

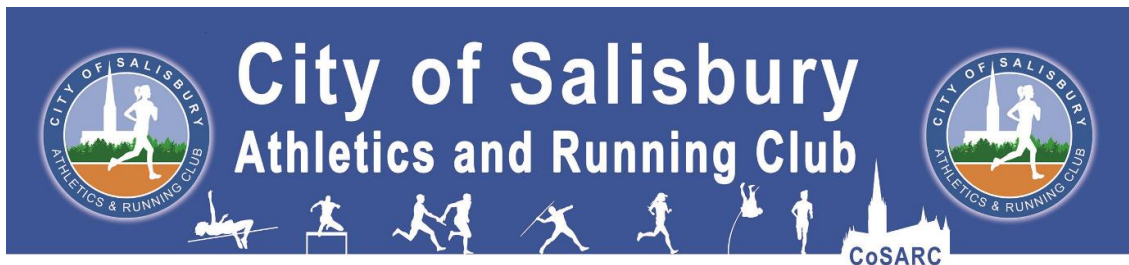
# Complaints and Disputes policy

City of Salisbury Athletics and Running Club (the “Club”) are committed to providing a happy and welcoming environment for athletes and volunteers. Occasionally however events or circumstances arise that result in either a dispute between Club members or a complaint made by or about a Club member or the Club. To ensure any such events are dealt with fairly and in a transparent way, the Club has set out below how it will manage these.

## Complaints and Disputes – general rules

Subject always to Rule 4:

- Rule 1 Any complaints of misconduct (improper or unprofessional conduct) regarding the behaviour of Club members or Officers shall be dealt with by the Club in accordance with the disciplinary and appeals process set out herein (“the **Disciplinary Policy**”).
- Rule 2 Any complaints of serious misconduct (including, without limitation, theft, doping violations, fraud, physical violence, safeguarding policy breaches, serious breach of applicable health and safety, gambling and/or ticketing regulations or any act or omission of the Club member or Officer which in the opinion of England Athletics, acting reasonably, brings or is likely to bring the sport of athletics into disrepute) regarding the behaviour of Club members or Officers shall also be reported and dealt with by England Athletics in accordance with its disciplinary procedures. The Club may also take action against the Club Member(s) involved for such behaviours in addition to any action taken by England Athletics.
- Rule 3 If a dispute arises between any Club members or officers of the Club about the validity or propriety of anything done by any Club member or officer under this Policy and the dispute cannot be resolved by agreement, the parties to the dispute must first try in good faith to settle the dispute by mediation before resorting to litigation.
- Rule 4 If a complaint or dispute is considered persistent and/or vexatious, the Club may bring the matter to a close without further recourse to appeal.
- Vexatious** – a matter raised without sufficient grounds and serving only to cause annoyance to the receiver of the complaint; an oppressive complaint (with unjust severity); or otherwise an abuse of the procedures for dealing with complaints or conduct matters.
  - Persistent** – a matter that is substantially the same as a previous complaint or dispute (whether made by or on behalf of the same or a different complainant); contains no fresh allegations which significantly affect the account of the previous



complaint or dispute; no fresh evidence, being evidence, which was not reasonably available at the time the previous complaint or dispute was raised, is tendered in support of it.

Rule 5 Any communications under this Disciplinary Policy noted to be sent in writing shall be sent by email

(a) to a person other than the Club Secretary or Welfare office, to the email address currently held by the Club for that person.

(b) to the Club Secretary via [secretary@salisbury-arc.org](mailto:secretary@salisbury-arc.org) or to the lead Welfare Officer via [welfare@salisbury-arc.org](mailto:welfare@salisbury-arc.org).

Rule 6 The procedures described in this Discipline Policy assume that all parties will co-operate in the interest of resolving the issue in question. In the absence of such co-operation, or if it is withdrawn at any stage, the Club reserves the right to proceed with a Hearing or an Appeal based on such evidence and information as it is able to obtain.

Rule 7 When dealing with a complaint, the Club Secretary or nominated Club representative 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 Club Secretary reasonably believes is competent to provide such advice and/or EA's legal representative service for affiliated members (contact EA Membership Services for further details on 0121 347 6543).

## **Complaints Process**

### **Step 1:**

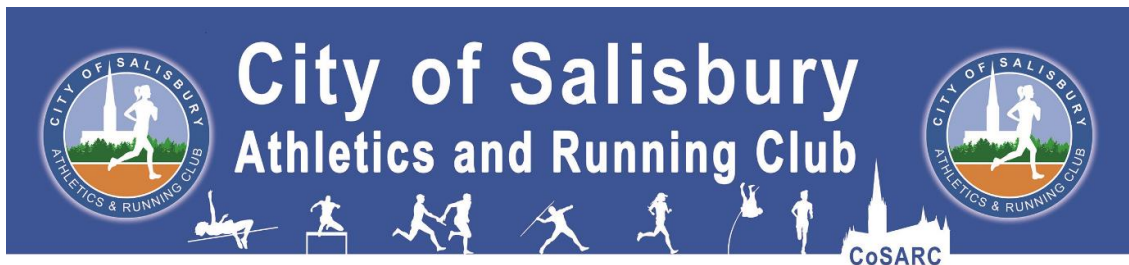
All complaints regarding the misconduct of Club Members should be submitted in writing to the Club secretary. Where the matter relates to the Club secretary, submit the complaint to the lead Club welfare officer. The content of a complaint must include specific details and evidence in relation to the misconduct being alleged including but not limited to details of any infringements of

- a) the Club constitution, codes of conduct, Club policies,
- b) any agreement regarding the use of premises used by the Club or
- c) any other offence or misconduct carried out during or in association with athletics activities which might reasonably be considered as bringing or having the potential to bring the Club into disrepute.

### **Step 2:**

Upon receipt of a formal complaint under Step 1 ("the Complaint"), the Club Secretary shall, having taken, and subject to, such advice as they consider prudent to take in the circumstances, write to the Member or Members ("the Complainant") concerned to inform them of the Complaint and to invite them to comment in writing within fourteen days upon the relevant allegations forming the Complaint.

### **Step 3:**



On completion of step 2, the Club Secretary will determine if the Complaint has sufficient grounds and is capable of being pursued based on the evidence/statements provided and will dismiss any frivolous complaints at this stage. If the Complaint is sufficiently evidenced the complaints process as set out below in Steps 4 - 6 will be followed.

**Step 4:** The Club Secretary will appoint 3 Club Members to form a disciplinary panel ("the Disciplinary Panel"), none of whom have had any direct interest or involvement in the events surrounding the Complaint.

**Step 5:**

The Disciplinary Panel will

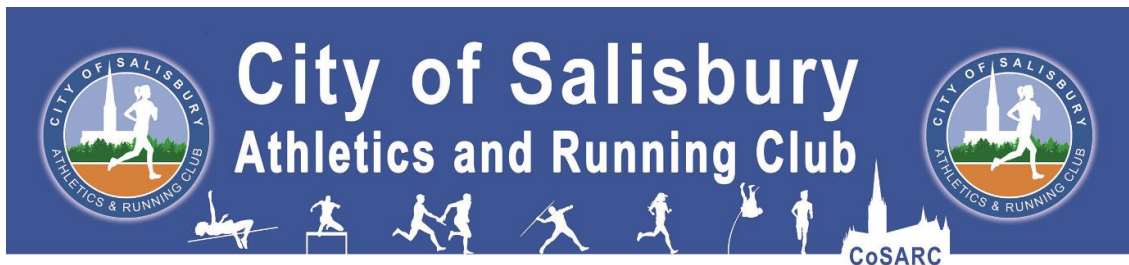
- consider the Complaint once the formal responses are received from the Complainant(s).
- have the power to suspend temporarily from membership any Complainant accused of an offence or misconduct, pending further investigations or enquiries into the Complaint. This suspension shall be to facilitate such investigation or enquiries and be without prejudice to the outcome of the investigation or enquiries.
- make such further enquiries as it thinks fit and will offer a reasonable opportunity to any Complainant, who may be accompanied by a supporter, if so desired, to meet with it and answer the allegations.
- hear evidence from such witnesses as are reasonably produced.
- make such procedural provisions as necessary for the just and efficient hearing of the Complaint.

**Step 6**

If the Disciplinary Panel is satisfied that allegations of the Complaint constitutes an offence or misconduct by the Complainant, then it may impose one or more of the following sanctions:

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

All parties concerned will be provided with the Disciplinary Panel's formal outcome in writing within seven days of the decision.



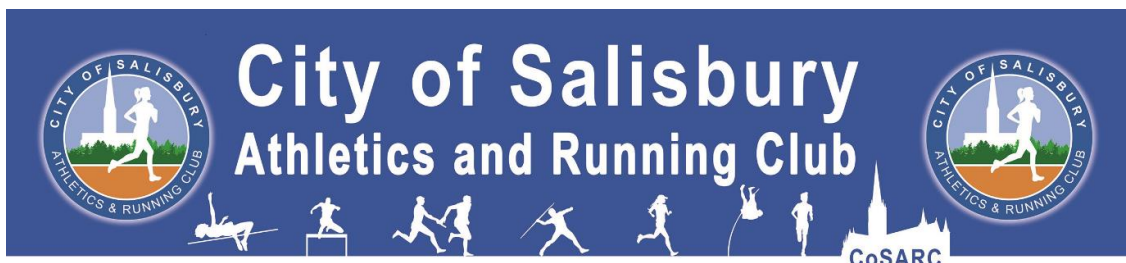
Subject to the appeals process below, the decision of the Disciplinary Panel shall be final and conclusive.

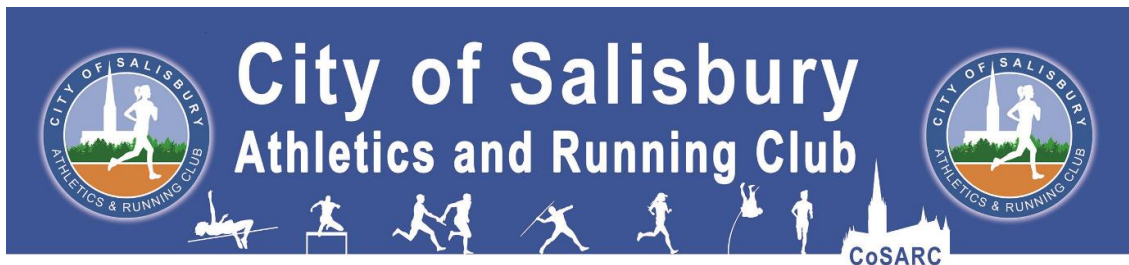
### **Appeal Process:**

1. The notification of the decision of the Disciplinary Panel shall also set out the right to appeal.
2. The Complainant, may appeal against the decision of the Disciplinary Panel made under Step 6 of the complaints process ("Appeal") by serving a notice of appeal ("Notice") on the Club Secretary (via email to [secretary@salisbury-arc.org](mailto:secretary@salisbury-arc.org)) within seven calendar days of receiving the written decision. The Notice must state the grounds on which the verdict of the Disciplinary Panel is challenged.
3. Any appeals for decisions by England Athletics under Rule 2, will be dealt with under the disciplinary procedures of England Athletics.
4. The Club Secretary shall acknowledge a Notice within seven calendar days of its receipt and will cast a decision in regard to the grounds of the Appeal.
5. If there are sufficient grounds/evidence provided to support the Appeal, the appeal process set out below (Steps A-H) will be followed.
6. If there are insufficient grounds, the Appeal will be dismissed.

- Step A The Club Secretary shall appoint an appeal panel to hear the Appeal ("Appeal Panel") which will be made up of three Club Members who have not been involved directly, either in the events of the Complaint, or in the initial Disciplinary Panel.
- Step B The Club Secretary shall inform all parties concerned in the Complaint ("the Parties") of the composition of the Appeal Panel
- Step C Any Party may object to the composition of the Appeal Panel by notifying the Club Secretary (via email to [secretary@salisbury-arc.org](mailto:secretary@salisbury-arc.org)) of the objection ("Objection") and setting out the reasons for the Objection no later than seven calendar days from the date of being informed of the composition of the Appeal Panel.
- Step D The Club Secretary, within fourteen calendar days from the date of receipt of an Objection, will notify the Parties in writing via email that either:
- the composition of the Appeal Panel has changed, in which case the Club Secretary shall provide details of the new Appeal Panel; or
  - the composition of the Appeal Panel has not changed, in which case the Club Secretary shall give reasons why it has not accepted the Objection
  - within fourteen calendar days from the date the Club Secretary responds to the Objection above (as appropriate), the Club Secretary shall give such directions to the Parties via email as to how and when the Appeal will proceed that include:







This will be communicated to EA and/or UKA if it is considered necessary to ensure compliance with a sanction, or for the safety and well-being of those engaged in athletics activity. EA/ UKA may determine to publish details on their websites.

Please note:

- The Club reserves the right at any point in the process to forward the dispute of complaint to our legal representatives who may respond on our behalf.
- The contents of this policy will be subject to revision from time to time.