

PADDLE AVON DISCIPLINARY AND APPEAL POLICY

Revision History

Revision	Date	Reason
1.0	Approved by Canoe Avon Committee on 26 th January 2025	First Issue, based on Paddle UK's template for clubs
1.1	January 2026	Club name Paddle Avon

Policy Owner: Andrew Hains, Club Welfare Officer

1. Introduction

- i. The **Club** has a responsibility to ensure that all members and volunteers follow and adhere to the rules and values of the **Club**, as well as adhering to all relevant and applicable Paddle UK policies and procedures, to ensure the **Club** offers a safe, welcoming and inclusive environment for all.
- ii. This **Policy** outlines the process that will be followed whenever there is a complaint of indiscipline or misconduct about a **Club** member or volunteer and what will happen as a consequence. It also applies to others who participate in or assist with a **Club** activity.
- iii. This **Policy** sets out the basis on which the **Club** will consider complaints that are raised within the **Club**, relating to any on or off-water **Club** activity, including paddling, coaching or competing.
- iv. This **Policy** should not be considered to be exhaustive. A failure to follow strictly every step outlined below shall not automatically render any disciplinary decision unfair. This **Policy** will instead act as a framework to enable disputes to be resolved in a fair and proportionate manner. Whilst the **Club** will do its best to ensure this **Policy** is followed, it should be noted that the **Club** is run by people who provide their time voluntarily without payment, and who have other commitments outside of the **Club**.
- v. All allegations involving safeguarding shall be managed in line with Paddle UK's safeguarding policies and procedures, including where appropriate referral to Paddle UK for triage, guidance, and where it is deemed necessary, investigation.
- vi. If an incident of misconduct may amount to a criminal offence, the **Club** may refer the matter to the police before pursuing its own disciplinary process.
- vii. This **Policy** is subject to review and amendment (upon appropriate notice) from time to time.

2. Key Terms

Certain terms are used frequently within this **Policy** and whenever they appear in **bold**, they shall have the following meanings:

Appeal Panel: the person or group of persons convened to review an appeal in accordance with this **Policy**.

Club: Paddle Avon.

Complaint: a complaint of **Misconduct** that is raised in accordance with this **Policy**.

Complainant: the person(s) who raises (raise) the **Complaint**.

Disciplinary Panel: the person or group of persons convened to consider the **Complaint** in accordance with this **Policy**.

Individual: any member, volunteer, or other person who participates in, or assists with, **Club** activity and about whom a **Complaint** has been raised.

Misconduct: any behaviour or incident which is contrary to the **Club** rules, codes of conduct or any other offence or behaviour carried out during or in association with **Club** activities that might reasonably be considered as bringing or having the potential to cause harm to others or bring the **Club** into disrepute. Examples of the type of behaviour that may amount to **Misconduct** are included in this **Policy**.

Policy: this disciplinary and appeals policy, including the actions described within it.

Writing: references to “in writing” or “write” shall include records and correspondence written on paper or stored / transmitted electronically.

3. The Disciplinary Process

Whenever there is an issue of **Misconduct** the following steps shall be followed:

Step 1 – Raising a Complaint:

- i. If any person wishes to raise a **Complaint**, it should be reported in **writing** to the Club Welfare Officer. Where the matter relates to the Club Welfare Officer, the **Complaint** should be submitted to the Club Secretary or Club Chair (who shall then fulfil the role of Club Welfare Officer throughout the rest of this process). When reporting a **Complaint**, specific details and evidence about the **Misconduct** must be included. Examples of **Misconduct** might include:
 - A. any behaviour, conduct, statement or practice that is discriminatory, abusive, threatening, intimidating, harassing or deliberately provocative or intended to offend, insult, humiliate, ridicule or cause harm or fear; or
 - B. an act of dishonesty, including cheating or misrepresentation of qualifications and status; or
 - C. neglect, omission or failure to fulfil responsibilities during a **Club** activity; or
 - D. a failure to comply with any **Club** rule or policy (whether in person or online).
- ii. If a committee member becomes aware of **Misconduct**, they may raise a **Complaint** themselves.

Step 2 - Communicating the Complaint:

- iii. On receipt of the **Complaint**, the Club Welfare Officer shall write to the **Individual** or **Individuals** about whom the **Complaint** is made to inform them of the **Complaint** and to invite them to comment on the allegations in **writing** within seven days. The Club Welfare Officer may also choose to meet with the **Individual(s)** to obtain their comments.

Step 3 – Reviewing the Complaint:

- iv. The Club Welfare Officer shall take such advice or conduct any investigation they consider to be prudent in the circumstances, to enable them to review the **Complaint**.

- v. Once the Club Welfare Officer has received any applicable comments from the **Individual(s)** about whom the **Complaint** is made, and completed any investigation, they will determine if the **Complaint** has sufficient grounds and is capable of being pursued based on the evidence and statements provided.
- vi. A frivolous or vexatious **Complaint** may be dismissed at this stage. If the **Complaint** is of a nature that can reasonably be dealt with by informal methods, including an informal warning, the Club Welfare Officer may do so and inform the **Complainant(s)** and the **Individual(s)** accordingly.
- vii. If it appears there is a case to answer, the Club Welfare Officer will ask at least three members of the **Club** committee with appropriate skills or experience to form a Disciplinary Panel. No committee member should be asked to join a **Disciplinary Panel** if they have a direct interest or involvement in the matter giving rise to the **Complaint** or are directly related to any of the persons involved with the **Complaint**. Knowing the person(s) involved in the **Complaint** or having some knowledge of the circumstances of the **Complaint** shall not preclude a committee member from sitting on a **Disciplinary Panel**. Where there are insufficient non-conflicted members of the committee to form the **Disciplinary Panel**, Paddle Avon reserves the right to appoint an independent person or panel to hear the matter.
- viii. The Club Welfare Officer shall have the power to suspend any **Individual** accused of **Misconduct** from **Club** activity on a temporary basis. This temporary suspension shall expire when the disciplinary process has been completed. The purpose of this suspension shall be to facilitate the investigation, protect the **Individual** and the **Complainant**, and should not be considered punitive in nature and shall not prejudice or influence the outcome of the investigation. Any temporary suspension shall be kept under review to ensure it remains reasonable and proportionate.

Step 4 – Hearing the Complaint (the Disciplinary Hearing):

- ix. The **Disciplinary Panel** shall consider the **Complaint** based on any evidence gathered by the Club Welfare Officer and the formal statements submitted by the **Complainant** and the **Individual(s)**. It may speak with anyone else involved who may have witnessed the **Misconduct** and make such further enquiries as it thinks fit.
- x. The **Disciplinary Panel** shall reach a conclusion based on the statements submitted and any other evidence that has been gathered (as outlined above). Alternatively, the **Disciplinary Panel** may decide to call a meeting to discuss the **Complaint**, in which case it shall give both the **Complainant** and the **Individual(s)** sufficient advance notice of the meeting date. Whenever possible, the meeting shall be held within fourteen days of the Club Welfare Officer receiving any comments from the **Individual(s)** at Step 3v.
- xi. The **Disciplinary Panel** shall ensure the case is handled justly and without undue delay. All hearings must be conducted fairly, by an objective panel, with the **Individual(s)** given a full opportunity to answer the allegations and produce any evidence or witnesses in support of their case. The **Individual(s)** shall be entitled to be assisted or represented by a person of their choice.

Step 5 – Reaching an Outcome and Sanctions:

- xii. The **Disciplinary Panel** may uphold the **Complaint**, dismiss it, or partially uphold the **Complaint**, and will provide written reasons for its decision. If the

Disciplinary Panel is satisfied that an offence of **Misconduct** has been committed, then it may impose one or more of the following actions:

- a. note the **Misconduct** but take no further formal action. The panel may ask the **Individual(s)** to issue an apology if appropriate;
 - b. formally warn the **Individual(s)** concerned as to future conduct;
 - c. suspend or disqualify the **Individual(s)** from **Club** activity, coaching, leading and/or administration and/or use of the **Club's** premises and equipment for a defined period up to a maximum of 12 months;
 - d. cancel the **Individual's** membership of the **Club** (with no requirement to refund the membership fee) and refuse future membership; or
 - e. a combination of the above or such other penalty as the **Disciplinary Panel** considers appropriate.
- xiii. All parties concerned will be provided with the **Disciplinary Panel's** written reasons outlining the decision(s) made. This letter shall also set out the right to appeal.

4. The Appeal Process

Should the **Individual(s)** or the **Complainant** wish to challenge the decision of the **Disciplinary Panel** and/or the sanction imposed, the following steps shall be followed:

Step 1 – Challenging the Decision of the Disciplinary Panel (an Appeal):

- i. The **Individual(s)** or the **Complainant** may appeal the decision of the **Disciplinary Panel** and/or the sanction(s) imposed by serving a Notice of Appeal on the Club Welfare Officer within seven days of the **Disciplinary Panel's** decision letter being sent to them.
- ii. The Notice of Appeal must clearly state the grounds on which the **Individual(s)** or the **Complainant** are appealing the decision and explain why they are met. It must not just repeat the original **Complaint** or the response to it (dependent on who is bringing the appeal). The grounds on which a decision can be appealed are as follows:
 - a. the outcome decision or sanctions were based on error of fact or could not have been reasonably reached by the **Disciplinary Panel** when faced with the evidence before it;
 - b. serious procedural or other irregularity by the **Disciplinary Panel**. As an example, the panel did not speak to a reasonable cross-section of people who witnessed the **Misconduct**. If this is found to be the case, then the **Appeal Panel** shall hear the matter again, from the beginning, without being bound in any way by the decision being appealed; or
 - c. significant and relevant new evidence has become available which was not available at the time the **Disciplinary Panel** made its decision but, had it been available, may have caused the **Disciplinary Panel** to reach a materially different decision.
- iii. It is important that the **Individual(s)** or the **Complainant** recognise that the appeal is not an opportunity to repeat the original disciplinary hearing. The same arguments and evidence that were submitted to the **Disciplinary Panel** must not be submitted in isolation to the **Appeal Panel**. If the Notice of Appeal does not identify one of the above three grounds and explain why it is met, then the appeal will be dismissed.

- iv. The Club Welfare Officer shall acknowledge the Notice of Appeal within seven days of its receipt and, if necessary, ask for any further evidence or reasons why the appeal is being submitted.

Step 2 – Convening the Appeal Panel:

- v. The Club Welfare Officer shall appoint either an individual (such as the Club Chair) or three new committee members (or other individuals with appropriate and relevant experience) to review the Appeal. They must not have been involved directly with the **Complaint**, either in the events giving rise to it or in the **Disciplinary Panel** itself.
- vi. The Club Welfare Officer shall inform the **Individual(s)** and the **Complainant** of the composition of the **Appeal Panel**. If the **Individual(s)** or the **Complainant** has any objections to its composition, these must be raised promptly (and no later than five days after being informed) to the Club Welfare Officer who shall review the objections and decide in their reasonable opinion whether the composition of the **Appeal Panel** should be changed.

Step 3 – Reviewing the Appeal (the Appeal Hearing):

- vii. The **Appeal Panel** shall determine the appeal and may either invite the **Individual(s)** and **Complainant** to provide further statements or set-up meetings with them. 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.
- viii. When the **Appeal Panel** is formed of three individuals, the **Appeal Panel** shall decide any issue by majority.
- ix. The **Appeal Panel** shall have power to make a decision on the facts as it thinks fit and may:
 - a. uphold the original decision and sanction;
 - b. overturn the original decision and remove any sanction imposed by the **Disciplinary Panel**;
 - c. overturn the original decision and impose a sanction;
 - d. confirm the original decision but increase the sanction;
 - e. confirm the original decision but reduce the sanction;
 - f. make such further order as it considers appropriate.
- x. The **Appeal Panel** shall inform all parties of its decision and give written reasons. The decision of the **Appeal Panel** shall be final with no further right of appeal.

5. Records of Hearings

The decisions of a **Disciplinary Panel** and an **Appeal Panel** shall be recorded in **writing** and retained by the **Club** as confidential records for a period of six years. Supporting documents shall also be retained for the same period alongside the decisions.

6. Notifying Paddle UK

- i. As soon as the appeal notice period has expired, the Club Welfare Officer may inform Paddle UK of the outcome of a disciplinary process if it is considered necessary or a requirement of the policies and procedures of Paddle UK, e.g. for the purposes of ensuring:

- a. compliance with a sanction, especially when an **Individual** has been suspended from competing or participating in any paddlesport activity;
or
 - b. for the welfare and safety of those engaged in paddlesport activity.
- ii. An authorised officer of Paddle UK may at any time ask the **Club** to share its disciplinary records with Paddle UK in its role as National Governing Body of the sport.

7. Co-operation

- i. This **Policy** assumes 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 **Disciplinary Panel** or an **Appeal Panel** based on such evidence and information as it is able to obtain.
- ii. When dealing with a **Complaint**, the Club Welfare Officer or nominated **Club** representative 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 Club Welfare Officer reasonably believes is competent to provide such advice.