

Newburgh Sailing Club

Proposed Disciplinary Procedures

Informal Grievance Procedure

Incidents or problems, which arise at the club, are best dealt with by informal grievance procedure.

If those concerned cannot settle the matter themselves, the complainant should ask a committee member to arrange a meeting with the 'accused' person present, at which the official acts as a neutral mediator.

This informal procedure will hopefully help to calm or stop any situations before they result in full formal disciplinary procedures.

Formal Grievance Procedure

Whenever an official complaint is received, the following grievance policy will be adhered to:

1. Any complaint must be made in writing to the Club Secretary. Complaints cannot be made anonymously and should be shown to be contravention of a particular section of club rules or constitution.
2. The allegation or charge will be sent in writing to the accused person. They should be given notice of the charge and a reasonable time to respond (at least 48 hours).
3. The Club Secretary will collect all relevant information related to the complaint and then convene a panel of 3 committee members.
4. The panel will set a date to discuss the allegations. All relevant information and evidence will be provided to the panel, the accuser and the accused.
5. The names of the panel members should also be distributed so that any lack of impartiality can be challenged before the hearing.
6. All parties will be informed of the right to bring a friend or advisor. This person will not be involved in either the discussion or the decision making process.
7. All parties will be reminded that nobody should contact, approach or otherwise attempt to influence any panel member or witness. Any breach will be reported to the panel chairperson and may be a matter for disciplinary action.
8. The complainant(s) present(s) their case first and may identify questions which they would wish to be answered by the 'accused'.
9. The 'accused' person must be given reasonable opportunity to respond to the allegation.
10. Separating the complainant and accused may be required. Therefore the panel may meet on more than one occasion. The club does not have the facilities to allow more than one meeting to be held at one time.
11. Records must be kept of all meetings.
12. The panel will make its decision in private. Decisions will be communicated in writing by post.

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13. If an appeal is to be heard, another panel must be convened. This panel must have no direct knowledge of the case. To this end the particulars of the initial hearing must not to be disclosed to anybody other than those present at the initial hearing.
14. The Commodore will not be a member of either panel and should be available to communicate as an unbiased club official with any external appeal if necessary. If no fair outcome can be decided within the club, an unbiased external adjudicator may be required. i.e. RYA Scotland official.

Notes:

Care should be taken that the 'accused' is given a fair hearing, all relevant facts should be considered.

All documents pertinent to the case must be carefully recorded and filed.

All relevant parties should have a complete copy of all related documents.