



Complaints and Disciplinary Policy

Seacourt Tennis Club Limited

1. Purpose

Seacourt Tennis Club is committed to providing a safe, inclusive and enjoyable environment for all members, and participants. This policy outlines the procedures for addressing complaints and disciplinary matters within the Club to ensure that all concerns are handled fairly and in accordance with ACAS guidelines, relevant sports governing bodies such as the Lawn Tennis Association (LTA) and Tennis and Rackets Association (T&RA), government legislation, and safeguarding laws.

2. Scope and Legal Compliance

This policy applies to all members, guests, volunteers, and employees of the Seacourt Tennis Club. For the avoidance of doubt this includes Shareholders and Board members.

It is aligned with ACAS guidelines, which emphasise the importance of fairness, transparency, and consistency in handling complaints and disciplinary matters, promoting a positive and inclusive environment within the Club.

Additionally, it complies with relevant regulations and legislation, including but not limited to the Equality Act 2010; the Data Protection Act 2018 (GDPR); the Health and Safety at Work Act 1974; Safeguarding laws, including the Children Act 1989; Safeguarding Vulnerable Groups Act 2006.

3. Complaints

3.1. Contact Information

Members, guests, volunteers, and employees are encouraged to contact the Club Manager or Board for further information or assistance regarding complaints and disciplinary matters using the email address clubmanager@seacourt.com or, if the complaint relates to the Club Manager, the Chair of the Board of Directors using the email address directors@seacourt.com

3.2. Confidentiality

All complaints, disciplinary matters and appeals will be handled with the utmost confidentiality to protect the privacy of those involved. Information will only be shared with individuals directly involved in the investigation and resolution process.

3.3. Time frames

Any complaint will be acknowledged by return of email with a copy of this Complaints and Disciplinary Policy attached.

A response will be sent to the complainant and others involved in the complaint within 20 working days (4 weeks) following the investigation.

4. Complaints Procedure

4.1. Informal Resolution

Members, guests, volunteers, and employees who have a complaint are encouraged to resolve the issue informally in the first instance. They should approach the individual(s) involved in a calm and respectful manner to discuss their concerns.

4.2. Formal Complaint

If the complaint cannot be resolved informally, the complainant may submit a formal complaint in writing to the Club Manager unless it relates to the Club Manager, in which case it should be directed to the Chair of the Board of Directors. The complaint should include details of the incident including dates, time and place, names of involved parties, a description of what happened and any supporting evidence.

5. Disciplinary Procedure

5.1. Disciplinary Panel

The Chair of the Board of Directors assisted by another Board member or the Club Manager, if appropriate, will form a disciplinary panel the composition of which will be carefully considered to ensure it will be fair, impartial, and capable of conducting a thorough investigation into the complaint.

Transparency and adherence to established procedures are essential to maintaining the integrity of the disciplinary process and upholding the values of the Club. The following recommendations describe who could be on the disciplinary panel, including scenarios where the Board are wholly or partly the subject of the complaint:

a. Members of the Board

Typically, members of the Board of Directors and Co-opted Board Members, who are not directly involved in the complaint or the incident under investigation, should serve on the disciplinary panel. This ensures that the panel has a diverse representation of the Club's leadership.

b. Members' Representatives:

In cases where the complaint involves allegations against members of the Board, Members' Representatives could serve on the disciplinary panel. This helps to ensure transparency and accountability in the decision-making process.

c. Rotating Panel Members:

To maintain the integrity of the process and avoid conflicts of interest and promote fairness, there should be a system of rotating panel members for disciplinary hearings which ensures that no one individual or group of individuals consistently presides over disciplinary matters.

d. Absence of Accused Individuals:

Any accused individual and close family member must recuse themselves from the disciplinary panel to avoid conflicts of interest. In such cases, the remaining panel members should ensure that the process is conducted impartially and transparently.

e. Independent Arbitrator or Mediator:

In cases where impartiality is critical, an independent arbitrator or mediator could be appointed to lead the disciplinary panel. This individual should have expertise in conflict resolution and should not have any vested interest in the outcome of the disciplinary proceedings. In this instance, a Conflict Resolution Committee could be formed instead of the Disciplinary Panel and carry out the investigation. It would then advise the Chair of the Board or the other appropriate member of its findings.

f. External Advisors:

Depending on the nature of the complaint and in cases where the complaint involves serious allegations or potential legal implications, it may be appropriate and beneficial to include external advisors with relevant expertise, such as legal advisors, HR professionals, or representatives from relevant sports governing bodies when their input can provide valuable insights and ensure that the disciplinary process is conducted in accordance with legal requirements and best practices.

5.2. Types of Misconduct

Minor Misconduct: Breaches of Club Rules and Bye Laws and minor instances in conflict with the Codes of Conduct, including behaviour that may warrant a verbal warning or written warning.

Serious Misconduct: Acts of misconduct which are more serious in nature, such as repeated breaches of the Club Rules and Bye Laws and Codes of Conduct, harassment, bullying, discrimination, or behaviour that significantly disrupts the Clubs' activities or creates a hostile environment for others. This may result in suspension from Club activities or Club Membership.

Gross Misconduct: Severe breaches of the Club Rules, Bye Laws and Codes of Conduct including acts of dishonesty, theft, violence, or behaviour which significantly impact the reputation or safety of the Club. Gross misconduct may result in immediate expulsion from the Club.

5.3. Definitions

Harassment can be defined as conduct, which is unwanted and offensive and affects the dignity of an individual or group of individuals.

Sexual harassment is defined as “unwanted conduct of a sexual nature, or other conduct based on sex, affecting the dignity of women and men at work”. This can include unwelcome physical, verbal or non-verbal conduct.

People can be subject to harassment on a wide variety of grounds including:

- race, ethnic origin, nationality or skin colour
- sex or sexual orientation
- religious or political convictions
- willingness to challenge harassment, leading to victimisation
- disabilities, sensory impairments or learning difficulties
- status as ex-offenders
- age
- real or suspected infection with a blood borne virus (e.g. AIDS/HIV)
- membership of a trade union or activities associated with membership

Harassment forms may include:

- physical contact ranging from touching to serious assault
- verbal and written harassment through jokes, offensive language, gossip and slander, sectarian songs, letters and so on
- visual display of posters, graffiti, obscene gestures, flags and emblems
- isolation or non-cooperation at work, exclusion from social activities
- coercion ranging from pressure for sexual favours to pressure to participate in political/religious groups
- intrusion by pestering, spying, following someone
- bullying

5.4. Investigation

The Disciplinary Panel will conduct a fair and impartial investigation into allegations of misconduct. This involves gathering witness statements, reviewing relevant documentation, and providing the accused individual(s) with an opportunity to respond to the allegations. Depending on the nature of misconduct and the subsequent investigation, there may be a need to suspend the perpetrator during investigation.

5.5. Resolution

Following the investigation, the Board will reach a decision and communicate it to the complainant and any involved parties. If the complaint is upheld, appropriate action will be taken as outlined in the Disciplinary Action.

5.6. Disciplinary Action

Depending on the severity of the misconduct, disciplinary actions may include:

- No further action
- Verbal warning or written warning
- Suspension from Club activities or membership.
- Expulsion from the Club
- Termination of employment (for paid staff)

6. Appeal

6.1. Right to Appeal

Both the complainant and the respondent have the right to appeal the decision made regarding a complaint. Appeals must be submitted in writing to the Board of Directors or Club Manager within 10 working days (2 weeks) of the original decision. The appeal will be reviewed by an independent panel, and both parties will be informed of the outcome within 20 working days (4 weeks) of the appeal submission.

For specific legal advice or to ensure compliance with the latest regulations, it may be decided to consult with a legal professional or an HR consultant.

6.2. Grounds for Appeal

Appeals must be based on one or more of the following grounds:

- New evidence that was not available during the initial investigation.
- Procedural irregularities in the disciplinary process.
- Disproportionate or unfair disciplinary action.

6.3. Appeal Panel

An independent appeal panel will be convened to review the appeal. The appeal panel may consist of:

- Members of the Board who were not involved in the initial disciplinary decision.
- External advisors or individuals with relevant expertise, if necessary.

6.4. Appeal Hearing

The appeal panel will conduct a formal appeal hearing to review the grounds for appeal and consider any new evidence presented. The individual(s) appealing the decision will have the opportunity to present their case and the original decision-making body may also provide input.

6.5. Decision

Following the appeal hearing, the appeal panel will reach a decision based on the merits of the case and the evidence presented. The decision of the appeal panel is final and binding.

6.6. Notification

The individual(s) appealing the decision and any other relevant parties will be notified of the outcome of the appeal in writing. Reasons for the decision will be provided, along with any further actions to be taken.

6.7. Timeliness

Every effort will be made to conduct the appeal process in a timely manner, taking into account the complexity of the case and the availability of all parties involved.

7. Review

This policy will be reviewed periodically to ensure its effectiveness and compliance with ACAS guidelines and relevant regulations and legislation, including safeguarding laws. Any updates or revisions will be communicated to all members and employees.