



LFR Complaints and Grievance Procedure

Introduction

Leighton Fun Runners (LFR) aims to provide all members with a positive and fun running experience. The club is committed to listening to any complaint and dealing with it in a considerate, timely and constructive manner.

Members wishing to make a complaint are advised to attempt to resolve the issue informally before making a formal complaint. This may include discussing with the person who is subject to the complaint and or seeking advice from a Welfare Officer or a committee member.

The following document sets out the formal complaints process which is consistent with EA recommendations.

Step 1

A formal complaint should be submitted in writing (this may be via email) to the club Secretary or any member of the committee or Welfare Officer within a timely manner of the incident complained of. The complainant should include an email address where they wish the conclusion to be sent and clearly stipulate it is a formal complaint. The communication should be factual and not include hearsay, make assumptions or the like.

The content of the complaint should 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 the or having potential to bring the club into disrepute.

Step 2

Upon receipt of a formal complaint the Club Secretary (or Welfare Officer if the Secretary is subject of the complaint) shall having taken, and subject to., such advice as he or she considers prudent to take in the circumstances, write to the member(s) concerned and inform them of the complaint in a suitable timely manner. The Secretary shall include an invitation for the affected member to comment in writing within a specified time period deemed reasonable by the secretary. It is

anticipated that typically the Secretary will have received all responses within 10 days of receiving the original complaint.

Step 3

On completion of Step 2, the club 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 complaints considered to be frivolous, malicious or vexatious. at this stage.

If the matter is sufficiently evidenced the Club Secretary will appoint three club members to sit on the Disciplinary Panel, none of whom have any direct interest or involvement in the matter. This will usually include a Welfare Officer.

Step 4

The Club Disciplinary Panel will consider the matter on receipt of the initial complaint and any formal responses from the members(s) involved.

The Club Disciplinary Panel will have the power to suspend temporarily from membership any member accused of an offence of 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 Disciplinary Panel will make 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 will hear such witnesses as reasonably produced. The disciplinary panel will make such procedural provisions as necessary for the just and efficient disposal of the case.

If the Disciplinary panel is satisfied that an offence of misconduct has been committed by a member then it may impose one or more of the following actions:

- 1) Note the offence of misconduct but take no further action
- 2) Require an apology from the member
- 3) formally warn the member concerned as to future conduct
- 4) prevent the member from club activities for some definite or indefinite period
- 5) recommend to England Athletics (or other Authority) that the member be disqualified from any involvement in athletics for some definite or indefinite period
- 6) terminate membership of LFR or other such penalty that the panel considers appropriate

All parties will be provided with the disciplinary panels formal written outcome notification by hand or e-mail within seven days of the decision.

Step 5- Appeal Process

The letter notifying the decision of the Disciplinary Panel shall set out the rights to appeal.

The accused and or complaintant may appeal against the decision of the Disciplinary Panel by serving a Notice of Appeal on the Club Secretary within seven days of receiving the written decision. The Notice of Appeal must state the grounds on which the verdict of the Disciplinary Panel is challenged.

The Club Secretary shall acknowledge receipt of the Notice of Appeal within seven days of its receipt and will cast a decision in regards to “the grounds in which the verdict is challenged”, if there are sufficient grounds to support the challenge the appeal process will commence (step 5.1), otherwise the appeal will be dismissed.

Step 5.1

The Club Secretary shall appoint an Appeal Panel of three members who have not been directly involved in the process to date.

The Club Secretary shall inform the parties of the composition of the Appeal Panel. Either party may object to the composition of the panel to the Secretary by setting out reasons in writing, no later than seven days from being informed of the composition of the panel.

The Club Secretary shall notify the parties within fourteen days of any change to the Appeal Panel setting out reasons for the changes, or reasons for why the objection has not been accepted. The notice shall include :

- date and place the Appeal Panel shall meet
- whether the appeal will proceed by way of written or oral statements
- Whether written statements are required in advance and timetable for doing so

Powers of Appeal Panel

The Appeals Panel shall meet on the date set by the Secretary. The Appeal Panel at its sole discretion may disregard any failure by a party to adhere to this appeal procedure and may give further directions as may be appropriate.

Any such hearings shall be in private, unless all parties agree otherwise, or unless the Appeals Panel directs. The Appeal Panel shall have the power to make a decision based on the facts as it thinks fit and may:

- Quash the original decision
- Confirm the original findings
- Request the case be reheard
- Increase the original sanction
- Abate the original sanction

The Appeals Panel shall inform all parties of its decision in writing within fourteen days together with reasons for its decision. The decision of the Appeal Panel shall be final. The Appeal Panel shall decide on any issue by majority.

Records of Hearings and Appeals

The decision of the Disciplinary Panel including the Appeal Panel shall be recorded and retained in confidential records for a period of up to six years by the Club. Supporting documentation shall also be retained in the same fashion. All records will be kept in accordance with the Club Data Privacy Policy

Notification to UK Athletics (UKA) and England Athletics (EA)

Where appropriate the Panel Chair , once the Appeal notice has expired, will inform EA/UKA:

Disciplinary Hearing : 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 website

Appeal Panel: details of a decision, including sanctions imposed, will be communicated to EA and or UKA it 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 website

Co-operation of All Parties

The procedures described assume 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 the hearing or Appeal based upon the evidence it is able to obtain.

When dealing with a complaint the Club Secretary or nominated 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.

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