



Complaints and Disciplinary Process

In the event of a dispute or a complaint by a member within the club the following is the procedure to follow when reporting concerns. This process does not cover any Child Welfare concerns. All child welfare concerns are governed by the Code of Ethics and Good Practice for Children's sports as detailed in article 24 of the Memorandum and Articles of Association of the Athletic Association of Ireland.

The Athletic Association of Ireland is governed by the following principles:

Memorandum & Articles of Association.

- Article 24, Code of Ethics and Good Practice for Children's Sport.
- Article 25, Disciplinary matters.
- Article 26, Dispute resolution.
- Article 21, Anti-doping.

Athletic Association of Ireland Bye Laws 2012

All relevant support documents referenced are contained in the appendix.

- All child welfare concerns are governed by the Code of Ethics and Good Practice for Children's sports as detailed in article 24 of the Memorandum and Articles of Association of the Athletic Association of Ireland.
- All anti-doping concerns are governed by article 21 of the Memorandum and Articles of Association of the Athletic Association of Ireland.

The Memorandum and Articles of Association of the Athletic Association of Ireland (article 24) requires all members to accept and abide by the Code of Ethics and Good Practice for Children's sports.

Recommended processes outlined on page 13 of the Code of Ethics detail complaints/appeals procedures that shall be adopted by the club.

The principal steps outlined in the Code of Ethics are as follows:

- Complaint is received by the secretary or children's officer.
- Member against whom the complaint is made should be informed of the nature of the complaint being made against them within 1 working day of the complaint being received by the club.
- A disciplinary committee should be formed consisting of a club committee member, the children's officer and an ordinary member of the club. This committee should meet and review the complaint and discuss separately with the complainant and the accused member. This should be done within 10 working days.
- The disciplinary committee should notify the member of any sanction being imposed or not. The notification should be made in writing setting out the reasons.

- The member has a right to appeal any decisions to an appeals committee independent of a disciplinary committee. Any appeal should be made in writing within 10 working days of the decision of the disciplinary committee. The chairperson of the appeals committee should be a member of the club management committee along with two other ordinary members, neither of whom has participated on the disciplinary committee leading to the appeal.

The club appeals committee has the power to confirm set aside or change any sanction imposed by the disciplinary committee.

Dispute escalation procedure

- *Refer to the County Board*

If any party is not satisfied with the outcome at club level the matter shall be referred to the county board for consideration. “(The County Board) Shall decide any dispute that may arise between registered members, if called upon to do so” (Athletic Association of Ireland, Bye laws, April 2012, Objectives of a County Board, item 8).

- *Refer to the Provincial Council*

If at the County Board level, the party is not satisfied with the outcome the matter shall be referred to the Provincial Council for consideration. “(The Provincial Council) Shall decide any dispute that may arise between registered members, if called upon to do so” (Athletic Association of Ireland, Bye laws, April 2012, Objectives of a Provincial Council, item 6).

- *Refer to the National Governing Body*

If at the Provincial Council level, the party is not satisfied with the outcome the matter shall be referred to Athletics Ireland for consideration under Article 25(f) of the Memorandum and Articles of Association of the Athletic Association of Ireland. All decisions issued under the appeals procedure set out in Article 25(f) and Article 25(g) may be appealed exclusively by referral to Just Sport Ireland within 14 days after the decision has been communicated to the person or body in respect of whom or which the decision was made, for final and binding arbitration in accordance with the Just Sport Arbitration Rules. All costs associated with Just Sport Ireland will be the responsibility of the person or persons disputing the decision(s) issued under the appeals procedure by Athletics Ireland.

Appendix

Code of ethics and good practice for children's sport

24. The Association is fully committed to safeguarding the wellbeing of all of its Registered Members. Every individual in the Association should at all times show respect and understanding for Registered Members' rights, consider the safety and welfare of each athlete and conduct himself or herself in a manner that reflects the principles of the Association and the guidelines contained in the Code of Ethics and Good Practice for Children's Sport and the Child Protection Guidelines in Ireland.

Disciplinary Matters

25. (a) The Board shall have the power to discipline any Member, Club, County Board, Provincial Council or other Affiliated body when it is satisfied there has been any breach of these Articles, the Bye-laws, the Rules of Competition or any Other Rules of the Association or the equivalent constitutional provisions of its affiliated bodies, or where there has been conduct likely to bring the Association or the sport of Athletics into disrepute.

(b) The Board may, without limitation, suspend Membership of any person or body, impose fines on, remove recognition of titles won or records achieved by, caution or censure any such person or body.

(c) The Board may suspend the Membership of any person or body pending the outcome of any investigation process.

(d) The Board may delegate the exercise of its disciplinary functions to any committee, subcommittee or ad hoc committee of the Board, subject to final approval by the Board of any discipline decided on.

(e) In cases where doping is alleged or suspected or is or may be an issue, the Association shall follow the procedures and rules referred to in Articles 21 to 23.

Subject to those procedures and rules, the Board may establish an appeals and/or review procedure for such cases.

(f) In cases where doping is not alleged or suspected or is not or may not be an issue, an appeal shall lie from any decision in a disciplinary matter to an appeal panel consisting of an independent person or persons to be appointed by the Board.

(g) Unless the Board otherwise allows, no appeal against a disciplinary decision shall be allowed unless notice in writing of intention to appeal is received by the CEO within 14 days after the decision has been communicated to the person or body in respect of whom or which the decision was made.

(h) All decisions issued under the Appeals procedure set out in Article 25(f) and 25(g) above may be appealed exclusively by referral to Just Sport Ireland, within 14 days after the decision has been communicated to the person or body in respect of whom or which the decision was made, for final and binding arbitration in accordance with the Just Sport Arbitration Rules (as amended from time to time). The decision of the arbitrator(s) thereunder shall be final and binding on all concerned.

(i) All powers under this article must be exercised in accordance with the principles of fairness and natural justice.

Dispute Resolution

26. All disputes other than those provided for under Articles 21, 22 and 23 (Anti-Doping) and Article 25 (Disciplinary Matters) arising out of or in connection with the Memorandum & Articles of Association shall be referred to Just Sport Ireland for resolution by mediation in accordance with the Just Sport Mediation Rules (as amended from time to time). In cases where the dispute remains unresolved following the aforementioned mediation process, the dispute shall be referred to Just Sport Ireland for final and binding arbitration in accordance with the Just Sport Arbitration Rules (as amended from time to time). The decision of the arbitrator(s) thereunder shall be final and binding on all concerned.

Anti-Doping

21. The anti-doping rules of the Association are the Irish Anti-Doping Rules published by the Irish Sports Council and as amended from time to time by the Irish Sports Council and the equivalent rules published by Sports Northern Ireland as amended from time to time by Sports Northern Ireland, as applicable. The Association accepts the right of IAAF, the Irish Sports Council, Sports Northern Ireland, the Olympic Council of Ireland, or duly authorised representatives of such bodies, to dope test, in accordance with law, any Registered Member both in-competition and out of competition (i.e. unannounced testing).

22. It shall be a fundamental condition of Membership, in addition to any other provisions concerning membership and the various categories of membership as laid down in these Articles, that, subject to Article 23, Registered Members submit to and comply with any dope testing by the Association or any of the bodies referred to in Article 21.

23. In the case of a Juvenile who is asked to be subject to dope testing, the prior written consent of his parent or guardian must be given either via the initial membership process at Club level, or at selection for competition or through competition entry forms.

Athletic Association of Ireland Ltd. Bye Laws 2012 (excerpts from Bye Laws)

Objectives of a County Board

8. Shall decide any dispute that may arise between registered members, if called upon to do so.

Provincial Councils

6. Shall decide any dispute that may arise between registered members, if called upon to do so.



PORTLAOISE ATHLETIC CLUB

Executive Committee:

Actions to be completed

Chairperson Signature

Date: