

# Wetherby Runners AC Grievance Procedures

Version 1 – February 2009

## 1 Introduction

- 1.1 These procedures will be used by Wetherby Runners AC to resolve grievances raised with them. Only in exceptional circumstances will England Athletics become involved as a final level of appeal.
- 1.2 A grievance is an issue, complaint, dispute, concern or problem, which does not involve alleged misconduct. Allegations of misconduct should be resolved by reference to Wetherby Runners AC' Disciplinary Procedures.
- 1.3 For the purposes of these procedures a person raising a grievance will be referred to as the Aggrieved, while the individual against whom the grievance is being taken will be referred to as the Respondent.
- 1.4 The terms 'Aggrieved' and 'Respondent' in the context of this document are in no way intended to imply fault by either party.
- 1.5 At all stages of the grievance process the Aggrieved and the Respondent may be supported and accompanied by a supporter.
- 1.6 These Grievance Procedures enable individuals or groups to raise issues that affect their well-being and ability to perform within athletics effectively. It is impossible to provide a comprehensive list of all the issues that might give rise to a grievance, but some of the more common include:
- selection decisions
  - health and safety
  - relationships with coaches or athletes
  - new policies
  - practices and procedures
  - equal opportunities.
- 1.7 The Respondent may be an individual, a group of individuals.
- 1.8 Wetherby Runners AC recognises the importance of dealing with grievances, disputes and complaints seriously, fairly and quickly.
- 1.9 Any person that raises a grievance will: -
- Be given a fair hearing concerning any grievances they may have;
  - Have the right to be accompanied by a supporter when raising a grievance;
  - Have the option to air their grievance at agreed levels.
- 1.10 Parties to grievances are encouraged to use informal methods to resolve the matter where appropriate. It is hoped that grievances can be resolved amicably thereby maintaining, and where necessary, restoring good relations within the sport of Athletics. All parties should co-operate constructively in resolving matters.

Alternatively a person with a grievance must state his or her grievance formally (unless it is resolved informally) for this procedure to be applied.

- 1.11 Aggrieved with a Disability: Where the Aggrieved has a disability Wetherby Runners AC will make reasonable adjustments. For example, if an Aggrieved is unable to submit a written grievance, because of a disability, Wetherby Runners AC will assist them. Similarly, support will be needed where English is not the Aggrieved's first language or if they have difficulty expressing themselves on paper. In such cases, the Aggrieved should be encouraged to seek help from a supporter.

## **2 Raising Grievance Issues Informally**

- 2.1 Wetherby Runners AC is committed to the resolution of individual grievances fairly and promptly whenever possible. An Aggrieved is encouraged to discuss the problem informally with the Wetherby Runners AC Club Captain to seek a resolution. If the Aggrieved does not feel able to discuss the problem with the Wetherby Runners AC Club Captain, or if the Club Captain is a cause of the grievance, then he or she may raise the matter informally with the Wetherby Runners AC Chair.
- 2.2 The Wetherby Runners AC Chair is required to give any grievance that has been raised informally proper and full consideration. They will be encouraged and supported to facilitate mutually acceptable solutions to genuine concerns raised by people involved in athletics.

## **3 Raising Grievance Issues Formally**

### **3.1 Stage One – Wetherby Runners AC Chair Review**

- 3.1.1 If the Aggrieved has not been able to resolve a grievance informally with the Wetherby Runners AC Club Captain then he or she should request a review of the grievance by the Wetherby Runners AC Chair.
- 3.1.2 The request should be made in writing to the Wetherby Runners AC Chair.
- 3.1.3 The request should state the detail of the grievance, the action taken by the Aggrieved to resolve the matter so far and the outcome or remedy sought. Copies of relevant papers in support of the grievance should be included with the letter.
- 3.1.4 If the Wetherby Runners AC Chair is a cause of the grievance, the Wetherby Runners AC Chair in consultation with the England Athletics Regional Council Chair, will identify an appropriate member of the England Athletics Regional Council to consider the grievance.
- 3.1.5 The Wetherby Runners AC Chair or member of the England Athletics Regional Council considering the grievance will notify the Respondent that a grievance has been submitted by the Aggrieved and will provide the Respondent with a copy of the grievance. The Respondent will be given the opportunity to provide a statement and any relevant papers in response to the grievance, normally to be returned to the Wetherby Runners AC Chair or Council Member within one week.

The Wetherby Runners AC Chair or Council Member will then forward all documentation to the Aggrieved.

- 3.1.6 In certain circumstances, it may also be necessary for the Wetherby Runners AC Chair or Council Member to carry out further investigation into the Aggrieved's grievance by meeting with the Respondent and any relevant witnesses to any of the matters complained of. If this is necessary, the Wetherby Runners AC Chair or Council Member will again forward any witness statements and/or relevant papers to the Aggrieved.
- 3.1.7 The Wetherby Runners AC Chair or Council Member considering the grievance will then arrange to meet with the Aggrieved, usually within two weeks' of receipt of the grievance. The Aggrieved must take all reasonable steps to attend the meeting.
- 3.1.8 The purpose of the meeting will be for the Aggrieved to state their grievance, for those present to understand the full nature of the grievance, discuss the grievance and explore potential solutions. To facilitate a solution the Wetherby Runners AC Chair or Council Member considering the grievance may, with the prior approval of the Aggrieved, use the meeting to bring together the Aggrieved and the Respondent.
- 3.1.9 It may be necessary to undertake further investigation of the grievance, in which case the meeting may be adjourned in order to enable this to take place, and reconvened within a reasonable period of time. The timetable for any further investigation necessary will be discussed and agreed with the Aggrieved. Every attempt will be made to address the issue promptly.
- 3.1.10 Following the meeting, the Aggrieved will be informed in writing of the decision under Stage One of the Grievance Procedure. This will normally be issued to the Aggrieved within one week of the close of the grievance meeting. The letter will generally summarise:
  - the nature of the grievance;
  - the investigation that was conducted;
  - the decision;
  - the reason for the decision;
  - any outcome for a change in practices as a result of the decision
  - a copy of meeting records and any formal minutes taken.
- 3.1.11 A copy of the paperwork will also be provided to the Respondent.
- 3.1.12 Any dissenting comments in connection with the decision will be recorded.
- 3.1.13 In certain circumstances it will also be appropriate for the Wetherby Runners AC Chair or Council Member to meet with the Aggrieved and the Respondent to explore any specific issues and/or to advise them orally of the decision.
- 3.1.14 There may be situations where, with mutual agreement, it would be helpful to seek external advice and assistance during the grievance procedure or after it

has concluded. For example, where relationships are strained a facilitator might be able to assist in resolving the problem. A facilitator may be used to assist in the rebuilding of relationships or to provide expert advice on a particular area of activity. The facilitator may be an external person or an agreed person active in athletics in the region not directly connected with the grievance. The Wetherby Runners AC Chair or Council Member considering the grievance may recommend the use of a facilitator with the agreement of the Aggrieved.

### 3.2 Stage Two – Appeal.

- 3.2.1 An Aggrieved who is not satisfied with the outcome of the grievance meeting held under Stage One above may appeal.
- 3.2.2 The Aggrieved should write to the Wetherby Runners AC Chair within ten working days of receipt of the letter issued following Stage One of the Grievance Procedure.
- 3.2.3 The letter should state that the grievance has not been resolved to the Aggrieved's satisfaction under Stage One of the procedure and the reasons why the Aggrieved is not satisfied with the outcome. The remedy or outcome sought should be specified in the letter from the Aggrieved.
- 3.2.4 The Wetherby Runners AC Chair, in consultation with the England Athletics Regional Council Chair, shall appoint an Appeal Panel of three members. These members shall be from people active in athletics within the Region, save that the Wetherby Runners AC Chair or Council Member (involved in the Stage 1 Appeal) shall not be eligible for this Panel.
- 3.2.5 The Panel must include in its number at least one member of the England Athletics Regional Council who will act as Chair of The Panel.
- 3.2.6 In the interests of fairness and impartiality none of the members of The Panel shall have been directly involved in the matter being considered.
- 3.2.7 The Appeal Panel should receive in advance copies of any documents that either party wishes to refer to during the Appeal Hearing. The Appeal Panel must also be informed of any witnesses whom either party wishes to put before the Panel. The Panel will decide whether it wishes to hear evidence from witnesses in person or whether it wishes to rely on written statements.
- 3.2.8 The Wetherby Runners AC Chair will arrange for a Hearing to be convened for The Panel to consider the appeal.
- 3.2.9 The purpose of the Hearing will be to understand the on-going nature of the grievance, to review the basis for the earlier decision and to explore potential solutions. Again, the Aggrieved will be afforded every opportunity to state their grievance at the meeting. It may also be necessary for further investigation to take place in which case the Hearing may be adjourned to enable this to be undertaken, and reconvened within a reasonable period of time. Again, the

timetable for investigation will be discussed and agreed with the Aggrieved. Every attempt will be made to address the issue promptly.

3.2.10 The letter with the decision under Stage Two of the Grievance Procedure will normally be issued within one week of the conclusion of the Hearing. The letter will generally summarise:

- the nature of the grievance;
- the investigation that was conducted;
- the decision;
- the reason for the decision;
- any outcome for a change in practices as a result of the decision.
- a copy of Hearing records and any formal minutes taken

3.2.11 A copy will be sent to all parties who attended the Hearing and opportunity made for the recording of any dissenting comments. This will conclude the process for the resolution of grievances.

#### **4 Keeping Records**

4.1 Wetherby Runners AC will keep clear and confidential records for up to six years of:

- Nature of grievance
- Copy of written statement of grievance
- Copy of Wetherby Runners AC' response
- Action taken
- Reasons for action
- Any business relating to an appeal
- Further developments.