appeal panel will refer to England Athletics guidance in managing the hearing process.

2.5.6 A written confirmation of the appeal panel's findings and outcome decision should be issued to the appellant Member within one week of the conclusion of the hearing. This is the conclusion of the disciplinary procedure.

2.5.7 Paragraph 2.4.7f also applies to any further documentation that relates to the appeal process.