

Complaints and Disciplinary Procedures

In line with Article 12 from the Bluefin Constitution:

Complaints and Disciplinary Procedures

- 12.1 The club hereby adopts The Swim Ireland complaints & disciplinary rules and procedures as amended by Swim Ireland from time to time.
- 12.2 All members of Bluefin Swimming Club must abide by the Swim Ireland complaints and disciplinary procedures
- 12.3 All complaints will be dealt with in accordance with the relevant complaints and disciplinary procedures
- 12.4 The management committee will appoint a complaints and disciplinary committee (CDC) in accordance with the Swim Ireland Complaints and Disciplinary Rules and Procedures
- 12.5 Any matter involving members under 18 must also be brought to the attention of the CCO.

In addition to Swim Ireland procedures other relevant procedures are outlined as follows:

Communication between Coach and Parent/Legal Guardian

1. A coach is able to contact a parent directly with regard to a swimmer's performance, behaviour or general concerns via email, in person or with a phone call. In the best interest of transparency and protection of parent and coach, it is highly encouraged that the contact be made via email and correspondence be copied to the Chairperson and at the coach's discretion, the Club Secretary. At this point, it can be determined that a meeting or time to discuss on the phone is appropriate for the matter at hand.
2. Coaches are never to be approached on deck or before or after a session to discuss a swimmer. If a parent is generating the concern or has a question, they may contact the Head Coach directly via email to express the concern or question, at which time the coach can respond to the request copying the Chairperson.
3. If the parent or swimmer has lodged a previous grievance against the club, coach or another swimmer, for the protection of both parties, the request to address a concern or meeting must go through the committee, i.e. the Chairperson and Secretary. The request will be responded to either by the coach or the Chairperson as deemed appropriate, however, all correspondence will copy the coach and Chairperson until the question/issue is resolved.
4. If a grievance is filed against a coach who holds a Chairperson position on the committee, the matter will be referred to the Complaints & Disciplinary Committee for mediation.

2.4 COMPLAINTS AND DISCIPLINARY COMMITTEE (Club, Region and Swim Ireland)

2.4.1 The Complaints and Disciplinary Committee, which shall consist of a minimum of three persons over 18 years of age, shall be appointed in accordance with the rules and/or constitution of the Club/Region/Swim Ireland (as the case may be):

(a) Every person appointed to sit on a Complaints and Disciplinary Committee must be a Swim Ireland registered member save for the Board-appointed Chairperson to the SICDC:

(b) A written record of the appointed Complaints and Disciplinary Committee must be kept;

(c) No more than one person from a Club or Regional management committee may sit on a Complaints and Disciplinary Committee.

2.4.2 A Children's Officer may not sit on the Complaints and Disciplinary Committee. See Part B (Procedures) clause 2.3, of this document for details of the role of the Children's Officer with regard to the Complaints and Disciplinary Rules and Procedures.

2.4.3 A quorum of three Members shall be sufficient to convene a meeting/Hearing of the Complaints and Disciplinary Committee.

2.4.4 The Complaints and Disciplinary Committee shall be empowered to delegate any particular function to one Member of the Complaints and Disciplinary Committee, save and except for any decision making on culpability.

2.4.5 Subject to the remainder of this clause, the Board-appointed Chairperson of the SICDC shall, on receipt of a Complaint, Appeal or Disciplinary Action, appoint three persons from the SICDC to deal with such Complaint, Appeal or Disciplinary Action. The Chairperson may, at his discretion, appoint further persons from the SICDC where the Chairperson believes that it is warranted due to the seriousness of the Complaint, Appeal or Disciplinary Action. Any such panel shall be deemed to represent the SICDC as a whole.

2.4.6 On appointment, the Complaints and Disciplinary Committee shall appoint a Chairperson to chair any meetings or Hearings. If the Board-appointed Chairperson of SICDC is present, he/she shall be the Chairperson for the purpose of the Hearing.

2.4.7 The Secretary of the Complaints and Disciplinary Committee will notify the time, date and venue of the Hearing.

2.4.8 No person appointed to the Complaints and Disciplinary Committee shall stand for more than four years, save for the Chair of the SICDC. The Chair of the SICDC shall be appointed by the Board of Swim Ireland who may consider extending the maximum term of office.

2.4.9 Any Member of the Complaints and Disciplinary Committee shall decline to participate in the consideration of certain Complaints if there would be serious grounds to question his/her impartiality such as having a direct or indirect interest in the outcome of the proceedings.

2.4.10 The Complaints and Disciplinary Committee (or any panel of the Complaints and Disciplinary Committee nominated to hear a particular matter) shall act on a simple majority vote (+ 51%) in arriving at its decision/s.

2.4.11 The Complaints and Disciplinary Committee shall have jurisdiction to impose any sanctions as set out in 3.4, Part A (Rules) and Part C - Sanctions.

CLUB or REGIONAL COMPLAINTS AND DISCIPLINARY COMMITTEE

2.5.1 The Secretary of the Club or Regional Complaints and Disciplinary Committee (CDC) shall receive a written Complaint, Disciplinary Report or an Appeal.

2.5.2 Immediate Sanction from a Club or Regional Secretary as relevant;

2.5.3 The Club or Regional CDC shall have the following functions:

(i) To investigate a Complaint, Disciplinary Report or an Appeal of an Immediate Sanction as relevant. Where any Complaint, Disciplinary Report or an Appeal of an Immediate Sanction makes reference to suspected child abuse the Mandated Person shall be immediately notified;

(ii) To consider an informal resolution to a Complaint, Disciplinary Report or an Appeal of an Immediate Sanction if appropriate;

(iii) To consider a formal resolution to a Complaint, Disciplinary Report or an Appeal of an Immediate Sanction by informing the respondent with the following information and documentation.

a) Copy of the written Complaint/Disciplinary Report; b) The relevant rule allegedly breached; c) Copy of supporting documents relied on by either party; d) The parties to the Complaint; e) The procedures involved; f) The possible sanctions; g) The rights of the parties at the Hearing; h) Any other procedural requirements.

(iv) To correspond with and notify the parties of all necessary information prior to a hearing of the Club or Regional CDC; (v) To prepare documents for a meeting or Hearing convened by the Club or Regional CDC;

(vi) To maintain a record of decisions reached by the Club or Regional CDC;

(vii) To inform Swim Ireland of any decision reached by the Club or Regional CDC;

(VIII) To ensure that sanctions are observed by respondents.