



DISCIPLINARY PROCEDURE

1. Appointment of the Disciplinary Committee

1.1 Where the committee determines that a disciplinary matter is to be dealt with in accordance with OAC Disciplinary Procedures, they shall appoint a committee comprising of three persons, one of whom must be the club secretary who will chair the committee. If it is felt that the disciplinary matter is of a very serious nature, then the committee reserve the right to appoint an independent legally qualified person to the panel (who shall have no connection with the parties or matter under consideration).

1.2 The Respondent may object to the composition of the Disciplinary Committee by notifying the club chairperson of the objection and setting out the reasons for such an objection no later than seven days from the date of being informed of the composition of the Disciplinary Committee.

1.3 The chairperson shall, within seven days from the date of receipt of an Objection, notify in writing the parties that either the composition of the Disciplinary Committee has changed (and provide details of the new committee); or that the composition of the Disciplinary Committee has not changed (and give reasons why it has not accepted the party's Objection). The decision of the Chairperson on the composition of the Disciplinary Committee under this Clause shall be final.

2. Referral to the Disciplinary Committee

2.1 Notice of all Complaints, Disputes and Appeals shall be given to the Disciplinary Committee. The notice shall be given in writing as soon as practicable and within 14 days of the incident (or knowledge of the incident by the person making the complaint) or the decision complained of (as the case may be) and shall set out details of the Complaint or the Dispute (as the case may be). In exceptional circumstances, the Disciplinary Committee may in their complete discretion process Complaints or Disputes, the notice for which has been received by them after the 14 day period.

2.2 The Notice must be made and signed by the complainant.

3. Consideration by the Disciplinary Committee

3.1 On receipt of the Notice, the Disciplinary Committee shall consider whether or not the Notice shows that there is on the face of it sufficient evidence of a case to be determined. The Disciplinary Committee shall make such decision (having carried out such investigations and taken such advice as he deems appropriate) in their complete discretion and as soon as practicable and in any event within 21 days of the Notice being lodged.

3.2 If the Disciplinary Committee decides that there is sufficient evidence of a case, they shall categorise the case as either a Complaint or a Dispute or an Appeal and shall forthwith:

- (i) in the case of a complaint proceed with the full Disciplinary Procedure.
- (ii) in the case of a dispute enter into mediation with both parties or appoint an external independent mediator if required.
- (iii) in the case of an appeal refer the matter to the club chairperson to convene an appeal panel of three persons to re-investigate the matter.

The Disciplinary Committee shall inform the parties and any interested parties of the action taken.

3.3 If the Disciplinary Committee in their complete discretion does not consider that the Notice shows sufficient evidence of a case, the person making the Complaint or having the Dispute and the Respondent shall be so informed in writing (with brief reasons) and no further action taken.

3.4 If the Disciplinary Committee considers that the complaint or appeal is to be referred to full disciplinary procedure, they shall decide whether or not the seriousness of the matter requires the Respondent to be suspended from competition or club training pending determination of the matter. A Respondent so suspended may apply to the Disciplinary Committee considering the matter for suspension to be lifted. Any Respondent so suspended shall be entitled to a full expedited hearing. The Disciplinary Committee may communicate any suspension to any relevant third parties.

4. Costs

4.1 Each party shall bear its own costs (including but not limited to legal costs, scientific or other experts' fees, witness costs) in connection with complaints made or disputes or appeals brought under these procedures.

5. Communications

5.1 Each party must send all communications to the Club Secretary who shall distribute copies as appropriate to the Disciplinary Committee and any interested parties.

5.2 Any notification, correspondence or any other document submitted under these procedures shall be sent in writing by first class post or recorded delivery to the parties (and interested parties) at the addresses set out for each in the Notice or at the address held by OAC or the Respondent or at such other address as any party may have previously notified the Club Secretary and such documents shall be deemed to have been received by the intended recipient 48 hours after posting.

5.3 All correspondence addressed to the club secretary shall be sent to:-

Orangethrough Athletics Club
c/o 9-11 Crumlin Road
Belfast
BT14 6AA

5.4 Correspondence can be by email to hello@orangethroughac.co.uk prior to previous agreement with the club secretary.

6. Publication of Decisions

6.1 OAC may publish details of any disciplinary action taken including publication of any decision may by the Disciplinary Committee where a Complaint is upheld or in any Dispute or Appeal where the matter has been put into the public domain.

6.2 Where it appears that public knowledge of a Complaint or Dispute exists, prior to its determination, OAC reserves the right to confirm the details after communication with the person making the Complaint and the Respondent.

7. Pre-hearing procedure

7.1 Where the Disciplinary Committee is to be convened the Club Secretary shall forthwith:

- (i) send a copy of the Complaint together with the charge and evidence gathered against the Respondent by recorded delivery post to the Respondent;
- (ii) notify all parties of the composition of the Disciplinary Committee and of the date, place and time of the hearing when the Disciplinary Committee is to consider the matter;
- (iii) inform all parties that they must provide in writing to the Club Secretary within 21 days or such alternative time limit as the Club Secretary shall decide any information and copies of all documents relating to the Complaint that either party wishes the Disciplinary Committee to consider in relation to the matter;
- (iv) ask each party whether he wishes to make representations at the hearing (in which case he may be asked questions when the Complaint is being considered) whether he will be represented or accompanied by a supporter, whether he wishes to call witnesses to give evidence, and who he intends to be present at the hearing. Each party shall provide his response within such time limit as the Club Secretary shall decide;
- (v) inform the Respondent that if no reply is received within the period of 21 days (or such alternative time limit imposed by the Club Secretary) the Committee will consider the Complaint in his absence on the basis of the facts and statements in its possession.

7.2 The Chairman shall be entitled to make directions as to any further exchange of evidence. The Chairman may rule that the hearing take place on paper and may rule that the Disciplinary Committee is convened by telephone conference (provided that all information has been supplied to both parties and each has had the opportunity to respond to information supplied by the other).

7.3 Upon receipt of any information provided the Club Secretary shall forthwith supply copies of such information to the Disciplinary Committee and the other parties.

7.4 The Club Secretary shall ensure that, prior to the hearing, each party and the Disciplinary Committee are given not less than seven days' notice of the hearing; have been invited to attend the hearing and offered the opportunity of being accompanied by an adviser; and notified of those the Club Secretary is aware are attending the hearing.

8 Directions for the conduct of hearing

The Chairman of the Disciplinary Committee shall have power to make such further directions relating to the provision of information or the conduct of the hearing as, in his sole discretion, are deemed necessary. For the avoidance of doubt, any

question as to whether observers shall be permitted to attend the hearing shall be determined by the Chairman.

9 The conduct of hearings

9.1 At the hearing the Disciplinary Committee shall consider all the evidence made available to it by the complainant and the Respondent including the written and/or oral testimony of any witnesses supporting that evidence. It may question the complainant, the Respondent and any witnesses present in relation to the matter. It may call upon the complainant or the Respondent to supply additional evidence and may adjourn the hearing for that or any other purpose.

9.2 After the hearing, the Disciplinary Committee shall provide its full Decision in writing to the complainant and the Respondent within 14 days. The Disciplinary Committee may decide any issue by majority. The Decision shall include:

- (i) a summary of the complaint;
- (ii) the Disciplinary Committee's decision in relation to the Complaint and its reasons;
- (iii) the appropriate sanction (if any) to be imposed on the Respondent.

10 Powers of the Disciplinary Committee

The Disciplinary Committee may reject the Complaint or where the Complaint is upheld, impose such sanctions upon the Respondent as it thinks fit including without limitation:

- (i) A public warning in respect of the misconduct committed;
- (ii) A direction to the club committee to terminate his membership or remove him from any official position in the club or to ban him from holding office in the club.
- (iii) A requirement to attend education or a training course;
- (iv) Suspension from competition with the club.
- (v) Suspension from the club.
- (vi) Dismissal from the club.

11 Appeal of the Disciplinary Committee's Decision

11.1 The Respondent is entitled to appeal the Decision by serving notice of an appeal on the Club Chairperson. The notice must set out in detail why the Respondent disagrees with the decision.

11.2 The Club Chairperson shall consider the matter and decide if the Notice shows that there is on the face of it sufficient evidence for the appeal to be determined. If he does so decide there is the case for an appeal he shall convene an Appeal Panel of three members (not members who have sat on the original disciplinary committee) to deal with same.

11.3 The Appeal Panel will set out in writing the time frame for dealing with the appeal which shall not extend to more than 60 days from the date of the Appeal.

12 Matters to be dealt with by disciplinary procedure

Matters to be dealt with by the disciplinary include but are not restricted to:-

- (i) Non-compliance with club constitution, club rules or club code of conduct.

- (ii) Members who behave in a manner which is likely to be prejudicial to the club or any event organised by the club.
- (iii) Members who behave (whether by action or omission) in a manner which is disgraceful or opposed to the general interests of the club or the sport of athletes or which brings the club or sport into disrepute.
- (iv) Members who behave in a manner that is otherwise considered by OAC to be unacceptable and contrary to the conduct expected of a person participating in athletics.
- (v) Misconduct to include but not be restricted to:- bullying, use of offensive language, physical or verbal assault.

Amendments

The Club Committee reserves the right to amend these procedures at its sole discretion.