

COMPLAINTS & DISCIPLINARY POLICY

This policy has been produced to assist Glasgow Triathlon Club (“the Club”) to implement a clear process to follow whilst dealing with misconduct complaints within the club.

Scope of the Policy

- 1.1. This complaints & disciplinary policy is designed to help promote orderly relations between club members.
- 1.2. The complaints & disciplinary policy will assist us in fulfilling our obligation to ensure that all club members are treated fairly and consistently.
- 1.3. The policy outlines what actions will be taken in the event a breach of our code of conduct is either found to have occurred or has been reported to the Operations Committee.
- 1.4. The policy is supported by our code of conduct

Reporting breaches of the Club’s code of conduct

- 2.1. Breaches of the Club’s code of conduct should be reported to the current President of the Club’s operating committee.
- 2.2. The complaint can be accepted by another member of the committee if it relates to the President, or the President has a conflict of interest in the complaint. For example, the complaint relates to the President or a member of the President’s family.
- 2.3. Informal complaints (e.g. for minor issues) can be made verbally. Verbal complaints for informal issues will be accepted but will be followed up in writing by the relevant staff member to the satisfaction of the complainant. If not then the formal complaint procedure applies below
- 2.4. Formal Complaints should be made in writing either by letter or by email.. Formal complaints will not be accepted verbally unless there are exceptional circumstances. In these cases, the President or nominated disciplinary officer (in cases where the President cannot be involved in the complaint) will write a formal note outlining the nature of the issue.
The President or nominated disciplinary officer will formally acknowledge the complaint within seven working days of receiving the written complaint. The acknowledgement will be sent by email or in writing.

If we receive anonymous complaints, these will be explored as far as we are able to however, this can limit our investigation and any outcomes desired by the author.

- Our confidentiality principle and data protection legislation should give individuals confidence to make themselves known.
- If we receive a verbal complaint we may record details of this on our official paperwork.
- Our retention of complaints information is governed by data protection legislation

Investigation

3.1. Our approach is to:

- Establish the full facts as quickly as possible;
- Deal with the individual and facts consistently and fairly; and
- Provide an opportunity to appeal against the outcome of a formal disciplinary meeting.

3.2. Depending on the nature of the complaint, the President may:

- convene a meeting of the operations committee to consider the appropriate actions required to investigate the complaint. Any member of the operations committee deemed to have a conflict of interest in the complaint and/or the outcome of the complaint will be asked to withdraw from the meeting. Actions may include, but not limited to:
- An informal discussion with the complainant and the alleged perpetrator to discuss the issue. These may be separate or joint meetings depending on the nature of the complaint; or
- Convening a disciplinary committee made up of at least three committee members and or possibly trustees depending on the seriousness of the complaint. All members of the disciplinary committee must be wholly impartial in the complaint and/or the outcome of the complaint, within 14 days.

or

In cases of gravity or complexity pass on to relevant higher authority in liaison with Triathlon Scotland governing body. All cases involving serious negligence, gross misconduct or concerning protection of young people will be referred immediately.

- Complaints that fall outside the jurisdiction of Triathlon Scotland may be referred to an appropriate body for their consideration.

Complaints alleging criminal activity will likely require to be referred to the Police.

Informal Actions

3.3. It is expected that most reported issues will be resolved through informal discussions between the member and the President or nominated officer. The informal discussion will seek to resolve the issue and agree a course of action where appropriate. A brief note of the discussion will be written by the President or nominated officer and a copy will be sent to the member.

Formal Actions

4.1 The President or nominated officer will take formal action if:

- Informal discussions do not result in a resolution;
- The issue is considered too serious to be classed as minor; or
- It is a serious case of misconduct.

4.2 Where, after a full investigation of the facts, the member's conduct warrants being dealt with through a formal disciplinary procedure the following three step process will take place:

1. *Statement of grounds for action and invitation to meeting*

The member's alleged conduct or characteristics, or other circumstances which have led to disciplinary action being contemplated will be set out in writing and sent to the member within 14 days of the issue being raised. The member will be invited to attend a meeting to discuss the matter.

2. The meeting

The meeting will take place before any action is taken (except in the case where the disciplinary action consists of suspension) and can only take place once the member has:

- Been informed on what basis the disciplinary action is being considered; and
- Had a reasonable opportunity to consider their response to the above information.

The member must take all reasonable steps to attend the meeting. The member has the legal right to be accompanied at the meeting by a fellow member.

3. Result of meeting

Following the meeting the member will be informed in writing of:

- The points discussed during the meeting;
- Any further actions or investigation required before a decision is made (where appropriate); and/or
- The decision of the [disciplinary committee]; and
- Their right to appeal against the decision.

4.3 Outcomes of a disciplinary meeting may include:

- Verbal warning;
- Written warning;
- Final written warning;
- Suspension from the club;
- Exclusion from the club; and/or
- Removal from any committee relating to the club.

Exclusion from the club will only be considered in cases of gross misconduct or where the club considers the situation to be so serious that any further relationship and trust between the member and the club is impossible. Examples of gross misconduct may include, but is not restricted to:

- Theft or fraud;
- Physical violence or bullying;
- Deliberate and serious damage to property;
- Serious misuse of the club's property or name;
- Bringing the club into serious dispute;
- Causing loss, damage or injury through serious negligence;
- Serious breach of health and safety rules;
- Serious breach of confidence; and/or
- Serious harassment.

Appeal

- 5.1 The member must inform the President if they wish to appeal against the outcome of a disciplinary meeting. Appeals must be sent in writing within 28 days of the letter notifying the member of the outcome of the meeting. The Appeal will be heard by at least two trustees of the Club, each acting impartially.
- 5.2 The member will be invited to attend a further meeting to which the member must take all reasonable steps to attend. The member has the right to be accompanied at this meeting by a fellow club member.
- 5.3 Following the appeal meeting the member will be informed of the final outcome in writing within 28 days.

Date of last update: July 2020