



## **Clontarf FC's Grievance, Complaints and Disciplinary Policy**

In football, everyone should feel safe. Strict safeguarding policies are in place along with mandatory Garda Vetting and Safeguarding training for all coaches and volunteers at Clontarf FC (the "Club"). It is necessary to properly investigate all grievances, complaints, concerns, suspicions and allegations, with the primary focus on ensuring the well-being of the child or vulnerable adult and affording due process and fair procedures to the person under investigation.

### **Individual Grievance Policy**

The aim of this policy is to provide for the fair processing of grievances quickly and as near as possible to their point of origin with little or no disruption to football teams, Executive Committees or Working Groups.

A grievance may be defined as a complaint, allegation, suspicion or concern which any member (or member's parent/guardian) has concerning his or her sporting environment or sporting relationships.

(i) A grievance shall in the first instance be referred by the member (or member's parent/guardian if a child) directly to their football manager. If the grievance involves the football manager, then the grievance shall be referred to the Club's relevant Age Group Coordinator. Every effort shall be made to have the grievance resolved as quickly as possible at this stage but in any event within one week, or if that is not feasible then as early as possible thereafter.

While the matter is being investigated at this or subsequent stages of the grievance procedure, football activities will continue as normal. Anyone raising a grievance shall not be prejudiced in any way in relation to the matter being raised.

Stage (i) of the grievance procedure shall consist of the person in receipt of the grievance conducting a preliminary investigation into the grievance to ascertain the severity of the grievance and endeavouring to have the grievance resolved informally with the complainant.

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(ii) Failing settlement at Stage (i), the member/guardian may submit, in writing, the grievance to the Club Secretary within one week upon which it may be further investigated by the relevant Age Group Coordinator, or other member, as designated by the Club Secretary.

Stage (ii) of the grievance process will involve contacting the person(s) against whom the grievance is made and requesting their written response and providing that response to the complainant for their consideration and comments.

(iii) If the issue is not disposed of at Stage (ii), it may be referred in writing to the Club Chairperson (or nominee of Club Chairperson). An oral hearing shall take place within two weeks of receipt of the complaint, or on a date mutually agreed by the parties concerned and the decision given within a target timeline of 14 days thereafter, or as soon as is reasonably practicable. The complainant and any person(s) who are named in the grievance together with any relevant witnesses will be entitled to attend the oral hearing. Attendance of any person at the oral hearing cannot be compelled.

(iv) The oral hearing committee shall issue a decision in relation to the grievance following the oral hearing within 2 weeks. The decision will determine whether the grievance is upheld in whole or in part.

(v) This will represent the final stage of the grievance procedure.

(vi) At any or all stages of the Grievance Procedure, the member (or parent/ guardian) and any person(s) about whom a grievance is made may be accompanied by a representative who shall be a fellow member of Clontarf Football Club or parent/guardian. However, since this is an informal procedure, legal representation is not permitted at the oral hearing.

All reasonable efforts to resolve matters informally should be fully exhausted.

## **Disciplinary Policy & Procedures**

It is accepted within Clontarf Club that our members want to be the best they can be. These procedures are geared to establish a proper climate to enable this culture to flourish and to assist in the personal and sporting development of all members.

### **Corrective/Development Coaching:**

In the event that a grievance is upheld against a member then disciplinary charges will only be preferred against any member where this meets an appropriate level of severity and where the use of corrective and development coaching to help redress any issues for the relevant member is not appropriate. Essential to the corrective/development coaching process is the co-operation of the individual member concerned who must be prepared to agree that a problem exists and to co-operate in resolving it. The successful operation of this process should allow for the resolution of many of the difficulties which arise without resort to formal disciplinary procedures. Initially there will be a discussion between the nominated Club Representative and member before corrective coaching and/or a disciplinary procedure is undertaken.

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## **Corrective/Development Coaching Policy**

The objectives are –

1. to encourage the member to correct problems;
2. to assist the member's personal and sporting development within Clontarf Football Club.
3. to improve sporting participation and morale;
4. to avoid as far as possible the use of the formal disciplinary machinery to correct problems.

The instruments for implementation of this policy are –

- (a) advice from senior Club Members, Coaches and Executive.
- (b) assistance to avail of educational courses.

## **Disciplinary Procedures**

For most members the question of disciplinary action never arises. When a disciplinary issue does occur it is essential to provide procedures which will allow the matter to be dealt with in a fair manner which aims to protect the dignity of the individual club member and safeguard the interests of Clontarf Football Club. Formal disciplinary procedures may arise for a perceived serious breach of the Club's rules/regulations or contract for services or contract of employment or actions which are at variance with the interests of Clontarf Football Club or fellow members.

The procedures shall provide for:

1. the early notification that a complaint report (in writing) had been submitted to CFC.
2. a formal statement by CFC in writing of the charge.
3. the right to call witnesses.
4. the right to representation by fellow Club Member.
5. the right of appeal.

Disciplinary matters shall be processed expeditiously, and all parties shall cooperate to this end. Every disciplinary case shall be considered in the light of its own circumstances. The disciplinary action in each case shall reflect the circumstances of the case and the previous record of the club member concerned. In cases of alleged grave misconduct, a club member may be summarily suspended.

## **Step One**

After completion of the grievance process described above, in the event that a grievance has been upheld, the Club Chairperson shall determine whether the degree of alleged wrongdoing is sufficient to warrant a disciplinary process and whether any alternative resolution should be explored in lieu of a disciplinary process.

## **Step Two**

In the event that the Club Chairperson determines that a disciplinary process is warranted then he/ she will convene the club's disciplinary committee/panel. If a complaint or concern relates to a child abuse matter or criminal offence that meets criteria for formal reporting to the statutory authorities, the process will be as per statutory guidelines, and not via a Clontarf Football Club committee/panel.

The disciplinary committee/panel will comprise a minimum of two (2) members who have not been involved in any related grievance process. The Club Children's Officer may be asked to sit on the panel if it is deemed necessary.

Where there is potential conflict of interest issues, due consideration will be given to ensure the independence of the disciplinary committee/panel. This may include co-opting persons other than Discipline Committee and Child Protection Officer to the panel for the complaint at hand.

## **Step Three**

The disciplinary committee/panel will furnish the person/s with details of the complaint being made against them and afford them the opportunity of providing a response either verbally or in writing. In the event of a complaint against a child (age 17 and under), the parents/guardians should be informed and advised of the procedure.

## **Step Four**

The disciplinary committee/panel will then convene and oral hearing of the case and decide if a rule or regulation has been infringed. The member may be accompanied by a representative who shall be a fellow member of Clontarf Football Club. However, since this is an informal procedure, legal representation is not permitted at the oral hearing.

## **Step Five**

The disciplinary committee/panel informs those involved of their decision and the sanctions, if any, that are to be imposed in the event that it is found that a rule or regulation has been infringed. This notification will be in writing, setting out the reasons for the decision and any sanction imposed. Written notification will be forwarded to the complainant or their parents if the proceedings involve a participant under eighteen years of age. The sanctions may include a caution, reprimand, imposition of training requirements, suspension or expulsion from the Club.

## **Step Six**

Any party unhappy with the findings of the disciplinary committee/panel can appeal the decision in writing to the club Chairperson (or Executive member nominee). Any such appeal must be made within seven days of the notification of the original decision.

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### **Step Seven**

The appeal will be heard by members of the executive committee of the Club, nominated by the chairperson and who have had no involvement in the process or any related complaint up to that time.

### **Step Eight**

The case and all evidence will be considered, and an oral hearing will be provided in the event that same is requested by the member subject to the disciplinary process.

At all stages of the Disciplinary Procedure, the member may be accompanied by a representative who shall be a fellow member of Clontarf Football Club. However, since this is an informal procedure, legal representation is not permitted at the oral hearing.

### **Step Nine**

The executive committee will have the power to uphold or reject the appeal or to vary, alter or set aside any sanction imposed by the disciplinary committee/panel. Such decisions are final.

### **General Points:**

All complaints relating to inappropriate behaviour/poor practice should be brought to the attention of the Chairperson of the Club. In all cases the safety and welfare of the child/children is paramount. All complaints will be checked out and handled in a confidential manner. All such complaints and actions taken will be recorded and kept on file.

### **Rumours**

Rumours should not be allowed hang in the air. Any rumour/s relating to inappropriate behaviour/s circulating in the club should be brought to the attention of the Chairperson and checked out promptly. All ensuing information should be handled confidentially and with sensitivity.

False and misleading complaints will be dealt with appropriately.

## Confidentiality

Confidentiality is about managing information in a respectful, professional and purposeful manner. Therefore, appropriate confidentiality will be maintained in respect of all issues and people involved in concerns about the welfare of a child or bad practice within the club.

The following points will be borne in mind:

- A guarantee of confidentiality or undertakings regarding secrecy cannot be given, as the welfare of the child will supersede all other considerations.
- All information will be treated in a careful and sensitive manner and will only be discussed with those who need to know.
- Information will be conveyed to the parents/guardians of a child about whom there are concerns in a sensitive way.
- Giving information to others on a "need to know" basis for the protection of a child is not a breach of confidentiality.

## Application of Disciplinary Procedures

It is intended that where possible the application of formal disciplinary machinery will be avoided. Corrective/development coaching will be utilised where appropriate.

Each breach of the Club's rules and regulations will be dealt with taking full account of the particular circumstances and the club member's previous record. Depending on the nature of the breach, the disciplinary action may involve any one or combination of the actions listed below. The action may be allied to a "warning" as listed hereunder.

### Disciplinary Action:

**Reprimand;** Severe reprimand; temporary removal of membership, permanent removal of membership, loss of membership status (e.g. removal of coaching, manager, player status).

**Warnings:** Advice/Written Warning; Severe warning; Final warning; Removal of Membership.

**Misconduct/Breach of Discipline** – Examples are contained in *Clontarf Football Club's Codes of Conduct*. The list in the Codes is indicative only, for member information, and is not exhaustive. In each instance, the action taken will be recorded and will be taken into account in the event of a second or subsequent misconduct/breach of discipline.

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It is the intention that "warnings" should be given progressively. However, the nature of an offence may necessitate a "final warning" or "removal of membership".

A "warning" will remain on the member's record for a fixed period of 9 months.

A "severe warning" will remain recorded for 12 months.

A "final warning" will remain recorded for 18 months

**Training Requirements:** This may arise where it is considered sufficient for the member to continue in his/ her role subject to undergoing appropriate training.

**Suspension:** This may arise where the findings of wrongdoing are sufficiently serious to warrant suspension for an appropriate period of time.

**Expulsion:** This may arise whether the findings of wrongdoing are sufficiently serious, and no other sanction is appropriate in the circumstances other than expulsion from the Club.

## Appeals

Appeals can be made to the DDSL, the SFAI and the FAI as necessary.

The procedures for investigation and sanction follow the guidelines set out by FAI in their Concern and Complaint Policy.

See below for an overview of the FAI Complaint and Concern Procedure.

<https://www.fai.ie/about/safeguarding/fai-safeguarding-framework/>  
<https://www.fai.ie/about/safeguarding/reporting-concerns/>