
DISCIPLINARY POLICY

(Updated and adopted February 2023)

The club is committed to creating a happy, enjoyable, and safe environment where members – athletes, coaches, officials, team managers, parents, and other volunteers - are respected and relationships are mutually productive and conducted amicably.

However, it is recognised that sometimes complaints arise which must be fairly and quickly resolved. It is expected that most complaints will be initially handled informally by both parties to any dispute by the exercise of goodwill and common sense. If this is not the case, then the dispute will be investigated and resolved using the club's disciplinary policy, in line with the England Athletics Complaints and Disputes Framework.

ENGLAND ATHLETICS COMPLAINTS AND DISPUTES FRAMEWORK

1. All concerns, allegations or reports of malpractice or abuse relating to the welfare of children or vulnerable adults will be recorded and responded to swiftly and appropriately in accordance with the Club's and England Athletics's safeguarding policy and procedures. The Welfare Officer shall be the lead Officer for all Members in the event of any safeguarding concerns.
2. Any complaints of misconduct (improper or unprofessional conduct) regarding the behaviour of Members or Officers shall be dealt with by the Club in accordance with its discipline and appeals process* and must be presented in writing to the Secretary (and where the matter relates to the Secretary, the complaint must be submitted to the Welfare Officer). Unless exceptional circumstances apply, the Secretary will hear complaints within fourteen days of receiving a complaint. If the complaint is sufficiently evidenced, 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 rule 3 below, a decision of the disciplinary panel shall be final and conclusive.
3. 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.
4. 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 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 Members or Officers shall be reported and dealt with by England Athletics in accordance with its Disciplinary Procedures.
5. If a dispute arises between any Members or Officers of the Club about the validity or propriety of anything done by any Member or Officer under these Rules 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.

BRISTOL & WEST AC DISCIPLINARY POLICY

The four-stage Bristol & West AC Disciplinary Policy is outlined below.

The Bristol & West AC policy should not be followed if the complaint is of the seriousness outlined in point four of England Athletics' framework above (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 Member or Officer which in the opinion of England Athletics, acting reasonably, brings or is likely to bring the sport of athletics into disrepute), in this case the complaint shall be reported by the club to England Athletics and dealt with by England Athletics not the club, there is also no time limit regarding reporting of complaints of this seriousness.

In other instances, the four-stage Bristol & West AC policy should be followed in line with point 2 and point 3 of the England Athletics policy. It is expected that most complaints will be initially handled informally by both parties to any dispute by the exercise of goodwill and common sense without committee involvement. If this is not the case, a written complaint should be submitted to the Club Secretary within two weeks of any incident giving rise to a complaint, then the following four-stage process outlined below should be followed. The club secretary will notify the person(s) giving rise to the complaint of the complaint and its contents.

Stage 1

The Club Secretary will consider the complaint and deem whether it is sufficiently evidenced within two weeks of the receipt of a written complaint. If the complaint is not sufficiently evidenced or the complaint does not follow the disciplinary process it will be rejected.

Informal resolution between the parties facilitated by a single member of the Club Committee, who will report back to the Club Committee in writing. Complainants and defendants may be accompanied by a suitable person but not as a representative. If there is no Stage 1 resolution, complaints may need to proceed to Stage 2.

Stage 2

If the Club Secretary deems the complaint to be sufficiently evidenced a formal hearing of the evidence will be conducted by a panel consisting of the Club Secretary and up to 3 (three) Club Members appointed by the secretary to sit on a disciplinary panel. An investigation, involving the gathering and exchange of supporting evidence by both parties should take place prior to the disciplinary panel. Complainants and defendants may be accompanied by a suitable person but not as a representative.

Detailed notes will be made of the proceedings by one member of the Panel selected from amongst the members to act as Panel Secretary.

The Panel will give both parties a brief written decision within a week of the hearing.

The Panel will be empowered to reprimand, suspend, or expel any member whom they may deem guilty of conduct detrimental to the interest of the Club or to athletics generally.

Stage 3

Complainants may appeal against the Panel's decision in writing to the Club Secretary stating their grounds for disagreement with the Panel's decision. Such an appeal must be lodged within seven days of the announcement of the Panel's decision.

If the justification for the appeal is accepted by the Club Secretary, a second hearing will take place within two weeks of the receipt of the appeal request letter.

The Appeal Panel, led by the Club Chair and up to two other members of the Club Committee not previously involved, will meet to consider the written evidence and the notes from the initial Panel and make a decision on the complaint. Notes will be kept of the proceedings.

The appeals process will replace the Chair with the Vice Chair in instances in which the complaint is against the Chair.

Stage 4

The committee retains the right to refer the complaint to EA / UKA to be resolved by EA / UKA, rather than undertaking stage 2 and 3 in complex / serious cases. In these instances, the committee reserves the right to consider on a case-by-case basis whether the defendant needs to be suspended while the complaint is investigated.