



Disciplinary Policy and Procedure

Chiswick Pier Canoe Club

All members of Chiswick Pier Canoe Club (CPCC, the Club) are expected to follow and adhere to the rules and values of the Club, as well as adhering to all relevant and applicable Paddle UK policies and procedures, to ensure the Club offers a safe, welcoming and inclusive environment for all.

This Policy sets out the basis on which the Club will consider complaints that are raised within the Club relating to any on or off water Club activity, including paddling, coaching or competing.

Application

This Policy applies to all people involved in Club activities who, by participating in that activity, agree to be bound by this Policy.

Whilst the Club will do its best to ensure this Policy is followed, it should be noted that the majority of people within the Club provide their time voluntarily without payment and have other commitments outside of the Club. This Policy should not be considered as exhaustive.

A failure to follow strictly every step outlined below shall not automatically render any disciplinary decision unfair. This Policy will instead act as a framework to enable disputes to be resolved in a fair and proportionate manner. The Policy is subject to review and amendment (upon appropriate notice) from time to time.

If an incident of misconduct may amount to a criminal offence the Club may refer the matter to the police before pursuing its own disciplinary process. All allegations involving safeguarding shall be managed in line with Paddle UK's Safeguarding Policies and Procedures including where appropriate referring to Paddle UK for triage, guidance, and where it is deemed necessary, investigation.

This policy has been aligned to Paddle UK Disciplinary Policy; it will require ratification and adoption within the Club Constitution and will remain draft until that time.

Disciplinary Procedure

Individuals wishing to raise a complaint should do so, in writing, to the Club Secretary. The complaint should include the,

- nature of the complaint or incident,
- when and where it occurred,
- any evidence of the complaint or incident, and
- names of individuals involved, directly or as a witness

Individuals should report any incidents immediately and ideally no longer than 3-months after the event.

Delays in reporting limit the ability of the club to effectively investigate and resolve issues.

Investigation

No formal disciplinary hearing will be conducted without an investigation to establish the facts of the case. This will usually take place within 14 days of submission of a formal complaint and will usually include:

- an opportunity for the individual to comment (usually by means of an interview)
- identifying and interviewing any witnesses to events
- reviewing other sources of evidence, for example records or emails
- exploring any mitigating circumstances
- exploring any other relevant points or information

The club secretary/committee will appoint a committee member to oversee an investigation process. If the complaint is regarding a member of the committee then they shall not be a part of the investigation team.

Suspension

The Club Secretary shall have the power to suspend any individual accused of misconduct from Club activity on a temporary basis where there is reasonable belief that in the circumstances there is a risk to, the individual, other individuals, the club, or the investigation process.

A temporary suspension shall last only as long as the Club takes to complete the disciplinary process and shall be kept under review to ensure it remains reasonable and proportionate.

At the conclusion of the investigation a decision will be made whether to proceed to a formal disciplinary hearing.

Disciplinary Hearing

Following a decision to proceed with a formal disciplinary hearing, the individual will be invited to attend a disciplinary hearing.

The individual will be given at least 15 working days' written notice of the hearing. including details of the alleged misconduct, a copy of the investigation report, and any supporting evidence relied upon during the investigation. Where a witness's identity is to be kept confidential, the individual will be given as much information as possible while maintaining confidentiality.

If the individual wishes to present their own supporting evidence or call any witnesses, they are asked to present this information to the Club Secretary at least 5 working days before the scheduled hearing. The individual will be informed of the right to be accompanied at the hearing and will be asked to notify the Club

Secretary no later than 5 working days ahead of the scheduled hearing if they intend to be accompanied and the name of the companion.

Disciplinary Panels will normally comprise at least two members who have not had any direct involvement in the matter: the Chair, who will usually be a member of the club committee and another member of the club.

As a Paddle UK affiliated club, in instances where the club is unable to form an independent disciplinary panel Paddle UK reserves the right to appoint an independent person or Panel to hear the matter.

The Club Secretary may also attend as an assigned note taker.

Notes of the hearing will be taken, the individual will receive a copy and will have the opportunity to comment, if they feel that the notes do not accurately reflect the meeting.

The Panel will consider the information presented to the hearing and will consider whether, on the balance of probabilities, the allegation(s) is proven, and decide what action, if any, is necessary.

Outcomes

The outcome will be confirmed in writing to the individual, usually within 7 working days of the disciplinary hearing. The outcome may be that the allegation(s):

- is not proven and no further action will be taken,
- is proven and disciplinary action is to be taken, or
- is proven and the individual's membership of the Club (with no requirement to refund the membership fee) will cease and future membership refused.

Where disciplinary action is taken, the written outcome will specify:

- the level of disciplinary action(s) to be taken,
- any specific improvement in conduct required,
- the period of time allowed to demonstrate such improvement (which may be immediate),
- the support to be offered to the individual to meet the required improvement, where appropriate
- the consequences should no improvement be forthcoming or where there is further misconduct,
- information on the right to appeal.

Right to Appeal

An individual who has been subject to formal disciplinary action will have the right of appeal.

An individual who wishes to appeal against any disciplinary action including dismissal must submit notice of the appeal in writing, including the grounds for the appeal and any supporting documentation, to the Club Chair within 10 working days of receipt of the written notice of the disciplinary action.

The individual should clearly state the grounds for appeal, which may include:

- That the findings of the disciplinary investigation or hearing are unreasonable
- That the sanction applied is too severe
- That there is new evidence that was not previously available
- That the disciplinary procedure has not been applied correctly

The Club Secretary shall acknowledge the Notice of Appeal within seven days of its receipt and, if necessary, ask for any further evidence or reasons why the appeal is being submitted.

The appeal will be heard by a Panel appointed by the Club Chair or their designate.

The appeal Panel will comprise up to three members who have not been previously involved in the particular case.

The Club Secretary shall inform the individual of the members of the appeal panel. If the Individual has any objections to the Appeal Panel these must be raised promptly (and no later than 5 working days of being informed) to the Club Secretary who shall review the objection and decide in their reasonable discretion whether it is appropriate to alter the composition of the Appeal Panel.

The appellant will be given at least 10 working days' written notice of the appeal hearing, together with copies of relevant documents and reports presented at the disciplinary hearing.

The appellant can provide any new information concerning the grounds of the appeal that they wish the Panel to consider. This is to be presented to the Panel no later than 5 working days before the scheduled date of the appeal hearing.

The individual will be informed of the right to be accompanied at the hearing and will be asked to notify the Club Secretary no later than 5 working days ahead of the scheduled hearing if they intend to be accompanied and the name of the companion.

The appeal Panel may make any additional inquiries or request additional information about the case under consideration as they see fit.

Appeal Outcomes

The outcome will be confirmed by the Panel Chair in writing to the appellant, usually within 10 working days of the appeal hearing.

For an appeal against action short of dismissal, this may be to

- Support the appeal and remove any action, if appropriate,
- Support the appeal and modify the action, its duration or any alternative action, or
- Reject the appeal and confirm the original action.

For an appeal against club membership removal, this may be to:

- Support the appeal and reduce the removal to a lesser action, or

- Reject the appeal and confirm the decision to remove.

An appeal will never result in any increase in the original action.

The decision of the appeal Panel will be final and there will be no further avenue for appeal.

Records of Hearings and Appeals

The decision of a disciplinary panel and the Appeal Panel shall be in writing and retained as confidential records for a period of six years by the Club. Supporting documents shall also be retained for the same period of time alongside the decision.

Notification to Paddle UK

The Club Secretary, once the Appeal notice period has expired, may inform Paddle UK of the outcome of a disciplinary process if it is considered necessary, or a requirement of the policies and procedures of Paddle UK, including, but not limited to, ensuring:

- A. compliance with a sanction, especially where the Individual has been suspended from competing or participating in any canoeing activity; or
- B. for the welfare and safety of those engaged in canoeing or paddlesport activity.

An authorised officer of Paddle UK may at any time ask the Club to share its disciplinary records with Paddle UK in furtherance of its role as National Governing Body of the sport.

Adjustments to Proceedings

The club has a legal responsibility to consider reasonable adjustments in the application of this policy, to ensure that individuals with disabilities or specific needs can fully participate and understand the process.

Reasonable adjustments will be considered on an individual basis, taking into account the specific needs and circumstances of an individual, this could include adjustment to the location and timing of meetings, and accepting written submission of statements.

Individuals facing difficulty at any stage of the procedure due to a disability should contact the Club Secretary for advice.