

## **ALTON RUNNERS PROCESS FOR**

- 1. REFUSING ADMISSION TO MEMBERSHIP**
- 2. TERMINATION OF MEMBERSHIP**
- 3. CLUB DISCIPLINE**
- 4. APPEAL PROCESS**

**This process is referred to in the Club Rules and Constitution as the Disciplinary Process. It is an integral part of the Club Rules and Constitution and is subject to the same requirements if alterations are made.**

### **1. Refusing admission to membership**

Membership of the Club may only be refused where admission to membership would be contrary to the best interests of the sport or the good conduct and interests of the Club.

A decision to refuse admission to membership may only be made by a resolution of the Committee and shall be communicated to the applicant within 7 days of the Committee's decision. A person may appeal against any refusal of membership as described in section 4 Appeal Process.

### **2. Termination of Membership**

Membership of the Club shall terminate if the member is removed from membership by a resolution of the Committee on the grounds that it is in the best interests of the Club that his or her membership is terminated.

A resolution to remove a member from membership may only be passed if:

- a. The member has been given at least fourteen days' notice in writing of the Committee meeting at which the resolution will be proposed and the reasons why it is to be proposed.
- b. The member or, at the option of the member, the member's representative (who need not be a member of the Club) has been allowed to make representations to the meeting.

A person whose membership has been terminated shall have the right of appeal to the Appeal Panel as described in section 4 below.

### **3. Club Discipline**

#### **3.1 Complaints against a club member.**

All complaints regarding the misconduct of club members shall be submitted in writing to the Club Secretary. Where the matter relates to the Club Secretary, the complaint shall be submitted to the Club Welfare Officer. The content of a complaint shall include specific details and evidence in relation to the infringement of Club Rules or 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.

### **3.2 Club member's response.**

Upon receipt of a formal complaint, the Club Secretary shall, having taken, and subject to, such advice as he or she considers it prudent to take in the circumstances, write to the Member or Members concerned to inform them of the complaint and to invite them to comment in writing within fourteen days upon the relevant allegations.

### **3.3 Decision to investigate the complaint.**

On completion of 3.2, the Club Secretary shall determine if the complaint has sufficient grounds and is capable of being pursued based on the evidence/statements provided. If the matter is sufficiently evidenced a process shall be pursued as described in 3.4. The Committee shall consider the matter but any committee members with a direct interest or involvement in the matter shall not take part in the proceedings.

### **3.4 Consideration of the complaint.**

The Committee shall consider the matter on receipt of the initial complaint and formal responses from the member(s) involved. The Committee has the power to suspend temporarily from membership any Member accused of an offence or misconduct, pending further investigations or enquiries. This suspension shall be to facilitate the investigation and be without prejudice to the outcome of the investigation. The Committee shall make such further enquiries as it thinks fit and shall offer a reasonable opportunity to any Member concerned, who may be accompanied by a supporter, if so desired, to meet with it and answer the allegations. The Committee shall hear such witnesses as are reasonably produced. The Committee shall make such procedural provisions as necessary for the just and efficient disposal of the case. If the Committee is satisfied that an offence of misconduct has been committed by a Member, then it may impose one or more of the following actions:

- i. note the offence or misconduct but take no further action;
- ii. formally warn the Member concerned as to future conduct;
- iii. suspend or disqualify the Member from club athletic competition, club coaching, administration, social activities and/or use of the Club's premises if applicable for some definite or indefinite period;
- iv. recommend to the relevant governing body that the Member be disqualified from any involvement in athletics for some definite or indefinite period and/or;
- v. terminate the membership or such other penalty as the Committee considers appropriate. All parties concerned will be provided with the Committee's formal written outcome notification-

## **4. Appeal Process**

The notification of the decision of the Committee shall also set out the right to Appeal. The accused and/or the Complainant, may appeal against the decision of the Committee by serving a Notice of Appeal on the Club Secretary within seven calendar days of receiving the written decision. The Notice of Appeal must state the grounds on which the verdict of the Committee is challenged. The Club Secretary shall acknowledge a Notice of Appeal within seven calendar days of its receipt and the Appeal Panel process will commence (section 4.1).

### **4.1 Appeal Panel Composition and arrangements.**

The Club Secretary, shall appoint an Appeal Panel of three members who have not been involved directly, either in the events giving rise to the Hearing, or in the initial Disciplinary Hearing itself. The Club Secretary shall chair the Appeal Panel and shall inform all parties concerned of the composition of the Panel. Either party may object to the composition of the Appeal Panel by notifying the Club Secretary of the Objection and setting out the reasons for such an Objection no later than seven calendar days from the date of being informed of the composition of the

Panel. The Club Secretary, within fourteen calendar days from the date of receipt of an Objection, will notify in writing the parties that either:

- the composition of the Panel has changed, in which case the Club Secretary shall provide details of the new Appeal Panel; or
- the composition of the 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 all parties that include;
- the date and place at which the Appeal Panel will meet to determine the Appeal.
- whether the appeal will proceed by way of written submissions or an oral hearing; and
- whether the parties should be required to submit statements of their evidence and/ or written submissions prior to the hearing and, if so, a timetable for doing so and the procedure for exchanging such statements and written submissions.

## **4.2 Powers of the Appeal Panel**

The Appeal Panel shall meet on the date fixed by the Club Secretary. The Appeal Panel may at its sole discretion disregard any failure by a party to adhere to this appeal procedure and may give such further directions as may be appropriate. Any such hearings shall be in private unless all parties agree otherwise, or unless the Appeal Panel directs. The Appeal Panel shall have power to make a decision on the facts as it thinks fit and may:

- Quash the original decision;
- Confirm the original findings
- Increase the original sanction;
- Abate the original sanction;

The Appeal Panel shall inform all parties of its decision within fourteen calendar days together with written reasons for its decision. The decision of the Appeal Panel shall be final. The Appeal Panel shall decide on any issue by majority. A supporter can be a legal representative, who must be named, and may accompany the Complainant/Accused throughout the appeal process.

## **4.3 Records of Hearings and Appeals**

The decision of a Disciplinary Panel/Hearing, including Appeal Panel/Hearing, shall be recorded and retained in confidential records for a period of six years by the Club. Supporting documentation shall also be retained in the same fashion.

## **4.4 Notification to UK Athletics (UKA) and England Athletics (EA)**

Where appropriate the Club Secretary, once the Appeal notice has expired, will inform EA/ UKA;

- **Committee and Appeal Panel** – details of a decision, including sanctions imposed, 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.

## **5. Co-operation of All Parties**

The procedures described in these Disciplinary Procedures 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.

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.)