



LINGFIELD RUNNING CLUB

Club Discipline and Appeals Process

This document has been produced to assist the Lingfield Running Club (LRC) Committee to implement a clear process while dealing with misconduct complaints and any grievances within the Club environment.

1. Step 1:

- 1.1. All complaints regarding the misconduct (improper or unprofessional conduct) of LRC members should be submitted in writing to the Club Secretary or, where the matter relates to the Club Secretary, to the Club Chair. The content of a complaint will include specific details and evidence in relation to the infringement of Club Rules or any other misconduct carried out during or in association with running and training activities which might reasonably be considered as bringing or having the potential to bring the Club into disrepute.

2. Step 2:

- 2.1. Upon receipt of a formal complaint, the Secretary shall, having taken 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 on the relevant allegations within 14 days.

3. Step 3:

- 3.1. On completion of step 2, the Secretary will determine if the complaint has sufficient grounds and is capable of being pursued based on the evidence/statements provided and will dismiss any frivolous complaints at this stage.
- 3.2. If the matter is sufficiently evidenced and the Secretary has decided that a process will be pursued, he/she will appoint three club members to sit on a Disciplinary Panel, none of whom has had any direct interest or involvement in the matter.

4. Step 4:

- 4.1. The Club Disciplinary Panel/Hearing will consider the matter on receipt of the initial complaint and formal responses from the member(s) involved. NB: the Panel should follow the separate guidance on how to conduct the hearing.
- 4.2. The Disciplinary Panel will have the power to suspend temporarily from membership any Member accused of improper or unprofessional conduct, pending further investigations or enquiries. This suspension shall be to facilitate the investigation and be without prejudice to the outcome of the investigation.

- 4.3. The Disciplinary Panel/Hearing will make such further enquiries as it thinks fit and will 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 and the Disciplinary Panel/Hearing will hear such witnesses as are reasonably produced. The Disciplinary Panel/Hearing will make such procedural provisions as necessary for the just and efficient disposal of the case.
- 4.4. If the Disciplinary Panel/Hearing is satisfied that a member has committed an act of misconduct (improper or unprofessional conduct), then it may impose one or more of the following actions:
 - 4.4.1. a warning in respect of the misconduct committed;
 - 4.4.2. to terminate his or her membership or remove him or her from any official position within the club, for so long as it sees fit;
 - 4.4.3. a requirement to complete education or training;
 - 4.4.4. in the case of an accused who is a registered EA athlete, a recommendation to EA that the athlete is suspended from competition (or official participation within athletics) or from taking part in any event organized or run under the UKA Rules for Competition for a specified period;
 - 4.4.5. In the case of an accused who is a UKA Licensed coach or technical official, a recommendation to UKA that the accused's license to coach or officiate be suspended for a period of time;
 - 4.4.6. any combination of the above.
- 4.5. All parties concerned will be provided with the Disciplinary Panel's/Hearing formal written outcome notification by hand or by recorded delivery within seven days of the decision.

5. Right of Appeal

- 5.1. The letter notifying the decision of the Disciplinary Panel shall also set out the right to appeal.
- 5.2. The accused and/or the complainant may appeal against the decision of the Disciplinary Panel/Hearing, by serving a Notice of Appeal on the Secretary within seven calendar days of receiving the written decision. The Notice of Appeal must state the grounds on which the verdict of the Disciplinary Panel is challenged.
- 5.3. The Secretary shall acknowledge a Notice of Appeal within seven calendar days of its receipt and will decide in regard to 'the grounds on which the verdict is challenged'. If there are sufficient grounds/evidence provided to support the challenge, the Appeal Panel process will commence; if there are insufficient grounds, the appeal will be dismissed.

6. Appeal Process

- 6.1. The 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.
- 6.2. The Secretary shall inform all parties concerned of the composition of the Appeal Panel. Either party may object to the composition of the Appeal Panel by notifying the 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.
- 6.3. The Secretary, within 14 calendar days from the date of receipt of an objection, will notify in writing the parties that either:
 - 6.3.1. the composition of the panel has changed, in which case the Secretary shall provide details of the new Appeal Panel; or

6.3.2. the composition of the panel has not changed, in which case the Secretary shall give reasons why it has not accepted the objection.

6.4. Within 14 calendar days from the date the Secretary responds to the objection above (as appropriate), the Secretary shall give such directions to all parties that include;

6.4.1. the date and place at which the Appeal Panel will meet to determine the appeal.

6.4.2. whether the appeal will proceed by way of written submissions or an oral hearing; and

6.4.3. 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.

7. Powers of the Appeal Panel

7.1. The Appeal Panel shall meet on the date fixed by the 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.

7.2. 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 decide on the facts as it thinks fit and may:

7.2.1. quash the original decision;

7.2.2. confirm the original findings;

7.2.3. case be reheard;

7.2.4. increase the original sanction;

7.2.5. abate the original sanction;

7.3. The Appeal Panel shall inform all parties of its decision within 14 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.

7.4. A supporter can be a legal representative, who must be named, and may accompany the Complainant/ Accused throughout the appeal process.

8. Records of Hearings and Appeals

8.1. The decisions of Disciplinary Panels/Hearings, including Appeal Panels/Hearings, 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.

9. Notification to UK Athletics and England Athletics

9.1. Where appropriate the Panel Chair, once the appeal notice has expired, will inform EA and/or UKA;

9.1.1. Disciplinary Hearing - details of a decision, including sanctions imposed, will be communicated to England Athletics 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.

9.1.2. Appeal Panel - details of a decision, including sanctions imposed, will be communicated to England Athletics 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.

10. Co-operation of All Parties

10.1. The procedures described in these Discipline 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.

10.2. When dealing with a complaint, the 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 Secretary reasonably believes is competent to provide such advice and/or EA's legal representative service for affiliated members (contact EA Membership Services for further details).

November 2023