

Reading RC Rule Infringement and Grievance Policy

(This policy was adopted on 14th October 2012 by the Management Committee, and updated reviewed and updated on 10th July 2017)

Introduction

Reading Rowing Club (RRC) has a published set of Rules and by-laws to which all members must adhere as a condition of continuing membership. RRC members must also adhere to the rules imposed by British Safeguarding and Protecting Children and Anti-Bullying Policy

However, it is anticipated that there may be occasions where members and volunteers infringe these rules and bye-laws either willfully or not (Infringement) or where a member, volunteer or employee feels aggrieved by the way they have been treated within the club (Grievance) and consequently RRC requires a process to set out how these cases are dealt with and the possible sanctions that it may subsequently be appropriate to apply.

This policy covers two processes, Infringement and Grievances, and should always be interpreted in the spirit of fairness ensuring confidentiality for all concerned, and wherever possible be completed in a timely manner. The process below sets out ideal timescales for each stage. These are merely an indication of the likely times required to complete each stage and are not intended to be mandatory.

In all cases an attempt to settle the matter via an informal discussion should always be attempted before going down the formal route detailed below.

This bye-law* sets out the RRC procedure for notification and investigation of possible rule infringements together with the process for agreeing and communicating an appropriate sanction.

**NB. Where the alleged infringement relates to behaviour contravening the BR code for safeguarding & protecting children, the policy and procedures documented in BR Guidance Note 19 will be adopted verbatim.*

If at any stage of an Infringement or Grievance, it is apparent a criminal offence may have been committed then this should be referred to the police as soon as possible.

The captain, on the advice of the Director of Rowing (if the position is filled), may dismiss a coach or cox from that position based on performance. This in no way affects their ability to continue as a member of the club and is not investigated under the infringement policy.

Infringement

Notification

The appropriate vice captain (of the member concerned) should be made aware (by the person making the allegation) of any allegation of rule infringement by a member. It is the vice captain's decision whether to bring this to the attention of the Captain

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although it is expected that in alleged cases of assault, damage, etc., this referral will be automatic. In either case the VC must inform the management committee at the next meeting that a complaint has been made or what action he has taken and why.

If the allegation involves the VC they may inform the Captain directly. If the accuser feels that the Captain and / or VC will not be impartial to the infringement, they should make contact with another elected officer of the club. In this circumstance the Captain and / or VC will be excluded from the investigation process

The Vice Captain (VC) should take input from the person making the allegation and the person who is alleged to have infringed the rules to establish the scope of any investigation that follows

The vice captain (VC) cannot invoke any formal sanction personally without referral but in minor cases where they feel limited action is warranted they can speak to the member 'off the record' about their conduct and future expectations. The VC can also decide that no further action is necessary. This should ideally take place in less than a week

If the case is referred to the Captain, the relevant VC and Captain need to decide whether an internal (i.e. RRC) investigation is necessary. In cases of alleged criminal conduct any referral to the Police must be actioned immediately and the Captain and the President informed at the earliest opportunity..

Investigation

If the Captain and the VC agree that an investigation is required, an independent (i.e. not involved in allegation) member of the RRC management committee is requested by the Captain to carry this out with the assistance of another member who may or may not be a member of the management committee.

The Captain and VC decide at this point whether the member needs to be suspended for the duration of the investigation. If applicable, the suspension must be communicated to the member in writing and detail an effective date together with a date when this will be reviewed. It is anticipated that this course of action will only be appropriate where a serious allegation has been made and the potential for further problems may exist if the person remains at the club during the investigation. In all cases they will notify the management committee at the next appropriate meeting that the process has been invoked.

A brief term of reference will be written by the investigation team and agreed by the Captain and VC prior to commencement of the investigation to define the scope of this work. The investigation should take not more than 4 weeks. During the investigation any information required from the member against which the complaint has been lodged should be requested by email and if no response is received within 2 weeks of the date of the email the team can assume the individual has no wish to take part in the investigation or has nothing further to add. The investigation team may at their own discretion accept information after this deadline. The duration of the investigation may be extended by the investigation team at their own discretion.

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The investigation will take into account written evidence and will consider word of mouth provided it is corroborated by a further witness.

The investigating team will produce a report at the conclusion of their work, detailing;

- The nature of the allegation(s)
- The scope of the review
- Factual based evidential findings

This report must be solely factual and cannot recommend any disciplinary sanction. This will take about a further week.

Infringement meeting

The Captain and VC will call an infringement meeting as soon as they receive the report, giving a minimum of 5 days' notice to all parties; who will confirm their attendance in writing. All parties will be furnished with a copy of the report before the meeting. The member can request a 'personal representative' to accompany him/her to the infringement meeting. This person must be member of the club and whilst they can assist the member with preparation for the hearing in advance, and ask for clarification of points during the meeting, they cannot answer questions on the member's behalf.

The investigating committee officer will present the facts that have been discovered and the member can ask any clarification questions only. The member will be given time to present his or her case to the meeting, no new evidence can be presented at this time. The captain and VC can ask any clarification questions and confirm with the member that the process has been duly followed.

The Captain and VC will adjourn the meeting to consider the outcome and agree a suitable sanction if they feel an infringement has been committed. The outcome is notified in writing to the member, the investigating team and the management committee. This should ideally take less than a week for the decision to be notified.

The sanctions available for consideration are:

- Written reprimand
- Final written reprimand
- Termination of membership

Appeal

On receipt of a letter advising of the sanction, the member has the option of appealing against the decision.

The intention to appeal must be addressed to the President in writing within 10 days of the Captain's letter and clearly state the basis of the appeal. There are only 3 valid grounds for appeal:

- The RRC rule infringement process was not followed.

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- New evidence has come to light that was not available at the time the investigation was undertaken.
- The severity of the sanction was not consistent with the infringement or inconsistent with previous sanctions for similar offences

The appeal meeting will be heard by the President and BR's appointed Regional official. The member will be given 5 days notice of the meeting date and asked to confirm their attendance.

The member can request a 'personal representative' to accompany him/her to the appeal panel meeting. This person must be a fully paid member of the club and whilst they can assist the member with preparation for the hearing in advance, and ask for clarification of points during the meeting, they cannot ask or answer questions on the member's behalf. The member must present his or her case around one or more of the grounds listed above. This is not a re-run of the infringement meeting.

Both members of the appeal panel must unanimously agree whether to overturn or uphold the original decision. If the original decision is overturned the appeal panel can advise the member of a lesser sanction if they feel this is appropriate.

In all cases, the decision of the appeal panel is communicated to the member in writing within 5 days of the meeting and this decision is final.

There are no further lines of appeal after this process has been exhausted.

Grievance

Notification

The appropriate Vice Captain (of the member concerned) should be made aware (by the person making the grievance complaint) of the nature of the grievance and the grounds for the complaint. It is the vice captain's decision whether to bring this to the attention of the Captain. Employees of RRC should notify the captain directly the nature of the grievance and the grounds for complaint. If someone feels that the impartiality of the Vice Captain / Captain may be affected because of who the allegation is against, they should make contact with another elected officer of the club, who will make that judgement call and inform the Captain of their decision. In this circumstance the Captain and / or VC will be excluded from the process

If the case is referred to the Captain, the relevant VC and Captain need to decide whether an internal (i.e. RRC) investigation is necessary.

Investigation

If the Captain and the VC agree that an investigation is required, an independent (i.e. not involved in allegation) member of the RRC management committee is requested by the Captain to carry this out with the assistance of another member who may or may not be a member of the management committee. Both members of the investigating team are required to conduct any interviews together. A brief terms of reference will be written by the investigation team and agreed by the Captain and VC

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prior to commencement of the investigation to define the scope of this work. This should take about two - three weeks.

The investigating team will produce a report at the conclusion of their work, detailing:

- The nature of the complaint
- The scope of the review
- Factual based evidential findings

This report must be solely factual and cannot recommend any disciplinary sanction. This will take about a further week.

Grievance review meeting

The Captain and VC will call a grievance review as soon as they receive the report. Giving a minimum of 5 days notice to all parties, who will confirm their attendance in writing. All parties will be furnished with a copy of the report before the meeting.

The investigating committee officer will present the facts that have been discovered and the member can ask any clarification questions only. The member will be given time to present his or her case to the meeting, No new evidence can be presented at this time. The captain and VC can ask any clarification questions and confirm with the member that the process has been duly followed. The member should be consulted on what actions he or she would like to be taken to prevent a re-occurrence.

The Captain and VC will adjourn the meeting to consider the outcome. The outcome is notified in writing to the member, the investigating team and the management committee. This should ideally take less than a week for the decision to be notified. The grievance can either be upheld or overturned. The Captain and VC will make their final recommendation

Appeal

On receipt of a letter advising the outcome, the member has the option of appealing against the decision.

The intention to appeal must be addressed to the President in writing within 10 days of the Captain's letter and clearly state the basis of the appeal. There is only one valid ground for appeal;

- The RRC rule grievance process was not followed.

The appeal meeting will be heard by the President and another management committee member not associated with the process so far. The member will be given 5 days notice of the meeting date and asked to confirm their attendance.

The member can request a 'personal representative' to accompany him/her to the appeal panel meeting. This person must be a fully paid member of the club and whilst they can assist the member with preparation for the hearing in advance, and

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ask for clarification of points during the meeting, they cannot ask or answer questions on the member's behalf. The member must present his or her case around the ground listed above. This is not a re-run of the grievance process.

Both members of the appeal panel must unanimously agree whether to overturn or uphold the original decision.

In all cases, the decision of the appeal panel is communicated to the member in writing within 5 days of the meeting and this decision is final.

There are no further lines of appeal after this process has been exhausted.