



## **SMCC Complaints and Disciplinary Procedures**

### **1.0 Overview**

The ethos of the Shepton Mallet Caving Club (Ltd) and the expected conduct of its Members and Associates are outlined in the Club's Rules, Code of Conduct and Byelaws. This document describes how transgressions of the Club's Rules, Code of Conduct and Byelaws will be dealt with.

### **2.0 Definitions:**

- a) The individual(s) raising a concern or complaint will be referred to as the Complainant(s).
- b) The individual(s) towards which the concern or complaint is made will be referred to as the Respondent(s).
- c) If the Respondent(s) is one or more member(s) of the Committee, then the references to the "Committee" in these procedures refer to the members of the Committee excluding the Respondent(s).

### **3.0 Procedures:**

- a) Complaints relating to a safeguarding issue should be reported to the Designated Safeguarding Lead or Designated Safeguarding Deputy as defined in the SMCC Safeguarding Policies and Procedures.
- b) Complaints that involve the Police or other third-party authorities MUST be reported to the club Secretary, or appropriate Committee member at the earliest opportunity.
- c) Where an issue has been passed on to a third-party authority, the Committee may consider if any immediate action is required to protect the club and/or the wellbeing of its Members and Associates including the Respondent(s).

#### **3.1 Informal Procedure**

In the event that a complaint is made against a club Member or Associate, in the first instance, the parties directly involved should attempt to resolve any grievances informally.

A Complainant may prefer to approach a committee member with their grievance. The Committee member shall determine at this stage whether the Member or Associate wishes the complaint to be handled formally or informally. The formal procedure is described in section (3.2) below. If an informal resolution is sought, the Complainant accepts that the Committee shall deal with the matter in the way that they best see fit, depending on the nature of the incident.

Non-club members or associates shall only have the right to an informal resolution. The Committee, however, reserves the right to escalate a *third-party* complaint formally, should the seriousness of the complaint merit such action.

### 3.2 Formal Procedure

Only club Members or Associates can raise a formal complaint about other club Members or Associates' behaviour. Formal complaints must be made in writing (by letter or email), signed by the *Complainant*, to the Club Secretary or appropriate Committee member (as defined in section 2.0 (c)). The Committee will notify the Respondent that a formal complaint has been raised, outlining the details and that an investigation will take place.

The investigation into the formal complaint shall be undertaken by two individuals (not party to the circumstances of the complaint), appointed by the Committee who will not be involved in any subsequent disciplinary decision. The investigation shall include an approach to the Respondent for their evidence regarding the complaint. A written report outlining the evidence gained, including written and signed statements from witnesses, shall be presented to the Committee.

The Committee shall decide if the evidence in the report is sufficient to warrant the Committee to hold a formal disciplinary meeting with the Respondent(s). The subsequent decision should be included in the Committee meeting minutes.

- The Respondent(s) shall be advised in writing of a proposed disciplinary meeting together with a copy of the report and allowed sufficient time to prepare for that meeting.
- The Respondent(s) shall be allowed to present their case, accompanied, if requested, by another person who may also speak on their behalf.

Following a formal disciplinary meeting, the Committee shall decide on the appropriate disciplinary action and inform the Respondent(s) and Complainant(s) of the decision in writing (letter or email) and document it in the Committee meeting minutes. Should the disciplinary action be to recommend the termination of the Member's or Associate's status, this action is subject to clause (12d) of the Clubs' Rules. The Respondent(s) shall have a right to appeal against a ruling to terminate membership to the next General Meeting.

- If the Committee decide not to hold a disciplinary meeting, then the Club Secretary shall contact both the Complainant and Respondent(s) in writing (letter or email) outlining the reason and provide details of any proposed disciplinary action or resolution to be taken. The final decision shall also be documented in the Committee meeting minutes.

A summary of the outcome of a formal disciplinary procedure shall be communicated to all Members and Associates. This can be delayed if publication may be prejudicial to further legal proceedings.

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Change Log: