

Cleveland Wheelers Cycling Club Disciplinary Procedure

This document serves to act as a guide regarding handing membership disciplinary and / or removal. The purpose of this procedure is to provide fair and consistent treatment of disciplinary situations.

Cleveland Wheelers Cycling Club has clear standards of conduct, listed within our code of conduct document which is applicable to all its members and all members are expected to follow.

Members should follow the grievance procedure should they wish to raise a complaint.

For the purposes of this document, the member who has raised the grievance will be referred to as the complainant and the subject(s) of the complaint simply as the member.

Upon receipt of a grievance or complaint the committee will meet (face to face or virtually) to review, within fourteen days of a complaint being lodged. The committee will decide if the offence falls within its scope and will categorise the offence during this meeting into one of three categories:

1. **Misconduct** is an offence of a minor nature and examples of such may be:
 - Discourteous, crude or offensive behaviour
 - Conduct of an unsafe nature
 - Refusal to carry out reasonable instructions by event organisers or officials.

2. **Serious Misconduct** is the carrying out of an offence by a Club member of such gravity that in the opinion of the Committee it warrants a disciplinary hearing. Examples of offences, which may be considered as serious misconduct include:
 - Misconduct offences above if especially grave or repeated.
 - Deliberate or persistent breaches of Club rules.
 - Any attempt to achieve gains or advantage over others by unfair or unscrupulous means.
 - Theft or misappropriation.
 - Use of threatening or abusive behaviour unless it is dealt with by the relevant policy applicable to an individual sport.
 - Malicious interference with equipment or property.
 - Disregard for one's own or other people's safety.
 - Any other action, which in the opinion of the Committee may bring **Cleveland Wheelers Cycling Club** into disrepute, or which left unpunished, may result in the detriment of **Cleveland Wheelers Cycling Club** or its members.

3. **Gross Misconduct** is action by a club member of such seriousness that the Committee will require the immediate expulsion of the member. The Committee may expel said member without invoking a disciplinary hearing. Examples are:
 - Physical violence or assault towards other persons at a Club event or related activity, including serious threatening, intimidating or forceful behaviour.
 - Bullying and intimidation of members
 - Other acts that are considered of an extremely serious nature.

The expelled member will have the right to a disciplinary hearing as soon as this can be arranged but will remain expelled until and unless such a hearing overturns the decision.

Process

The committee will meet either virtually or in person within 14 days of a complaint or grievance being logged to the committee to discuss and consider evidence. This meeting will have one of 4 outcomes and this the next steps will be determined based upon that:

1. **No Complaint** - If the committee deem there to be no tangible complaint or something which falls outside the scope of the club, the committee will write to the member and complainant informing them as such and the case will be closed:
2. **Misconduct** - If the committee deems there to be a case of misconduct, then:
 - a. The secretary will write to the member with the information regarding the case, within 7 days of the committee meeting and the member will be asked to submit evidence in relation to this, to the committee, within 7 days. The member may also receive a written warning with regards to their conduct or an appropriate sanction determined by the committee.
3. **Serious Misconduct** - If the committee deems there to be a case of serious misconduct, then:
 - a. The secretary will write to the member with the information regarding the case, within 7 days of the committee meeting and the member will be asked to submit any response within 7 days in writing to the committee and within 14 days will then meet with the committee to discuss the complaint and their response.
 - b. At the meeting with the member the evidence and allegations will be discussed
 - i. The committee and the member will review evidence at this meeting only, and not agree upon an outcome.

- c. The committee to discuss without the member present based upon discussions and evidence and agree upon one or more sanctions which could include:
 - i. Written warning with an apology to the complainant
 - ii. Temporary suspension of membership for a period not more than 3 months
 - d. Within 7 days the secretary will write to the member informing them of the output from 3(c) above.
4. **Gross Misconduct** - If the committee deems there to be a case of gross misconduct, then:
- a. The secretary will write to the member within 3 days to inform them of membership suspension during investigations and inviting them to submit a response within 7 days in writing to the committee. Within 14 days the member will then meet with the committee to discuss the complaint and their response
 - b. At the meeting with the member the evidence and allegations will be discussed
 - i. The committee and the member will review evidence at this meeting only, and not agree upon an outcome.
 - c. The committee to discuss without the member present based upon discussions and evidence and agree upon one or more sanctions which could include:
 - i. Temporary suspension of membership for a period not more than 3 months
 - ii. Removal from the club
 - d. Within 7 days the secretary will write to the member informing them of the output from 4(c) above.

Sanctions

The Club will always seek to resolve disciplinary matters as constructively as possible applying the lowest possible sanction required to achieve the outcome that upholds the Club's values and Code of Conduct.

Following the conclusion of the relevant process outlined above, the Committee will determine its response and may apply a sanction (subject to the right of appeal below) deemed to be proportionate and appropriate.

Appropriate sanctions may include a verbal warning, a first written warning, a final written warning, temporary suspension and, in extreme cases, dismissal.

Appeals

If an appeal against the decision or penalty is to be made then written notice of appeal must be given by the member, within 7 days of being notified of the decision. No appeal will be valid or considered after that period has elapsed.

The member must give full written grounds for the appeal, stating exactly what is being appealed against and the reasons for this. An appeal together with full and recorded argument may be considered relative to:

- The Clubs' Procedure had not been followed correctly.
- The resulting disciplinary action was inappropriate.
- The need for disciplinary action was not warranted.
- New information regarding disciplinary action has arisen.

Where the appeal directly relates to new information regarding the initial disciplinary action the committee will review its decision considering the new information. If the committee still upholds its original decision, then the process below will continue.

Cleveland Wheelers Cycling Club will convene an appeals panel with 5 members from our membership, none of the appeals panel will be current committee members. The committee has 10 days to convene members for an appeals panel once the written appeal has been received.

The appeals panel will then be presented with written evidence from both the committee and the member. The appeals panel will individually review the evidence and have 7 days to provide their findings to the committee, either agreeing or disagreeing with the decision made by the committee.

The Appeal Committee shall have power to amend or revoke any decision made at the previous disciplinary hearing. The decision of the Appeal Committee is final and binding on the parties.