

Derby Athletic Club Disciplinary Policy and Procedure

The Disciplinary Policy is aimed at all members of our Club to include our Athletes, Coaches, Officials and Voluntary helpers. It covers the expected conduct of our members and is aligned to our Club Constitution, the rules of our Governing Body (UKA) and the England Athletics Disciplinary Procedure.

Everyone associated with the club has the right to seek redress for matters of misconduct against them.

The club has a disciplinary policy and procedure in order to have a framework for consistency and fairness to all, and our procedure has been designed to support our people to maintain and encourage appropriate standards of conduct and behaviour.

Any reported misconduct will be handled as described in our procedure.

Action Warranting Disciplinary Action

The lists that follow are not exhaustive. The Club's disciplinary panel will take a decision regarding the seriousness of an incident as each arises, taking advice from England Athletics where appropriate.

Misconduct

Generally, behaviour that is unreasonable or inappropriate. Examples include:

- Abusive or aggressive language or behaviour
- Disobedience or insubordination to those in authority or with responsibility
- Poor attitude towards others
- Infringement of Club or Governing Body rules or Codes of Conduct
- Damage to property or equipment as a result of misbehaviour
- Misuse of equipment
- Negligence

Gross Misconduct

We have defined Gross Misconduct as more serious behaviour which includes:

- Theft, fraud and misappropriation of equipment;
- Physical violence and intimidation;
- Bullying, harassment or discrimination;
- Serious deliberate damage to equipment or property;
- Use of illegal substances;
- Negligence of the type likely to put others and the Club at risk;
- Infringement of any Health and Safety rules;
- Repeated infringement of the Club Codes of Conduct.

Disciplinary Procedure

Any misconduct can result in disciplinary action by the Club, and may also result in referral to external bodies ie: England Athletics and other bodies including social services and the police if deemed serious enough.

Disciplinary action will only be taken after a thorough and appropriate investigation of the facts, to be undertaken by the disciplinary panel.

The disciplinary panel will consist of the Vice Chair, Secretary and Welfare Officer or another committee officer if one of the three members cannot be available within a reasonable timescale.

Suspension of an individual may be required, depending on the seriousness of the allegation(s).

If an investigation involves a member under 18 years old, then the first contact will be with the parents of the member.

All parties involved in the incident will be asked to give their statement of the event which will be recorded verbatim, and they will be allowed to bring someone with them to the meetings/discussion for support and observation only.

Once all statements have been taken by the panel, a decision will be made and communicated to all parties involved, in writing. The letter will state a summary of the decision, and any actions taken as a result.

Penalties for Misconduct

If an individual is found to have an allegation against them to be proven then the following penalties may be applied as deemed appropriate by the panel:

- A formal, written warning will be issued, outlining the expected change in behaviour with an identified time specification for review.
- Two consecutive formal warnings within six months could result in a formal final warning.
- Any further instances of misconduct, if proven, will then result in expulsion from the club with immediate effect.
- If the misconduct is serious enough to be deemed as gross misconduct, the individual may be expelled from the club without further warning.

Copies of all letters to an individual stating the outcome of a disciplinary hearing will be sent to our county body and our governing body for retention.

Appeals against disciplinary action

Everybody has the right to appeal against a disciplinary decision. Appeals must be made in writing immediately following the disciplinary panel's decision and no later than two weeks after the date of the hearing.

All appeals must be sent to the chair, who will take responsibility for arranging a review panel. The review panel must consist of four individuals in total, consisting of the chair, a minute taker and two officers of the club who have not been involved the case on prior disciplinary panels.

The review panel's decision will be final, with no further right of appeal.

Grievance Procedure

Our club is committed to creating a respectful, collaborative, enjoyable and safe environment where everybody involved is treated fairly and equitably. Sometimes, however we recognise that complaints, disputes or problems can arise and we recognise that when things go wrong, we need to act quickly and fairly.

We expect that most issues can be resolved initially informally by both parties. However, if both parties fail to agree a resolution, we have a four-stage process to ensure we investigate and resolve the problem using our grievance procedure.

Stage 1

Informal resolution between the parties facilitated by our Welfare Officer or nominated committee member within five days of the complaint, to be reported back to the committee in writing at the first available committee meeting.

Stage 2

A written complaint must be received by the Club Secretary within two weeks of any incident.

A copy of the letter will be provided to the person being complained against with a date for a formal hearing of evidence to be conducted by a panel of three club committee members.

The date for the hearing should provide sufficient time for the gathering and exchange of supporting evidence by both parties and should be held within two weeks of the receipt of a written complaint.

Verbatim notes will be taken of the hearing of evidence by one member of the panel who will act as panel secretary. Both parties are entitled to attend the meeting with a member of the club, parent or carer who accompanies them, but is not permitted to participate as a representative. The only exception to this guidance is where an individual has a physical or learning difficulty which means that there is any doubt that they could participate in the process from an equal standpoint to the party they are in dispute with.

Following the hearing a written decision will be sent to both parties within one week.

Stage 3

A complainant may appeal against the panel's decision in writing to the club chair, stating their grounds for disagreement with the panel decision. This appeal must be lodged with the club chair within one week of the date of the letter outlining the panel decision.

If the justification for the appeal is accepted by the chair, then a second hearing will take place within two weeks of the receipt of the appeal request letter. The appeal panel will be led by the club chair and two different committee members from those present at stage 2. They will consider the written evidence and notes from previous meetings to make a decision. Notes will be kept of the discussions.

Stage 4

If the complainant does not accept the decision of the appeal panel, they will have the opportunity to refer the complaint to England Athletics, and will be advised on the process for doing so as it arises by the chair.