

# BLAZE DRAFT COMPLAINTS & APPEALS PROCEDURE



## COMPLAINTS

1. The Grievance & Disciplinary Committee consists of three members elected specifically at the Club AGM to serve as a Grievance & Disciplinary Committee, the Children's Officer, Secretary and one other committee member to serve as Chairperson. Should any of these members have a conflict of interest, another committee member may serve in their place.
2. This policy should be read in conjunction with the Letterkenny Blaze Safeguarding Policy
3. All concerns, allegations or reports of inappropriate behaviour/poor practice/abuse relating to the conduct of Letterkenny Blaze members should be addressed in writing to the Club Secretary or Children's Officer and should be acknowledged within 5 working days of the report being received. The Secretary should advise Letterkenny Blaze Management Committee that a complaint has been received and has been referred to the Grievance & Disciplinary Committee.
4. If the complaint involves suspected abuse or a criminal offence, the Children's Officer and/or second Designated Person should be consulted and the Disciplinary Committee disbanded in this instance. The statutory authorities will then be informed immediately.
5. The Grievance & Disciplinary Committee will review any relevant paper work and hold any necessary meetings with all parties to proceed with complaints into any incident of suspected misconduct that does not relate to child abuse.
6. The Grievance & Disciplinary Committee should furnish the individual against whom the complaint is made with the nature of the complaint being made against him/her and afford him/her the opportunity of providing a response either verbally or in writing. Following this, the Committee will decide what actions are required.
7. Where it is established that an incident of misconduct or inappropriate behaviour has taken place, the disciplinary committee should notify the complainant and the person against whom the complaint is being made of any consequence. The notification should be made in writing, setting out the reasons for the actions deemed necessary. If the member is under 18 years of age, correspondence should be addressed to the parents/guardians. This should be done within 5 days of the completion of the investigation.
8. Where it is established that no misconduct has taken place, a letter will be issued to the complainant and the person against whom the complaint is being made that the case is closed and no further action will be taken. This should be done within 5 days of the completion of the investigation.
9. If the member against whom the complaint was made is unhappy with the decision of the disciplinary committee, s/he should have the right to appeal the decision to an appeals committee, independent of the Grievance & Disciplinary Committee. Any appeal should be made in writing within 10 days of the decision of the disciplinary committee.
10. Written confidential records of all complaints will be safely and confidentially kept where necessary by either or both the Club Secretary and Children's Officer. In the event of the election of new officers such records will be handed over to the incoming officers within 7 days of their election and confirmation of handover will be signed by both parties.

## APPEALS

1. The Management Committee of Letterkenny Blaze will appoint an Appeals Committee Panel at the start of the season. The Appeals Committee should consist of a Chairperson and 5 people. A minimum of 3 members must be present to hear any appeal. The Management Committee of Letterkenny Blaze will also appoint a secretary to the Appeals Committee, usually the Club Assistant Secretary. The Appeals Committee should consult with the Children's Officer in relation to issues of child welfare and Codes of Conduct.
2. The Appeals Committee will have the power to confirm, set aside or change any sanction imposed by the Grievance & Disciplinary Committee.
3. In order for an appeal to be valid it must be received in writing at the postal address ( or email address) of the Letterkenny Blaze Secretary within 10 days of the decision made by the Grievance & Disciplinary Committee and must be accompanied by a fee of €50. This fee will not be refunded if the appeal is upheld.
4. On receipt of an appeal, the Secretary shall notify the Management Committee and the parties involved that an appeal on the decision made by the Grievance & Disciplinary Committee has been received. The parties involved will be notified in writing within 5 days of receipt of the communication actioning the appeal.
5. The Secretary to the Appeals Committee will then action the Appeals Committee from the approved panel. The Appeals Committee will be provided with copies of all paperwork relating to the matter as was before the Grievance & Disciplinary Committee.
6. The Appeals Committee will call a meeting to discuss the appeal and decide action required. The Appeals Committee may if they require, set a date and time for an oral hearing with the parties involved. This may take place with both parties present if appropriate. The Secretary will communicate such dates to both parties.
7. In the case of an oral hearing the party bringing the appeal shall state their case first. The Chairperson once satisfied that all involved have had ample time to state their case shall then terminate that part of the appeal meeting and ask all parties to withdraw to allow the Appeals Committee to make their decision.
8. The Appeals Committee shall aim to complete the investigation within 28 days. If further time is required to complete the investigation, all parties will be notified.
9. The decision of the Appeal Committee shall be forwarded orally, in writing, or electronically to both parties. All parties involved must offer either a telephone number or email to the committee for early receipt of the decision. A written copy of the decision shall also be forwarded within 5 days by post to both parties.
10. If the decision is made in favour of the party making the appeal, the fee shall be refunded in full.
11. If any party is not satisfied with the outcome of an appeal the matter can be referred within 10 days to the North West Area Board or subsequently Basketball Ireland. However efforts to resolve any issue at local level should be exhausted before the Governing Body is engaged in attempts to resolve the matter.
12. In relation to either the Grievance & Disciplinary Committees, any person who may have a vested interest in any matter before these committees, cannot in that instance serve on the said committee.
13. Written confidential records of all appeals will be safely and confidentially kept where necessary by either or both the Club Secretary and Children's Officer. In the event of the election of new officers such records will be handed over to the incoming officers within 7 days of their election and confirmation of handover will be signed by both parties.