

Dear Wheelers member,

you may recall that earlier this year the committee agreed to review our existing Grievance Procedure which had been found to be unfit for purpose. This has been a much more involved process than was originally anticipated, and the following document is the result of numerous re-writes and consultations with other committee members.

I would appreciate it if you would read the document and see if you think it is suitable : if you have any comments please send them to vicechair@westsuffolkwheelers.org It would be appreciated if comments could be kept brief so that they are easy to process.

This Procedure will be on the agenda for the next meeting on the 9th October, so if you would prefer to attend in person and raise any issues you will be very welcome. Hopefully the final, final document will go to the AGM on 13th November for approval.

Many thanks for your help and support,

Geoff Bouttell

Vice Chair

Grievance and Disciplinary Procedure

Introduction

The aim of this Procedure is to settle grievances or complaints fairly and it is intended to operate simply and quickly. Every effort will be made to resolve the issue at the earliest possible stage, and at each stage efforts will be made in order to avoid proceeding to the next stage and to settle the issue amicably.

All matters including the identity of the parties involved are to be treated as confidential to those involved in the investigation and decision making process. Any contravention to this by any party involved will be considered a disciplinary matter in its own right.

Throughout this document the term "Club" refers to the elected Executive Committee of West Suffolk Wheelers and Triathlon Club

If a club member has a problem with any other member every effort should be made to resolve the issue between the parties informally. If this is not possible, the next step should be to refer the matter to a club Welfare Officer who shall determine if this is a misconduct and/or safeguarding issue. If this is a safeguarding matter they shall refer the matter to British Cycling, British Triathlon and/or an appropriate statutory agency for action. Any such referral shall be reported to the Club at the earliest possible opportunity. In all other cases the matter shall be discussed with either the Chair, Vice-Chair or Secretary to agree a way forward.

If the matter is considered to be in breach of the club's misconduct guidelines (Section 6) every attempt will be made to reach a negotiated agreement between the parties to resolve the matter.

If the problem is serious or relates to a safeguarding issue the Club may, in their absolute discretion refer the matter to British Cycling, British Triathlon and/or an appropriate statutory agency in which case this procedure shall be suspended in respect of this grievance until the matter has been resolved by those bodies.

Where a referral to another body is not considered appropriate and subject remains unresolved or the member wishes to raise the matter formally, then they should use the formal grievance procedure.

In the case of a grievance being taken out as a counter-grievance, or in response to the start of disciplinary action, it may be appropriate to deal with both issues at the same time. If appropriate, the disciplinary procedure may be temporarily suspended in order to deal with the grievance.

The Procedure

1. Raising the grievance

The member should raise a grievance in writing, either by letter or e-mail with the Club Chair or Secretary without unreasonable delay, normally not more than one calendar month after the incident (or final incident) which gives rise to the complaint.

If the grievance is against the Chair or Secretary, the matter can be raised with another member of the club committee.

The member must detail in writing the specific circumstance or circumstances which constitute the grievance, with dates, times, witnesses, etc. as applicable. Complainants should stick to the facts and avoid insulting or abusive language.

The respondent will be provided with details of the complaint and invited to answer in writing and submit any relevant facts.

A panel of no less than 3 members of the Committee plus the Welfare Officer will be convened to hear the grievance.

2. Invitation to the Meeting

The Chair/Committee member will invite both the complainant and respondent to attend separate meetings without avoidable delay to discuss the matter.

The complainant and respondent are both entitled to be accompanied by a third party at any meeting. Attendance by a third party shall be conditional upon their agreement that all details are confidential including the identity of the individuals concerned.

The panel hearing the grievance will comprise three members from the Committee plus the Welfare Officer

3. Grievance Meeting

Where possible a note-taker, who must be uninvolved in the case, will take down a record of the proceedings. With the permission of all parties the meeting may also be recorded.

At the meeting with the complainant the Chair/Committee member will introduce the meeting, read out the grounds of the complainants' grievance, ask the complainant to confirm they are correct and require the complainant to provide any clarification regarding details of the grievance if it is felt that they are unclear.

The complainant will be given the opportunity to put forward their case and say how they would like to see the matter resolved. The complainant may call witnesses and refer to any documents previously provided.

At the meeting with the respondent the details of the alleged grievance will be put to the respondent, and they will be given an opportunity to put forward their response to the complaint. The respondent may call witnesses and refer to any documents previously provided. If necessary, the respondent may be asked provide clarification regarding details of the grievance if they are unclear.

The meeting may be adjourned if it is considered necessary to undertake further investigation. Any necessary investigations will be carried out to establish the facts of the case. The meeting will be reconvened as soon as possible.

4. Outcome

Having considered the grievance, a decision regarding the case will be provided in writing to both parties. If appropriate, the decision will set out what action the club intends to take to resolve the grievance or if the grievance is not upheld, will explain the reasons.

5. Appeal

Following the outcome of the hearing either party may appeal the matter, in writing, to the club Chair. If the Chair has already been involved in an earlier stage of the procedure, the matter will be referred to the Vice-Chair.

Any appeal must be notified to the Club Secretary in writing either by letter or e-mail within one calendar month of the date of the notification of the outcome of the original complaint.

Arrangements for the appeal meeting will be made by the Chair (or the Vice-Chair if appropriate) who will ensure that a note-taker is present. With the permission of all parties the meeting may also be recorded.

The appeal meeting should be held without avoidable delay. Where possible, at least three members of the Committee will constitute an Appeal Panel. The members hearing the appeal should, if at all possible, have had no previous direct involvement in the matter.

The party appealing the decision is entitled to be accompanied by a third party at the appeal. Attendance by a third party shall be conditional upon their agreement to keep all details confidential.

The meeting may be adjourned by the Appeal Panel or person hearing the appeal if it is considered necessary to undertake further investigation. The meeting will be reconvened as soon as possible.

Having considered the appeal a decision will be provided in writing to the appellant. If appropriate, the decision will set out whether the club intends to take any further action to resolve the grievance or if the appeal is not upheld, will explain the reasons.

For the avoidance of doubt, any sanctions may be increased as well as decreased on appeal.

The decision of the Appeal Panel or person hearing the appeal shall be final.

6. Misconduct

The following types of behaviour, without limitation, are examples of Misconduct:

- a) engaging in any behaviour, which the club committee in their absolute discretion and for whatever reason considers as bringing the West Suffolk Wheelers Cycling and Triathlon Club and the and sport of cycling or triathlon into disrepute;
- b) verbal or physical abuse of any kind, including but not limited to comments written and/or shared on social media and/or any other form of communication medium;
- c) carrying out any acts and/or making and/or sharing any statements that are discriminatory by reason of sex, sexual orientation, marital status, race, nationality, ethnic origin, colour, religion, belief, gender reassignment or disability, and/or acting in contravention of the Equality Policy, including but not limited to comments written and/or shared on social media platforms;
- d) dangerous riding or compromising the safety of another rider;

- e) intimidating, influencing or attempting to intimidate or influence any witness involved in a disciplinary or safeguarding investigation;
- f) in respect of any member in a Position of Trust or authority over another member either directly (including any coach) or indirectly (including any organiser, club official):
 - (i) abusing that trust or authority in any way;
 - (ii) failing to observe confidentiality of such member;
 - (iii) failing to act with respect towards such other club member by, for example engaging in bullying or behaviour that may induce feelings of fear and/or harassment;
 - (iv) failing to act in a professional manner or acting in a way that gives rise to a conflict of interests and/ or brings the sport into disrepute.

7. Sanctions

In their absolute discretion the club shall impose any of the following sanctions on a member who has been found to be guilty of misconduct (Section 6)

- a) No action;
- b) Verbal warning regarding their behaviour;
- c) Written Warning;
- d) Suspension from the club for any period of up to but not exceeding six months. During the suspension they will be unable to participate in club activities of any description. For clarity this will include, but not be limited to participating in club rides, attending club meetings and events, representing the club at outside events, voting on club matters, standing for election as a senior officer of the club;
- e) A probationary period of up to one year following action under b), or c), or in the case of a suspension under d) above from the date of the completion of the suspension, after which time the member shall have all restrictions imposed under d); removed. During the probationary period the members' conduct will be monitored and if a further incident of misconduct is proven during that period the member shall be expelled from the club; or
- f) Expulsion from the club.