

GRIEVANCE AND DISCIPLINARY PROCEDURE



The Executive Committee shall be empowered to take disciplinary action against any Member who is found to be in breach of the Rules and Code of Conduct of the Club. In the event of a complaint being made to the Club in respect of any matter which would be deemed to contravene the Rules and Code of Conduct of the Club, the following Grievance and Disciplinary procedures shall be followed :-

(a) Grievance Procedure

A complaint may relate to a personal grievance, a collective grievance or an alleged breach of the Clontarf Rugby Club Code of Conduct (including bullying) or other serious matter. A separate set of procedures is in place for dealing with concerns relating to child protection and can be found under the Safeguarding Policy.

(b) Raising an issue informally

It is anticipated that most issues can be resolved at local level between the parties involved, i.e. between members themselves, with the managers and captains or the appropriate member of the committee. The sooner an issue is raised informally the better as it can often be resolved quickly and in a low key manner. This is the case also when a person feels they are being subject to repeated behaviour that is an affront to their dignity (i.e. bullying behaviour). However, where this is not possible or appropriate or where such an approach fails to address the matter satisfactorily, the formal complaints procedure should be followed.

(c) Formal Grievances

A formal complaint should be sent to the Club Secretary or the Club Welfare Officer (where the complaint relates to youth rugby) in writing setting out the issue and the relevant details. The complaint should identify any efforts (if appropriate) that were made to try and resolve the matter at a local level. Complaints relating to another player, manager, captain or officer that allege a breach of the Clontarf Rugby Club code of conduct or other serious matter that could potentially lead to disciplinary action will be dealt with under the disciplinary procedure. Any other formal complaint will be considered by the Club Secretary (or Club Welfare Officer) and one other member of the committee, who will seek to resolve the matter with the relevant parties. Having done so, a response will be sent to the complainant informing them of the outcome and reasons in as timely a fashion as possible (preferably within 21 days). The complainant may appeal this decision in writing to the Club Secretary (or Club Welfare Officer) requesting the matter be reconsidered. At this stage the Club President will appoint two other members of the committee to review the complaint and the outcome. A written response outlining the decision will be sent to the complainant in as timely a fashion possible (preferably within 21 days). This decision shall be final and binding.

(d) Disciplinary Procedure

This procedure is intended to be used only where issues cannot be resolved at local level with managers, captains or other members of the committee or between players themselves.

Notwithstanding this all complaints brought in writing will be given due consideration. The aim of this procedure is to ensure that the club properly controls its player or players or members (hereafter referred to as “the Player”) and to ensure that the Club acts in a manner designed to protect the good name of the Club and of the game of rugby generally.

(e) Formal Procedure

Any alleged breach of Clontarf Rugby Club code of conduct or serious matter that can be reasonably shown as something that could bring the club or the game of rugby into disrepute shall be notified in writing (to be known as ‘a Complaint’) by the relevant captain (or any other person) to the Club Secretary or the Club Welfare Officer (where the complaint relates to youth rugby) as soon as possible (but, where possible, within 21 days*) following the alleged breach taking place. Any complaint so initiated must be referred to the Club President. Upon receipt of such complaint, and as soon as reasonably practicable, the Club President and Secretary (or the Club Welfare Officer**) shall consider the complaint and refer the matter to a Disciplinary Committee which shall be convened as soon as practicable.

*Note: In the interests of fairness, complaints should be submitted within these timeframes. However, later complaints will be considered where the allegation is of a serious nature or where it involves a youth member.

**Note: The Club Welfare Officer and/or designated contact person should always be consulted on any complaint/issue that involves a person under the age of 18 so they can provide guidance. Allegations of child abuse/child protection issues must be reported to the relevant authorities.

(f) Disciplinary Committee

The Club President shall appoint a disciplinary committee and arrange a hearing as soon as is practicable but where possible within 21 days of the decision to refer. Any adjournments may be granted at the discretion of the Chairman of the Disciplinary Committee. The Disciplinary Committee shall consist of not less than three persons, none of whom shall be connected with the player at the time of the alleged breach. Where possible, one member of the committee shall be an Officer of the club. Where the disciplinary matter involves a player under 18 the Club Welfare Officer or a youth team manager will be a member of the committee to ensure adherence to the Code of Ethics and Good Practice. In any case which is referred for a Disciplinary Hearing, at least seven days’ notice in writing of the hearing and of the offence(s) alleged shall be given to the player. The player shall be entitled to attend the hearing, state their case, be informed of the evidence provided by others and shall be given the opportunity to refute charges against him or her. The player shall be entitled to be supported by a colleague, friend or parent and to call witnesses. The purpose of the Disciplinary Hearing shall be to establish the facts and the committee having considered all the evidence shall make a finding.

(g) Penalties

If the Disciplinary Hearing finds the misconduct proved, they shall have the following powers:

- To require the player to write letter(s) of apology within a specified time.
- To record a reprimand and to give a warning as to future conduct.
- To suspend the player’s right to be considered for selection by the club to play in one or more matches.
- To suspend the player’s membership of the club for a period.
- For the same offence the hearing may, if it is thought fit due to the seriousness of the offence, impose more than one of the above penalties.

- Where the conduct constitutes gross misconduct the hearing shall have the power to terminate the player's membership forthwith.

The Disciplinary Panel shall have the power to suspend the operation of any part, or all, of the penalty it imposes for such period and subject to such terms and conditions it deems appropriate. Decisions of the Disciplinary Panel (a finding that a complaint is proved or not proved or a decision on penalty) shall be by majority vote; where necessary the Disciplinary Panel Chairman shall have a casting vote. The player will be notified by the Club Secretary in writing of the decision and any penalties, if any, imposed by the Disciplinary Panel within seven days of the decision being made.

(h) Appeals Procedure

The player shall have the right to appeal to the President of the Club or to the President's nominee for a review of the findings of the Disciplinary Hearing and of the penalty or penalties imposed. If Notice of Appeal is given the penalty shall not take effect pending the hearing of the Appeal, which shall take place as soon as is practicable. The Appeal shall be by way of re-hearing before a different Panel. The composition of the Appeals Panel shall be at the discretion of the Club Chairman and shall consist of not less than three persons, none of whom shall be connected with the player at the time of the alleged breach. The player shall have the same rights of attendance and representation, and to call witnesses as they had before the Disciplinary Panel. The Appeals Panel may confirm, vary or reverse the decision of the Disciplinary Panel and it shall have the power to increase the penalty and award costs of the Appeal hearing. Decisions of the Appeal Panel shall be by majority vote; where necessary, the Appeals Panel Chairman shall have a casting vote. The player will be notified by the Club Secretary in writing of the decision and any penalties, if any, imposed by the Appeals Panel within seven days of the Appeals decision having been made. The decision of the Appeals Panel or, if no appeal, of the Disciplinary Panel, in all cases shall be final and binding.