

Complaints and Disciplinary Procedure

Version 1.0

Last Reviewed: 01/07/2013

This is a four step process:

1. Investigation.
2. Preliminary Case Review.
3. Hearing.
4. Appeals.

1 Investigation:

1. Any person may submit a signed, written complaint to Whitegrove F.C. alleging misconduct on the part of a volunteer of Whitegrove F.C., or of a volunteer of any organisation affiliated with Whitegrove F.C., or of any person in attendance at a Whitegrove F.C. game or event. This complaint should be filed with the Club Chairperson, Club Secretary or Club Child Welfare Officer.
2. A complainant shall be requested to provide:
 - a. Details of what, when and where the occurrence took place.
 - b. Any witness statement and names.
 - c. Names of any others who have been treated in a similar way.
 - d. Details of any former complaints made about the incident, date, when and to whom made.
 - e. A preference for a solution to the incident.
3. A Club Committee member, or a formally delegated Investigator, shall investigate all written complaints of misconduct pertaining to the Club, its volunteers, or of persons in attendance at club events sanctioned by Whitegrove Football Club. For other types of complaints, and all complaints involving referees, the Club Committee shall investigate or designate an Investigator.
4. The Investigator will present a written Investigation Report to the complainant, to the accused party and to the Club Committee for a preliminary case review. The Investigation Report should:
 - a. Outline the specific alleged rule violation.
 - b. Specify Whitegrove Football Club jurisdiction, authority and rules.
 - c. Outline the extent of the investigation and
 - d. Recommend dismissal of the complaint, dismissal with a warning or proceeding with a disciplinary hearing. If dismissed, the grounds for dismissal should be explained briefly.

2. Preliminary Case Review :

1. Any accused party shall be given a copy of the complaint and Investigation Report and shall, upon request, submit a response for consideration by a preliminary case review panel, to be appointed by the Club Committee.
2. If dismissal is recommended by the Investigator the complainant may request a preliminary case review, if such request is made in writing within 14 days of receipt of the notification.
3. If dismissed by the Investigator, the Club Committee shall approve, disapprove or modify the terms of the dismissal.
4. Review before the Club Committee shall not be open to the public and shall be confidential. Neither the complainant nor the accused party shall be present. The Club Committee shall review the complaint, and any written response submitted thereto, and the Investigation Report.
5. If the Club Committee does not find probable cause to believe that misconduct subject to sanction under Whitegrove Football Club rules has occurred, the panel shall dismiss the complaint.
6. If the review panel finds probable cause, but that the misconduct is minor, that there is little or no injury to the complainant, or to Youth or Small-sided soccer, and that there is little likelihood of repetition, the Chairperson may direct the Club Committee to dismiss the complaint with a warning. The Club Committee shall then deliver a notice of the dismissal, together with the terms of the warning, and shall notify the complainant of the fact that the complaint has been dismissed with a warning, briefly stating the reasons for dismissal.
7. A dismissal with a warning, after the Chairpersons review, may not be appealed.
8. If the Club Committee finds probable cause to believe that misconduct subject to sanction under Whitegrove Football Club rules has occurred for which the discipline should be a written reprimand or a suspension from Whitegrove Football Club sanctioned events, the Club Committee shall direct the Chairperson to prepare and present a formal complaint seeking disciplinary action before a Hearing Panel appointed by the Club Committee.

3Hearing :

1. The Club Committee shall send, via return receipt requested:
 - a. A copy of the complaint
 - b. Relevant rules
 - c. The Whitegrove Football Club Codes of Conduct and Club Rules
 - d. A brief description of the range of potential penalties if the misconduct is proven
 - e. A time for the accused party to further answer the charges that allows at least 7 days after date of receipt and
 - f. The hearing date and venue.
2. In the event that the person subject to the complaint fails to file an answer, the facts set forth and the misconduct alleged in the Investigation Report shall be taken as admitted, but the accused party may still participate in the disciplinary hearing.
3. The Hearing Panel shall conduct a hearing according to the Whitegrove Football Clubs Codes of Conduct and Club Constitution and Rules.

4. Following the hearing, the Hearing Panel may dismiss the petition if it finds, on the evidence and arguments presented, that no misconduct subject to sanction under Whitegrove Football Club rules has occurred.
5. If the Hearing Panel finds that the misconduct subject to sanction has occurred, but that the misconduct is minor, there has been little or no injury to the complainant or to Youth or Small- sided soccer, and that there is little likelihood of repetition, the panel may dismiss the complaint with a warning.
6. If the Hearing Panel finds that the misconduct subject to sanction Whitegrove Football Club rules has occurred and that none of the conditions justifying a dismissal with a warning exists, the Hearing Panel shall either issue a written reprimand, a conditional suspension or a suspension from Whitegrove Football Club sanctioned events for a specified period of time.
7. If the Hearing Panel finds that the misconduct subject to sanction under Whitegrove Football Club rules has occurred and that the conditions warrant it, the Hearing Panel shall expel the person from the club.

4Appeals :

1. Within 10 days after delivery of a written reprimand or a suspension, the accused party may file an appeal in writing to the Chairperson.