

Hunslet RLFC Discipline and Appeals Process

This document has been produced to assist Hunslet RLFC (the club) in having a clear process to follow whilst dealing with misconduct complaints relating to the club practises and/or processes or directly relating to individuals associated with the club–

Step 1:

Complaints must be submitted in writing to the Vice Chair (copying in the Board secretary), if the matter relates to the Vice Chair, the complaint must be submitted to the Chairperson. The person dealing with the complaint will be known as the Complaint lead. If the individual raising the complaint is unable to submit the complaint in writing, they should advise the board secretary for a meeting to be arranged to discuss the complaint and for a written record to be made. The content of a complaint will include specific details and evidence in relation to the infringement of Club Rules or any other offence or misconduct carried out during or in association with club activities which might reasonably be considered as bringing or having the potential to bring the Club into disrepute. The Complaint lead will acknowledge the complaint and advise the complainant of the timescale required to provide a response.

Step 2:

Upon receipt of a complaint, the complaint lead shall, having taken, and subject to, such advice as he or she considers is prudent to take in the circumstances, write to the people concerned to inform them of the complaint and to invite them to comment in writing within fourteen days upon the relevant allegations. Note unless complainant has asked to remain anonymous or if legally required not to do so, all parties will be identified to each other. If the complaint is regarding general practises or processes of the club then a meeting will be held with the Complaint lead, Chairperson, CEO and board secretary to review the complaint.

Step 3:

On completion of step 2, the Complaint lead will determine if the complaint has sufficient grounds and is capable of being pursued based on the evidence/statements provided. If there is not sufficient grounds to pursue the complaint the Complaint lead will advise the complainant and offer them a chance to submit further evidence within 14 days of the response. If no further evidence is provided the complaint will be considered closed.

If the complaint is substantiated via the evidence submitted the Complaint lead will appoint two club officials to sit on the Disciplinary Panel, none of whom have had any direct interest or involvement in the matter. In addition, the Board Secretary shall assist in the administration of the process.

Step 4:

The Club Disciplinary Panel/Hearing will consider the matter on receipt of the initial complaint and formal responses from those involved.

The Club Disciplinary Panel will have the power to suspend temporarily from their role any person accused of an offence or misconduct, pending further investigations or enquiries. This suspension shall be to facilitate the investigation and be without prejudice to the outcome of the investigation.

The Disciplinary Panel/Hearing will make such further enquiries as it thinks fit and will offer a reasonable opportunity to any person concerned, who may be accompanied by a supporter, if so desired, to meet with it and answer the allegations and the Disciplinary Panel/Hearing will hear such witnesses as are reasonably produced. The Disciplinary Panel/Hearing will make such procedural provisions as necessary for the just and efficient disposal of the case.

If the Disciplinary Panel/Hearing is satisfied that an offence of misconduct has been committed by a person, then it may impose one or more of the following actions:

- i. Note the offence or misconduct but take no further action;
- ii. Formally warn the person concerned as to future conduct;
- iii. Suspend or disqualify the person from club and/or use of the Club's premises for some definite or indefinite period;
- iv. Recommend to the relevant governing body that the person be disqualified from any involvement in rugby for some definite or indefinite period and/or;
- v. Terminate the membership or such other penalty as the Disciplinary Panel considers appropriate.

If the Disciplinary Panel/Hearing agree that a process or practise needs amending because of the complaint this will be agreed and documented as an outcome.

All parties concerned will be provided with the Disciplinary Panel's/Hearing formal written outcome notification by hand or by recorded delivery within seven days of the decision.

Step 5 – Appeal Process:

The letter notifying the decision of the Disciplinary Panel shall also set out the right to Appeal.

Either party may appeal against the decision of the Disciplinary Panel/Hearing, by serving a Notice of Appeal on the Complaint lead within fourteen calendar days of receiving the written decision. The Notice of Appeal must state the grounds on which the verdict of the Disciplinary Panel is challenged.

The Complaint lead shall acknowledge a Notice of Appeal within seven calendar days of its receipt and will cast a decision in regards to 'the grounds on which the verdict is challenged', if there are sufficient grounds/evidence provided to support the challenge, the Appeal Panel process will commence (Step 5.1.), if there are insufficient grounds, the appeal will be dismissed.

Step 5.1

The Complaint lead shall appoint an Appeal Panel of two club members who have not been involved directly, either in the events giving rise to the hearing, or in the initial Disciplinary hearing itself. The Board Secretary shall support the administration of the process.

The Complain lead shall inform all parties concerned of the composition of the Appeal Panel. Either party may object to the composition of the Appeal Panel by notifying the Complaint lead of the Objection and setting out the reasons for such an Objection no later than seven calendar days from the date of being informed of the composition of the Panel.

The Complaint lead within 14 calendar days from the date of receipt of an Objection, will notify in writing the parties that either:

- The composition of the Panel has changed, in which case the Complaint lead shall provide details of the new Appeal Panel; or
- The composition of the Panel has not changed, in which case Complaint lead shall give reasons why it has not accepted the Objection.

Within 14 calendar days from the date the ~~Vice Chair~~ Complaint lead responds to the Objection above (as appropriate), the Complaint lead shall give such directions to all parties that include;

- The date and place at which the Appeal Panel will meet to determine the Appeal;

- Whether the appeal will proceed by way of written submissions or an oral hearing; and
- Whether the parties should be required to submit statements of their evidence and/or written submissions prior to the hearing and, if so, a timetable for doing so and the procedure for exchanging such statements and written submissions.

Powers of the Appeal Panel

The Appeal Panel shall meet on the date fixed by the Complaint lead. The Appeal Panel may at its sole discretion disregard any failure by a party to adhere to this appeal procedure and may give such further directions as may be appropriate.

Any such hearings shall be in private unless all parties agree otherwise, or unless the Appeal Panel directs. The Appeal Panel shall have power to make a decision on the facts as it thinks fit and may:

- Quash the original decision;
- Confirm the original findings;
- Rehear the case (re-trial);
- Increase the original sanction; or
- Abate the original sanction;

The Appeal Panel shall inform all parties of its decision within 14 calendar days together with written reasons for its decision. The decision of the Appeal Panel shall be final, The Appeal Panel shall decide on any issue by majority.

Either party may bring legal representation, who must be named, and may accompany the Complainant/Accused throughout the appeal process. Legal costs shall be borne by each party themselves and not by the club

Records of Hearings and Appeals

The decisions of Disciplinary Panel's/Hearings, including Appeal Panel's/Hearings, shall be recorded and retained in confidential records for a period of six years by the Club. Supporting documentation shall also be retained in the same fashion.

Where appropriate the RFL will be informed of any decisions made.

Co-operation of All Parties

The procedures described in these Discipline Procedures assume that all parties will co-operate in the interest of resolving the issue in question. In the absence of such co-operation, or if it is withdrawn at any stage, the Club reserves the right to proceed with a Hearing or an Appeal based on such evidence and information as it can obtain.

When dealing with a complaint, the Complaint lead shall be entitled to take, or omit to take, such action as is recommended pursuant to legal advice received from a legal practitioner whom the Vice Chair reasonably believes is competent to provide such advice.

The Rugby Football League (RFL)

If a complaint is unhappy with the outcome of the complaint, details on how to escalate the complaint are available: [Customer Charter \(rugby-league.com\)](#) or [Complaints and whistleblowing | UK Sport](#)