

Twickenham Rowing Club Grievance and Disciplinary Procedure

1. Introduction

1.2 Overview of steps in Grievance & Disciplinary Procedure

A: Grievance and Dispute Handling Process

2. Informal Resolution Procedure (IRP)

2.1. Meetings, discussion & mediation

2.2 Handling the outcome of the IRP

3. Formal Dispute Panel

3.1 Moving to a Formal Dispute Panel

3.2 Forming a Panel for the Formal Dispute Panel

3.3 Setting the scope of the Formal Dispute Panel

3.4 Implementing the Formal Dispute Panel

3.5 The conduct of the Formal Dispute Panel

3.6 Handling the outcome of the Formal Dispute Panel

4.0 Appealing the Outcome of a Formal Dispute Panel

4.1 When an appeal can be granted

4.2 Appointing an Appeal Panel

4.3 Conducting the Appeal Panel

4.4 Handling the outcome of an Appeal Panel

B: Disciplinary Procedure

5.0 Introduction

5.1 Implementing the Disciplinary Procedure

5.2 Disciplinary Panel Process

5.3 Handling the outcome of the Disciplinary Panel

5.4 Disciplinary Procedure – Handling an Appeal

5.5 Forming a Disciplinary Appeal Panel

5.6 Handling the outcome of a Disciplinary Appeal

Appendices

- Appendix I: Quick Reference - Process steps in overview
- Appendix II: Quick Reference – Overview of process for making a complaint
- Appendix III: Quick Reference – What to expect if someone brings a complaint *against you*
- Appendix IV: – What to do as if someone brings a complaint to your attention
- Appendix V: Quick Reference – for members of Dispute or Disciplinary Panels
- Appendix VI: Guide to Terminology used in this document

1. Introduction

This document is for reference when handling Twickenham Rowing Club Disputes only. For Grievances against British Rowing, or any other specific situation falling outside the scope of a Club Dispute, the process will be different and you should make reference to the relevant part of the British Rowing Rules & Regulations . [BR link](#)

Twickenham Rowing Club is committed to a culture that is safe, supportive and inclusive. When a concern arises it is important that it's dealt with properly. The club expects most disputes to be resolved amicably at a personal or squad level through the ongoing practice of behaviours which align with our Code of Conduct [TWRC-Code-of-Conduct](#) and generally without requiring reference to these Grievance and Disciplinary procedures.

However sometimes things can't be resolved that way and more guidance is needed. When that happens, this document is here to help you.

Anyone making, receiving or involved in the handling of a complaint or dispute at our club should consult this document. You can also read the following Appendices for Quick Reference guides to what to do or expect if you are involved in any way:

- Appendix I: Quick Reference - Process steps overview (also included after this Introduction)
- Appendix II: Quick Reference – Overview of process for making a complaint
- Appendix III: Quick Reference – What to expect if someone brings a complaint *against you*
- Appendix IV: – What to do if someone brings a complaint to your attention
- Appendix V: Quick Reference – for members of Dispute or Disciplinary Panels
- Appendix VI: Guide to Terminology used in this document

As a community club, affiliated to British Rowing we follow the principles set out in *British Rowing Rules & Regulations* ([Regulations-of-British-Rowing](#) as of June 2024) with specific reference to Paragraph 25 and the overview of processes set out in Appendix 4. Alongside this, the *specific* step by step processes as they relate to our club are set out in detail in this document.

Overview of Grievance and Disciplinary Procedure at TwRC

This is an overview of the sequence of steps that should be followed for any dispute between Club members (member on member dispute), or where an individual has a complaint or issue they want to take up with our club.

If you want to raise an issue against British Rowing, the process is different and can be reviewed in their document 'Regulations of British Rowing' ([BR link](#))

1. Individual & Squad level:

The club expects most internal issues to be relatively minor and resolved at this level through constructive discussions with fellow squad members, coaches and squad leaders

2. Informal Resolution Procedure

Where an issue can't be resolved within the squad or is brought against the club by an external party an informal Resolution Procedure is implemented. Although it is 'informal' it is still a 'process' with correct protocol to be followed.

This involves mediated dialogue, with independent individuals seeking to find a workable way forward between the Complainant and the Respondent.

The club would expect that most issues could still be resolved through this procedure without the need for escalation to step 3.

3. Formal Dispute Hearing

Where steps 1 and 2 are not sufficient to resolve a situation, and where the Club deems there to be an issue to answer, a formal Panel Hearing will be set up. This Panel will comprise a Chair who is responsible for leading the process, two additional panellists and Clerk. This Panel has the right to impose sanctions on the Respondent where deemed necessary.

Details on this process are set out in the Grievance and Disciplinary Procedure.

4. Appeal Procedure

Where the outcome of a Formal Dispute Hearing is not accepted by the Complainant, they may seek an Appeal. If there are grounds for an Appeal a fresh and independent panel would be formed to hear this Appeal. Again this process is set out in detail within our Grievance and Disciplinary Procedure.

As far as the Club is concerned the decision of an Appeal Panel at Step 4 is considered final and no further appeals can be sought within the Club process

5. Appeal to TRRC

Where a Complainant has gone through all of steps 1-4 but continues to find the handling or outcome of the appeal unacceptable, the only remaining course would be to seek an Appeal from Thames Regional Rowing Council (our Regional British Rowing representation).

From this point onwards, all issues and complaints would need to go directly to their representatives for handling within the BR guidelines. Continued pursuit of previous complaints *within the club* may result in the implementation of a Vexatious Complaint procedure.

Disciplinary Procedure

In some circumstances the Club itself may wish to seek to discipline a member/s.

Circumstances for this might include, but are not limited to: unlawful conduct, behaviour that brings the club into disrepute, bullying, use of offensive language, causing damage to the club, making Vexatious Complaints.

In this situation a Disciplinary Hearing will be conducted. The process for this is also set out in our Grievance & Disciplinary Procedure policy.

A Dispute Handling Process for Club Disputes

*also see Appendices for **Quick Reference Guides** which provide a summary overview to help guide you through the detail which follows*

2.0 Informal Resolution Procedure

This should be implemented after all efforts at a squad level have been exhausted (see Step 1 in process overview).

All complaints whether coming directly from the Complainant or another member bringing an issue to the attention of the club, should initially be sent by email to the Chair and /or President of the Club Chair@twickenhamrc.co.uk, President@twickenhamrc.co.uk

The email should be no more than **1-page A4 length**, in which the complainant should set out the main issue in bullet point summary, the actions taken to seek a resolution to date, and including a list of the key evidence they can offer (type of evidence and brief indication of content only - full evidence not required at this point).

These Officers shall in turn notify the rest of the Grievance Steering Group¹ (GSG) which comprises Chair, Captain & the nominated V-P, also see note on composition in Appendix VI – Terminology as soon as reasonably practicable thereafter. The GSG will then carefully consider the most appropriate method of dealing with the complaint and oversee the set-up of that process as follows.

2.1 Meetings, discussion & mediation

On receiving a complaint or notification of a dispute, the GSG will usually seek to resolve it informally in the first instance. To do so, they will identify 1-2 suitably qualified individuals as mediators, who are not directly involved in the dispute, and in agreement with all parties. These individuals will hold meetings and discussions with all parties, ideally together if possible, to try to reach an agreed way forward.

This stage is very desirable and an expected step in the process in all but exceptional circumstances (e.g. a severe breach of the Code of Conduct where the matter is being immediately escalated to a Formal Panel/ Disciplinary Hearing) . Whilst not obligatory– it may help to clarify any misunderstandings or help identify the issues in dispute and may assist with the resolution of the issue before a formal hearing needs to be initiated.

Whilst this **stage is ‘informal’, it is still a process** and, as such, it is important that accurate notes are kept to document key dates, discussion topics and outcomes of any meetings that take place during this Informal Resolution Procedure for reference by mediators and GSG.

All parties should be informed of key steps by the mediators as the process moves forward.

The outcome of this stage is not binding but may be referred to as part of the contextual information/ evidence submitted in any subsequent hearing or appeal as may any failure or refusal to participate in such proceedings.

Once this Procedure has been taken as far as possible, the mediating individual/s should write a **summary of the outcome and submit this back to the GSG**. This may indicate that the issues have been resolved in way that is workable for all parties, or it may state that it has not been possible to reach an agreement and that it should be considered for escalation to a Formal Dispute Hearing.

2.2 Handling the outcome of the IRP

The Grievance Steering Group (GSG) will review this outcome summary and, if they agree the informal process has been exhausted, they will decide whether or not the complaint has sufficient merit to warrant escalation to a Formal Dispute

They will inform all parties involved of the outcome and, if the complaint is considered to have sufficient merit, offer the complainant the option of moving to Formal Dispute.

This marks the official closure of the Informal Resolution Procedure.

Note that If the complaint is found *not to have merit* this is the final decision as far as the club is concerned. If the complainant challenges the decision not to proceed to a Formal Dispute Hearing, they may request a reconsideration by approaching one of the V-Ps or another Committee Officer to request a review. If the complaint is still found to be without merit the only recourse would then be to pursue their challenge through TRRC.

Note that if the *Respondent* is not satisfied or now has their own grievance, this should not generally be addressed within the same process. If they cannot resolve amicably together with the Complainant and mediators, The Respondent should now instead issue their own separate 1-page complaint overview to the Chair & / or Secretary for review and instigation of the relevant process by the GSG, essentially triggering a new and separate Grievance process.

3.0 The Formal Dispute Panel

If the process to date has resulted in escalation to a Formal Dispute Panel, the process moves to a more formal stage and preparations begin for a Dispute Hearing.

Very occasionally, where the informal process is deemed inappropriate by the Grievance Steering Group (GSG) or the matter too sensitive or serious to warrant an IRP, the process may move straight to the Formal Dispute Panel hearing stage.

The decision on *whether* the process will move through the informal resolution procedure, or straight to a Dispute Panel, should be clearly communicated to the original Complainant & any Respondent within 14 days of receipt and acknowledgement by Chair of the initial 1-page complaint summary.

3.1 Moving to a Formal Dispute Panel

At this point the Complainant must again resubmit their grievance in the same 1-page summary format, this time stating their request for a Formal Dispute Panel hearing to the Chair and/or President of the Club.

The timeframe for resubmitting their 1-page document may vary depending on the issue at hand but **should not exceed 14 days** from receipt of the summary outcome of the Informal Resolution Procedure.

If the Complainant wishes to amend their statement or make reference to new evidence at this point they may do so, within reason, as long as the essence of the Complaint remains the same. If they introduce new Complaints the informal process should restart. If the new complaints are extensive or unreasonable, there may also

be a case for the GSG to review the matter as a Vexatious Complaint (ref TWRC Vexatious Complaints policy).

3.2 Forming a Panel for the Formal Dispute Panel

A Dispute Hearing panel will be appointed by the Grievance Steering Group. At a minimum it should comprise **an appointed Panel Chair and two members** – ideally one with experience /expertise that is directly relevant to the issue/s at hand. Panel members may include those already been involved in the informal resolution process where this is useful and appropriate (with exception of Welfare – see note below) All panel members must be independent of the dispute itself. **A ‘Clerk of the Hearing’** should also be appointed to assist the Chair with the set up of the procedure, communication between and amongst Panel and Participants, to take minutes at the Hearing and to write up the outcome.

The Panel should **not include the club Welfare Officer** as that officer should instead remain an impartial resource for all parties at all times.

3.3 Setting the scope of the Formal Dispute Panel

From this point onwards, the Chair (via the Clerk) will be the main point of contact for the Panel, The Complainant and the Respondent.

The Chair of the Dispute Hearing Panel should set out the specific scope of the hearing, and what the possible outcomes could be (as appropriate to the specific dispute), and to provide example sanctions as relevant to the specific dispute concerned (e.g. time-limited suspension from squad, recommendation to seek support, reparation of costs for any damage etc and see 5.1)

This may include the possibility of referring the conduct of either party to a Disciplinary Procedure if deemed necessary (**see Section B of this Document**). The make-up of the Panel, the scope and example outcomes & sanctions, should all be communicated to the Panel, the Complainant and the Respondent by the Chair (via the Clerk).

Although everyday communications and administrative handling of the process should be managed through the Clerk, both Complainant and Respondent do have the right to contact the Chair directly if they wish to discuss scope, process or evidence that falls outside the everyday administrative tasks. It is at the Chair’s discretion to decide how this is managed.

It is also the duty of the Chair to contact each of the parties *directly* at a suitable point during the set up of the Panel to check that they are clear on the process, to give them an opportunity to ask any questions and ensure the Chair does have clarity on the essence of arguments being made on each side.

The Complainant and the Respondent may make reasonable objections to the composition of the panel, but the final decision rests with The Chair. The Complainant and Respondent should confirm to the Panel Chair, their agreement to the constituted panel **within 7 days of being notified**. If no confirmation or objection is received within 7 days then the Complainant and the Respondent shall be regarded as having confirmed agreement.

3.4 Implementing the Formal Dispute Hearing

The Chair of the Hearing will lead the Panel process. The duties of the Chair include communicating the scope of the hearing to Complainant and Respondent, calling evidence forward to enable a deeper investigation into the matter, and seeking other evidence or testimony where useful, making final decisions on the management and implementation of the Formal Dispute Panel hearing. Evidence could include but is not limited to: verbal and/or written statements from participants and witnesses, visual evidence, approved minutes from Informal Resolution Process meetings.

All panel members must give a fair and independent hearing to both sides of the dispute within an appropriate and agreed timescale. The Complainant and the Respondent have the right to be accompanied by a person of their choosing to any hearing or other meetings in connection with a hearing, save that the final decision on who may or may not be present at any hearing rests with the panel Chair.

3.5 The conduct of the Formal Dispute Panel

Hearings shall be conducted in person and should take place **within 21 days** of the Complainant and Respondent confirming their agreement to the composition of the panel (or 28 days of the Complainant and Respondent being notified of the panel if no response is received).

Note that only one complaint should be heard at any specific Hearing. If individuals make counter complaints against each other these should be heard as 2 separate processes, ideally on separate occasions, although both should be heard by the same Panel for consistency.

The Dispute Panel hearing should be managed in a transparent way, with all parties having access to any evidence being brought, and given **at least 14 days** to review such evidence ahead of the hearing date. No evidence from, or making reference to, third parties should be shared without the express consent of those individuals.

If either party chooses not to attend the hearing in person, the panel has the right to proceed with the hearing in their absence and/or based on written submissions.

3.6 Handling the outcome of the Formal Dispute Panel

The Club Committee entrusts the panel with the right to decide to exonerate the Respondent, or impose sanctions. These can be applied without recourse to the Club Committee with the exception of removal of club membership. If this is recommended then the final decision must be brought before the Club Committee for approval.

If the panel finds that the complaint has been made in bad faith, the panel also has the option to refer the Complainant to the Club's Disciplinary Procedure.

The findings of the panel and any recommended sanction should be put to the Grievance Steering Group no later than 7 days after the hearing, for final ratification before being communicated to both the Complainant and the Respondent.

The outcome, and sufficient reason to explain the decisions taken, must then be communicated by the Chair of the Dispute Hearing panel to both Complainant and Respondent within 14 days of the panel hearing.

The Grievance Steering Group should subsequently notify the wider Club Committee during/ or before the next appropriate Committee meeting.

4.0 Appealing the Outcome of a Formal Dispute Panel hearing:

What if the Complainant or Respondent take issue with the outcome or sanction?

If the outcome of the hearing is felt to be unacceptable to either party they have the right to request an appeal.

If either party wishes to appeal against the outcome of the hearing they should set out the grounds on which they wish to appeal in writing. This letter should be sent to the Club Chair and/or President within 14 days of the outcome of the initial hearing being known.

4.1 An appeal should be granted where there is a “strong arguable case” for at least one of the following:

- relevant information was ignored or not considered by the original panel
- the grievance procedure was tainted by unreasonable bias or conflict of interests
- the provisions of the Club’s grievance procedure were not adhered to
- the original panel exceeded its jurisdiction
- the findings of the original panel were irrational

4.2 If an appeal is granted, the Grievance Steering Group must appoint a fresh and independent appeal panel to consider the appeal, none of whom have had any prior involvement in the dispute or the previous Formal Dispute Panel. Suitably qualified individuals from outside the club can also be considered to Chair the panel.

The appeal panel should be constituted along the same principles as the Formal Dispute Panel hearing (as outlined above). The Chair of the Appeal panel should convene a hearing of the Appeal panel in a timely manner and, in consultation with the other panel members, and will decide and manage the conduct of the proceedings.

4.3 Conducting the Appeal Panel

Essentially the Appeal Panel is a repeat of the Formal Dispute Panel with a fresh team. If appropriate the Chair of the Appeal Panel may request written submissions and the Appeal Panel may choose whether or not to request the parties to attend in person. Complainant and Respondent have the right to ask to appear in person, but the decision on whether this is granted rests with the Chair of the Appeal Panel. Those appearing have the right to request to be accompanied by a person of their choosing to any hearing or other meetings in connection with an Appeal but the ultimate decision on whether this is granted rests with the Chair.

4.4 Handling the outcome of the Appeal Panel

The outcome and sufficient reason to explain the outcome of the appeal panel shall be communicated to both parties within 14 days of the Appeal Panel hearing.

The outcome of the Appeal will be final as far as the Club is concerned.

However, if the Complainant or Respondent continue to find the outcome unacceptable, even after a correct Appeal procedure, they should be referred to the Rules & Regulations of British Rowing in which the procedure for bringing a further Appeal through our local British Rowing representative (Thames Regional Rowing Council) is set out.

However, if the Complainant or Respondent continue to challenge the outcome directly with the Club when all procedures have been correctly followed, the Grievance Steering Committee may consider bringing a case of Vexatious Complaint against these individuals (ref TWRC Vexatious Complaints policy).

Any queries related to the correct implementation of the process should be referred to the Chair and/or President of the club. Please also refer to Quick Reference guides in the Appendix for an outline of key steps for Participants, Panellists and other Club Members

B. Disciplinary Procedure

5.0 Introduction

This procedure is enacted when the Club *itself* wishes to discipline an individual who has contravened the Club's rules or Code of Conduct, or who is deemed to have brought the sport or the Club into disrepute. In these circumstances, the following procedure shall be followed.

5.1 Implementing the Disciplinary Procedure

The decision to institute disciplinary proceedings against any member or individual shall be made by the Grievance Steering Group, the wider Club Committee, or by any 10 members of the Club who shall certify the same in writing and giving reasons, whereupon the Chair and / or Secretary of the Club shall be empowered to require that member or individual attend a disciplinary hearing.

A Disciplinary Panel shall have the powers to impose a financial penalty commensurate with the issue under investigation, to suspend membership temporarily for up to 12 months, to terminate membership, to cancel life membership, or any combination of these powers.

Any person whose membership has been terminated shall not be re-admitted to membership in the future save by express agreement by a majority of the Voting members of the Club Committee.

5.2 Disciplinary Panel process

The Grievance Steering Group will set out in writing the details of the disciplinary case including, where possible, details of any rules or agreements that have been deemed to be contravened and sent to the member accused within a reasonable timescale. This notice shall contain details of the disciplinary procedure, including timescales, the powers of the panel and potential outcomes, the right to be accompanied, and the right of appeal.

The disciplinary hearings panel shall be appointed by the Grievance Steering Group.

At a minimum the panel shall comprise a Chair and two independent members, one of whom may have relevant 'expert' knowledge. Wherever practical, the panel members should have no conflicts of interest but in the event that this is not possible any panel member with a conflict must declare it to all parties to the proceedings.

The Chair shall notify the member or individual concerned of the allegations against him or her and provide notice of the hearing date as soon as reasonably practicable. The hearing date should be no later than 28 days from the date the Grievance Steering Group notifies parties of the appointment of the Disciplinary panel, unless special reasons apply.

The member or individual against whom the disciplinary action is being taken has the right to be accompanied by a person of his or her choosing to any hearing or other meetings in connection with a disciplinary hearing, save that the final decision on who may or may not be present at any hearing rests with the panel chair.

If either party chooses not to attend the hearing, the panel, if properly constituted, has the right to proceed with the hearing in their absence and/or on written submissions.

The Disciplinary panel may wish to call on 'expert' witnesses for advice.

5.3 Handling the outcome of the Disciplinary Panel

The result of the Disciplinary hearing, with sufficient reason to explain the result, shall be communicated in writing to both parties within 14 days of the date of the hearing.

If the outcome of the hearing is felt to be unacceptable to either party they have the right to request an appeal.

5.4 Disciplinary Procedure – Handling an Appeal

If either party wishes to appeal against the outcome of the disciplinary hearing they should set out the grounds on which they wish to appeal in writing. This letter should be sent to the Club Chair within 14 days of the outcome of the initial hearing being communicated to them.

An appeal should be granted where there is a "strong arguable case" for one or more of the following:

- relevant information was ignored or not considered by the original Disciplinary panel
- the disciplinary process was tainted by unreasonable bias or conflict of interests
- the provisions of the disciplinary procedure were not adhered to
- the original Disciplinary panel exceeded its jurisdiction
- the findings of the original Disciplinary panel were irrational

5.5 Forming a Disciplinary Appeal Panel

Where a Disciplinary appeal hearing is granted, the Grievance Steering Group shall appoint an independent appeal panel to consider the appeal, none of whom have had any prior involvement in the matter.

The Disciplinary Appeal panel should be constituted along the same principles as the Disciplinary panel outlined above. The Chair of the Disciplinary Appeal panel should convene a hearing of the new panel in a timely manner and, in consultation with the other panel members, will decide the conduct of the proceedings.

If appropriate the Chair may request written submissions and the Disciplinary appeal panel may or may not require the parties to be attend in person. If they do attend, persons called have the right to make a request to be accompanied by a person of their choosing to any hearing or other meetings in connection with an appeal. The final decision on who may or may not be present at any hearing rests with the panel Chair.

5.6 Handling the outcome of a Disciplinary Appeal

The outcome of the appeal panel, with sufficient reason to explain the outcome will be communicated to both parties **within 14 days** of the appeal panel hearing,

The outcome of the appeal will be final as far as the Club processes are concerned.

Appendix I: Overview of Grievance and Disciplinary Procedure at TwRC

This is an overview of the sequence of steps that should be followed for any dispute between Club members (member on member dispute) , or where an individual has a complaint or issue they want to take up with our club.

If you want to raise an issue against British Rowing, the process is different and can be reviewed in their document 'Regulations of British Rowing' ([BR link](#))

1. Individual & Squad level:

The club expects most internal issues to be relatively minor and resolved at this level through constructive discussions with fellow squad members, coaches and squad leaders

2. Informal Resolution Procedure

Where an issue can't be resolved within the squad or is brought against the club by an external party an informal Resolution Procedure is implemented. Although it is 'informal' it is still a 'process' with correct protocol to be followed.

This involves mediated dialogue, with independent individuals seeking to find a workable way forward between the Complainant and the Respondent.

The club would expect that most issues could still be resolved through this procedure without the need for escalation to step 3.

3. Formal Dispute Hearing

Where steps 1 and 2 are not sufficient to resolve a situation, and where the Club deems there to be an issue to answer, a formal Panel Hearing will be set up. This Panel will comprise a Chair who is responsible for leading the process, two additional panellists and Clerk. This Panel has the right to impose sanctions on the Respondent where deemed necessary.

Details on this process are set out in the Grievance and Disciplinary Procedure.

4. Appeal Procedure

Where the outcome of a Formal Dispute Hearing is not accepted by the Complainant, they may seek an Appeal. If there are grounds for an Appeal a fresh and independent panel would be formed to hear this Appeal. Again this process is set out in detail within our Grievance and Disciplinary Procedure.

As far as the Club is concerned the decision of an Appeal Panel at Step 4 is considered final and no further appeals can be sought within the Club process

5. Appeal to TRRC

Where a Complainant has gone through all of steps 1-4 but continues to find the handling or outcome of the appeal unacceptable, the only remaining course would be to seek an Appeal from Thames Regional Rowing Council (our Regional British Rowing representation).

From this point onwards, all issues and complaints would need to go directly to their representatives for handling within the BR guidelines. Continued pursuit of previous complaints *within the club* may result in the implementation of a Vexatious Complaint procedure.

Disciplinary Procedure

In some circumstances the Club itself may wish to seek to discipline a member/s. Circumstances for this might include, but are not limited to: unlawful conduct, behaviour that brings the club into disrepute, bullying, use of offensive language, causing damage to the club, making Vexatious Complaints.

In this situation a Disciplinary Hearing will be conducted. The process for this is also set out in our Grievance & Disciplinary Procedure policy.

Appendix II: quick reference guide: how to make a complaint and what to expect if you do

This guide should help you when if wish to raise an issue, make a complaint or resolve a dispute either with another individual member of the club or with the wider Club itself

This might include issues such as a breach of the Code of Conduct or a situation in which you feel you have been badly treated physically or emotionally or in a way that you consider to be discrimination , bullying or harassment.

1. Seek to resolve your issue at squad level

The club expects all members to do their best to resolve any disputes amicably where possible. And to do this in the first instance within their specific squad with the help of their squad leader and coach/es.

We expect most disputes to be resolved at this level and not require escalation to the Informal Resolution Procedure and even less often to reach a Formal Dispute Panel Hearing



2. If the Issue has not been resolved at this level

Set the next steps in motion by writing to the Chair@twickenhamrc.co.uk and /or President president@twickenhamrc.co.uk This should be no more than a 1-page summary with a bullet-point summary of your complaint or concern and a summary of any evidence that supports your issue.

There is no need to include evidence itself at this point but give clear outline of what you will bring forward when necessary, later on.



3. The response

The Chair and/or President will review your complaint with the Grievance Steering Group and decide on the next steps – this is likely to be a move to an Informal Resolution Procedure, or occasionally to a Formal Dispute Panel

You can expect to have an update on the planned next steps within 14 days of the Chair/President acknowledging receipt of your summary complaint



4. Informal Resolution Procedure

You will be asked to participate in mediated discussions with the Respondent in your complaint (except in exceptional sensitive or serious circumstances). The goal is to reach a workable way forward without the need to move to a Formal Dispute Hearing.

The club expects most disputes to be resolved in this way

This is not a time-limited process but you should expect it to move forward as soon as is reasonably practical based on availability of those involved

The outcome will be officially summarised and communicated to yourself, the Respondent/s and the GSG by the mediators leading the process



5. Requesting a move to a Formal Dispute Panel

If, after receiving the official summary of the outcome, you feel your complaint / dispute has still not been resolved (and if the GSG agree there is merit in the complaint) you can reissue your complaint and request a move to a more Formal Dispute panel.

You must do this within 14 days of receiving the official summary of the Informal Resolution Procedure by re-sending your 1-pager complaint to the Chair and/or President of the club.

At this point you can make minor adjustments to the Complaint but if there are major changes or introduction of new complaints the GSG may choose re-institute the IRP again. If there is an unreasonable escalation to your complaint they may also consider it to be a Vexatious Complaint and handle it as such (e.g. by instigating the Disciplinary Procedure)



6. Formal Dispute Panel process – what to expect

If the GSG agree to move to a Formal Dispute Panel you should expect the following:

- That you will be notified by the Clerk of the proposed Chair and 2 Panel members
- You may raise an objection to any individual members of the Panel with your rationale and your objection will be considered and if considered reasonable then a replacement offered. The Respondent also has this right. Ultimately the composition of the Panel rests with the Chair.
- You can and should bring forward specific evidence in support of your complaint. This may include but not be limited to verbal, written or visual material. You may also seek statements from witnesses, with their permission, to support your complaint if helpful and relevant. The Respondent will also have the right to bring evidence forward.
- The Chair (via the Clerk) will notify you off the date and location where the Dispute Panel hearing will be held. The Chair should make reasonable efforts to ensure this is held on a date when everyone is available to attend in person.
- You should receive at least 21 days notice of that date, and also be notified of the scope of the panel and example outcomes.
- All evidence from all parties must be provided at least 14days before the date of the Formal Dispute Panel hearing.
- All parties –the Complainant, The Respondent and the Panel including the Clerk should all have access to all evidence.
- The Clerk will manage access and should make reasonable efforts to keep all materials confidential and with control over access (e.g. via a password protected google drive rather than sharing as email attachments)
- The Chair should also speak to you directly during the set up to give you the chance to ask questions directly and ensure they understand the essence of your complaint.
- You have the right to request to be accompanied by someone to support you at the Formal Dispute Panel. But ultimately the decision on whether to accept that rests with the Chair of the Panel
- **You should be notified of the outcome of the Formal Dispute Panel by the Chair of the Panel, no later than 14 days from the date of the hearing.**



7. What next

If there is a sanction this will be applied as directed by the Chair of the Panel. **All parties must accept outcome and move forward without repeating any complaints already dealt with.**

However, if you believe the outcome or the process have not been fair or reasonable, you have the right to request an Appeal within the bounds of the terms set out in Paragraph 5.1 of the TwRC Grievance and Disciplinary Procedure.

The GSG will give consideration to your request and decide on the next course of action. If an Appeal is held it follows the same process as above with a new Chair & Panel. The Clerk may remain the same

Appendix III: quick reference guide: what to expect if someone brings a complaint against you

This guide should help you if you find yourself as The Respondent in a club dispute

This might include situations where you are being accused by The Complainant of issues such as a breach of the Code of Conduct or a situation in which someone feels you have treated them badly physically or emotionally or in a way that they consider to be discrimination, bullying or harassment.

1. Seek to resolve your issue at squad level

The club expects all members to do their best to resolve any disputes amicably where possible. And to do this in the first instance within their specific squad with the help of their squad leader and coach/es.

We expect most disputes to be resolved at this level and not require escalation to the Informal Resolution Procedure and even less often to reach a Formal Panel hearing



2. If the Issue has not been resolved at this level

The Complainant may then put the next steps in motion by writing to the Chair@twickenhamrc.co.uk and /or Secretary secretary@twickenhamrc.co.uk

They will have set out a 1-page summary with a bullet-point summary of your complaint or concern and a summary of any evidence that supports their issue.



3. The response

The Chair and/or secretary will review The Complainant's issues with the Grievance Steering Group and decide on the next steps – this is likely to be a move to an Informal Resolution Procedure, or occasionally to a Formal Dispute Panel

You can expect to have an update on the planned next steps within 14 days of the Chair/President acknowledging receipt of the Complainant's 1-page summary. This 1-page summary should also be shared with you as the Respondent at this point



4. Informal Resolution Procedure

You will be asked to participate in mediated discussions with the Complainant (except in exceptional sensitive or serious circumstances). The goal is to reach a workable way forward without the need to move to a Formal Dispute Hearing.

The club expects most disputes to be resolved in this way

This is not a time-limited process but you should expect it to move forward as soon as is reasonably practical based on availability of those involved

The outcome will be officially summarised and communicated to yourself, the Complainant and the GSG by the mediators leading the process



5. When things may move to a Formal Dispute Panel

If, after receiving the official summary of the outcome, the Complainant feels the issue has not been resolved they may reissue their complaint and request a move to a more Formal Dispute panel. The GSG will decide if the complaint has sufficient merit and whether this request will be granted.

They must do this within 14 days of receiving the official summary of the Informal Resolution Procedure.

At this point there may be minor adjustments to the Complaint but they should not make major changes or introduce materially new complaints.



6. Formal Dispute Panel process – what to expect

If the GSG agree to move to a Formal Dispute Panel you should expect the following:

- That you will see their 1-page complaint
- That you will be notified by the Clerk of the proposed Chair and 2 Panel members
- You may raise an objection to any individual members of the Panel with your rationale and your objection will be considered and if considered reasonable then a replacement offered. The Complainant also has this right. Ultimately the composition of the Panel rests with the Chair.
- You can and should bring forward specific evidence in your defence against the complaint. This may include but not be limited to verbal, written or visual material. You may also seek statements from witnesses, with their permission, to support your complaint if helpful and relevant. The Complainant will also have the right to bring evidence forward.
- The Chair (via the Clerk) will notify you of the date and location where the Dispute Panel hearing will be held. The Chair should make reasonable efforts to ensure this is held on a date when everyone is available to attend in person.
- You should receive at least 21 days notice of that date, and also be notified of the scope of the panel and example outcomes.
- All evidence from all parties must be provided at least 14 days before the date of the Formal Dispute Panel hearing.
- All parties –the Complainant, The Respondent and the Panel including the Clerk should all have access to all evidence.
- The Clerk will manage access and should make reasonable efforts to keep all materials confidential and with control over access (e.g. via a password protected google drive rather than sharing as email attachments)
- The Chair should also speak to you directly during the set up to give you the chance to ask questions directly and ensure they understand the essence of your complaint.
- You have the right to request to be accompanied by someone to support you at the Formal Dispute Panel. But ultimately the decision on whether to accept that rests with the Chair of the Panel
- **You should be notified of the outcome of the Formal Dispute Panel by the Chair of the Panel, no later than 14 days from the date of the hearing.**



7. What next

If there is a sanction this will be applied as directed by the Chair of the Panel. **All parties must accept outcome and move forward without repeating any complaints already dealt with.**

If you believe the outcome or the process have not been fair or reasonable, you have the right to request an Appeal within the bounds of the terms set out in Paragraph 5.1 of the TwRC Grievance and Disciplinary Procedure.

The GSG will give consideration to your request and decide on the next course of action. If an Appeal is held it follows the same process as above with a new Chair & Panel. The Clerk may remain the same

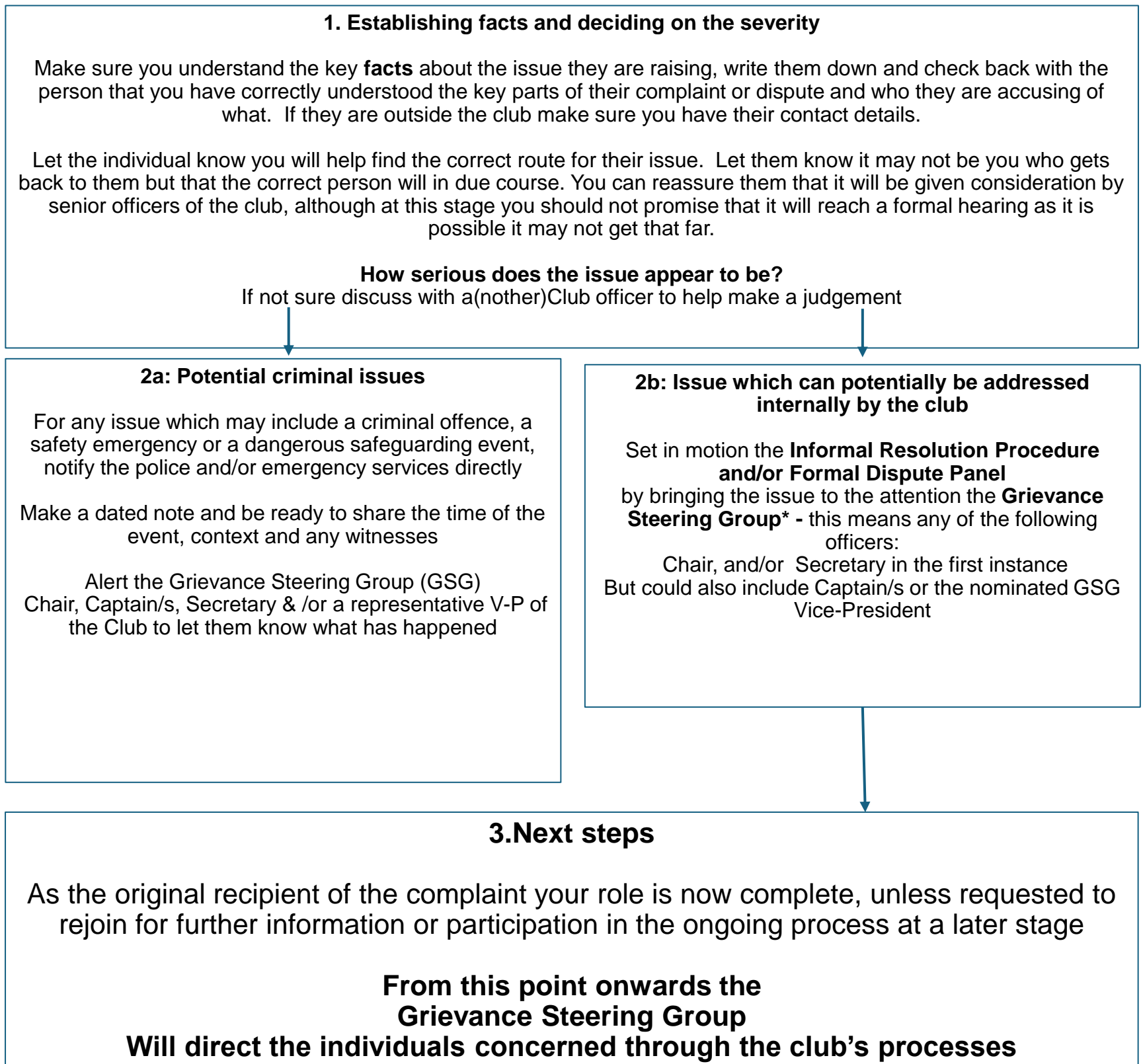
If you bring the Appeal against the outcome, you become the Complainant in that new process and should follow the steps accordingly

Appendix IV: For all Club members What to do if someone brings a potential complaint to your attention (but you are not the Complainant or Respondent)

This guide will help if a member of the club or an individual from outside the club brings a potential dispute or complaint to your attention and wants to know how to take it forward.

This might include issues such as a breach of the Code of Conduct, disputes between Club members, or a complaint by an individual against the Club itself (e.g. a parent, local resident) If more than one person has been approached by the 'Complainant', decide between you who will take it forward through the following steps

You do not need to take on the burden of solving this issue, but it **is** your responsibility to act on this information by bringing it to the attention of the relevant people as set out below.



Appendix V: quick reference guide: for members of a Panel (Formal Dispute, Appeal Panel, Disciplinary Panel) This guide should help as a guide to key timings and expectations

Roles and Responsibilities of the Panel members for Formal Dispute Hearing and Appeal Panels

Appointed in the first instance for a given complaint by the Grievance Steering Group)

The Chair of the Formal Dispute or Appeal Panel: leads the Panel, frames the issues under consideration, communicates with the Complainant, the Respondent and the Club (via the Grievance Steering Group) to inform on key dates, scope, outcomes and proposed sanctions. The Chair should find time to speak directly with each party at least once during the set up of a Panel to give participants the chance to ask questions, and to ensure the Chair has clarity on the essence of the arguments on each side

The Panellists: two individuals selected for their independence from the dispute itself and on the basis of any other qualifying characteristics. They can be drawn from the Club Committee or from the wider membership. But ideally should have sufficient history with the Club, in the rowing community, or bring some other relevant expertise. At least one should be an Officer of the Club.

The panellists main duties are to follow the instructions of the Chair, review all evidence, attend the Formal Dispute in person, ask questions to help the group arrive at the right outcome, be an equal part of the decision-making process and agree the outcomes and any sanctions with the Chair. They should not generally be required to lead the process itself or to communicate with the participants as this is the role of the Chair and the Clerk.

The Clerk of the Hearing : the Clerk is appointed to manage communication and administrative activities of the Panel. They act on the instructions of the Chair. As instructed by the Chair they will communicate with all participants on dates, handling of evidence, queries and questions. They should seek to maintain confidence around evidence from all parties (e.g. by creating password protected links to documents not sharing evidence by email etc)

The Panel should NOT include

- The club Welfare Officer who should remain as an independent resource for all parties involved
- Any member of the Grievance Steering Group who should remain independent of any decision-making to enable them to steer the overall process through each step, and objectively appoint Panellists, ratify outcomes etc. Where any member of the GSG is involved in the Dispute itself they should stand down from their role on the GSG in relation to said complaint

Critical timelines

- **Set up:** After appointment the Chair should reach out to all parties to set up the processes involved in a timely manner. This would typically be around 7-14 days from appointment and at this point parties should also be invited to confirm their agreement to the Panel Composition.
- **Signing off Panel Composition:** parties must agree **within 7 days** of being notified of the panel composition. If anyone wishes to object, they must do so within that 7-day period. After 7 days have elapsed, If no response is received it can be assumed that there are no objections, and the process can proceed with the current composition of the Panel. If a justifiable objection is made, the Chair with the assistance of the GSG should seek a replacement as soon as possible and repeat the notification period for the new panel composition.
- **Notification of hearing dates:** Hearings shall be conducted in person and should take place **within 21 days** of the Complainant and Respondent confirming their agreement to the composition of the panel (or 28 days of the Complainant and Respondent being notified of the panel if no response is received). Reasonable efforts should be made to accommodate everyone's availability but the hearing date should not be brought forward to do so.
- **Consideration of Evidence** Evidence from all parties must be in place **at least 14 days** before the hearing date. If this is difficult to achieve, the hearing date should be moved out to allow all parties reasonable time to gather the evidence they need and for the other side to consider it. As Chair and Panel you may also seek additional evidence you think would be useful to shed light on the situation. The Chair can also decide whether to hear any testimony in person at the hearing or not. If testimony is presented in person, that person should only appear to give their evidence and not to be present or participate in the full hearing process.

Unless there are very compelling and justifiable reasons not to do so, all parties should have access to all evidence for the full 14 days before the hearing. They should be advised however that such evidence remains confidential to the hearing and should not be copied or shared outside the Panel and its participants.

- **Agreement and Communication of Panel outcomes**

The findings of the panel and any recommended sanction should be put to the Grievance Steering Group **no later than 7 days** after the hearing, for final ratification before being communicated to both the Complainant and the Respondent.

The outcome, and sufficient reason to explain the decisions taken, must then be communicated by the Chair of the panel to both Complainant and Respondent only **once ratified by the GSG** and **within 14 days of the panel hearing**.

Appendix VI: Guide to Terminology

- **Informal Resolution Procedure (IRP)**

When an issue cannot be resolved at squad level or is brought against the club by an external party an Informal Resolution Procedure is implemented. **Although it is 'informal' it is still a 'process' with correct protocol to be followed.** This involves mediated dialogue, with independent individuals seeking to find a workable way forward between the Complainant and the Respondent.

- **Formal Dispute Panel**

Where both squad level efforts and the Informal Resolution procedure are not sufficient to resolve a situation, and where the Club deems there to be an issue to answer, a Formal Dispute Panel is set up to hear the complaint and decide on the outcome and any sanction. The Formal Dispute Panel comprises a Chair who is responsible for leading the process, two additional panellists and a Clerk. This Panel has the right to impose sanctions on the Respondent where deemed necessary and in line with the issue being heard.

- **Grievance Steering Group (GSG)**

A small and consistent group of Officers who act as the central co-ordinating group for the management of informal resolution, formal hearings and Disciplinary Procedures. Their role is to ensure that the correct processes are applied and the complaint is dealt with appropriately.

Comprising: the Club Chair, the (one of the) Captain and a nominated Vice-President.

Note that it should not include the Welfare Officer who should remain as an independent resource for all parties involved.

Ideally members of the GSG should not sit on any Panel Hearing in order to maintain their position of oversight and so they can always manage the process from an impartial perspective.

The role of the Grievance Steering Group is to review the merit of any complaints raised and decide how best to deal with them. This usually means directing people at first towards an informal Resolution Procedure. When this is not successful, the GSG will then decide whether the complainant's formal grievance or complaint has merit, will put the hearing panel together and act as a final review group for any sanction agreed by the hearing panel.

Where any of the GSG are themselves implicated in a Grievance or Disciplinary procedure they may be replaced for the duration of the issue at hand by suitable individual/s nominated by the Officers of the Committee.

- **The Complainant:**

A member of the club raising an issue **against another member** of the club, an individual / group of individuals raising an issue **against the club**

- **The Respondent:**

The individual who has a complaint made against them. Occasionally this may also refer to the Club itself (usually represented by The Chair and/ or The President).

- **Vexatious Complaint:**

Raising a complaint contentiously, without reasonable grounds or with little merit or substance, and with the purpose of causing annoyance or disruption; or ii. is pursuing a complaint to an unreasonable degree or after appropriate procedures have been followed and exhausted (see TWRC Vexatious Complaints Policy).

- **TRRC: Thames Regional Rowing Council:** our local British Rowing representative body <https://www.thames-rrc.co.uk/>