GRIEVANCE PROCEDURE

1. Introduction

This procedure outlines the steps to be taken by Law & District Amateur Athletic Club in the event of a grievance being raised by any competent individual as defined under this procedure. It is developed taking account of advice available nationally.

2. Definition and Scope

2.1. For the purpose of this policy a grievance is defined as being a "concern, problem or complaint". This procedure potentially comes into effect if there is an allegation properly made under this procedure that:

- Approved club policy has been misapplied resulting in detriment to a member, official of the Club, volunteer or supporter of the club;
- Club policy is deficient resulting in detriment or discrimination;
- An office bearer (Charity Trustee) of the Club, coach or member of the administrative team has made a decision resulting in detriment subject to the exclusions noted in section 2.2 below.

2.2. Where the complaint relates to an alleged breach of the Club's Code of Conduct it will be handled under the Club's Disciplinary Procedure. It will be a decision for the Club Chairperson, meeting with at least one Charity Trustee to decide which is the correct route to handle the complaint. If the complaint relates to the safety or welfare of a child or vulnerable adult, then the matter must be raised immediately with the Club Welfare Officer, or, in their absence with a Charity Trustee.

2.3. This procedure can be used by:

- any Club member in any membership category;
- any official of the Club; and
- any volunteer working on behalf the Club.

2.4. Any member of the public including spectators at events organised by the Club, but who is not a Club member and who has a concern, problem or a complaint should write to the Club Chairperson who will cause the matter to be investigated, as appropriate, and reply without recourse to this procedure.

2.5. It is not competent to use this procedure to resolve a dispute or disagreement between individual members of the Club except as described in paragraph 2.1.

2.6. It is only competent to use this procedure if it can be clearly evidenced that all appropriate informal means to resolve the matter have been exhausted.

3. Statement of Principles

3.1. The fundamental principle guiding this policy and its application is that all members of the Club share the Club's values and objectives and that they wish to positively engage in a community composed of like-minded individuals. This is founded on positive relationships where disagreement and constructive discussion is a natural part of life. Informal resolution is more likely to be effective in securing improvement and will almost certainly result in a quicker resolution of the issue. It therefore follows that the use of this procedure should be exceptional. The aim must be to settle all grievances informally with the positive participation of those involved.

3.2. Informal means should also be taken to include approaching a board member, a coach, or team manager seeking their advice or intervention to resolve the matter.

3.3. Once invoked, the principles which will apply to the application of this procedure are:

- Fairness – all involved are entitled to contribute to the process;
- Transparency – all involved are entitled to have access to the evidence used to reach any decision;
- Independence – those involved in investigating a grievance and coming to a decision will be independent of the circumstances and people involved;
- Openness – anonymity is inadmissible and no undertaking of confidentiality can be given;
- Support – everyone involved is entitled to advice from the Club Trustees, and to have one supporter with them at any meetings; and

- Timeliness – grievances will be dealt with as quickly as possible and in any case within 28 days (or other time period agreed with the parties).

3.4. The Club Chairperson may ask a neutral member of the club (who is not a Charity Trustee) to undertake the grievance process on their behalf.

3.5. If the grievance relates to the Club Board collectively, and an agreed course of action within the club cannot otherwise be agreed, the Club Board may consider asking a neutral member of another local running club, or Scottish Athletics, to investigate the grievance.

4. Stages of the Grievance Procedure

Stage One

4.1. A person raising the grievance must state their grievance formally in writing to the Club Chairperson, within 14 (fourteen) days of the grievance occurring. This must be done through written letter or email. The letter or email should state:

- the grievance in terms of the circumstances or situation;
- the informal means used to resolve the situation and outcome;
- any relevant dates and individuals involved;
- the detriment, disadvantage or discrimination that has been experienced;
- any supporting evidence felt to be important such as Club or national policies, or the names of any witnesses;
- the preferred redress that is being sought such as a change in policy or change in the way the policy is applied.

4.2. The Club Chairperson, or his/her nominee, will respond acknowledging receipt of the grievance. This will be done within 7 (seven) workings days from delivery/receipt of the letter/email. They will also write to anyone identified in the grievance, informing them that a grievance has been made and that it will be investigated by a member of the Club Board (known as the investigating officer).

4.3. The Club Chairperson and at least one other member of the Charity Trustees will consider the grievance and nominate a Board member, or other suitable Club member as the investigating officer.

4.4. The investigating officer will then arrange to meet both the member raising the grievance, and any members to which the grievance relates, to interview them regarding the grievance. A non-verbatim transcript of the interview may be produced. Anyone interviewed is entitled to have one other individual in support, who does not have to be a member of the Club.

4.5. If either party declines an interview, they may provide a written statement to the investigating officer.

4.6. Should the investigating officer deem it appropriate, they may interview other witnesses who may have evidence in relation to the grievance. This will be essential if corroboration is required.

4.7. Individuals to whom the grievance relates are not required to participate in any investigations. The investigating officer may take this into account.

4.8. The interview process should take no longer than 14 (fourteen) working days. However this can be extended depending on the nature of the grievance. The person raising the grievance, and the subject of the grievance should be kept apprised of progress, together with the reasons for any delay.

4.9. Following the conclusion of the investigation, a brief report will be written by the investigating officer for consideration by the first available meeting of the Club Board, or the Charity Trustees if the grievance relates to the Board. A quorum must exist at the meeting. The investigating officer will present the case to the meeting together with recommendations. Following the presentation of the case, the Board will consider, and agree upon, a course of action. This will be one or more of:

- no further action taken;
- offering a mediated meeting;
- suggesting mitigating action, such as an apology, or change in procedures;
- invoking the disciplinary procedure;
- issuing a letter of comfort; or
- any other appropriate action.

4.10. The parties involved will receive a letter/email on behalf of the Club Chairperson within 7 (seven) working days of the close of the grievance meeting. The letter/email will generally summarise:

- the nature of the grievance;
- the investigation that was conducted;
- the decision;
- the reason for the decision;
- any outcome for a change in practices as a result of the decision; and
- the procedure for lodging any appeal.

Stage Two

4.11. If the person who raised the grievance is not satisfied with the outcome of the grievance held under Stage One, they may appeal to the Charity Trustees. The appeal must be in writing and state clearly the grounds on which it is being raised. An appeal that simply disagrees with the outcome will be deemed to be incompetent and an appropriate response issued at this stage.

4.12. On receipt of the appeal, the Charity Trustees will follow the same procedure described in sections 4.1 to 4.10.

4.13. The decision of the Charity Trustees is final.

5. Keeping Records

5.1. The Club will keep confidential records for up to 6 (six) years of:

- a copy of written statement of grievance;
- a copy of the Club's response;
- a note of any subsequent actions taken;
- the reasons for any subsequent actions; and
- any equivalent documentation relating to an appeal.

6. Conclusion

6.1. This procedure sets out an outline description of the actions to be taken in the event of a grievance. It is intended to be applied flexibly in response to the situation and the individuals involved. Modifications to the procedure may be required, and are admissible if, for example, children or vulnerable adults are concerned. It is also better to achieve a fair and equitable result rather than to rush procedures. Participants should accept that it may sometimes be difficult to identify, contact and interview relevant witnesses, and some may require time-consuming persuasion.

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