



## Nottinghamshire County Sailing Club Code of Conduct

Nottinghamshire County Sailing Club expects all members and their guests to show respect and understanding to each other, treat everyone equally and conduct themselves in a way that reflects the principles of the Club.

Abusive, aggressive or discriminatory language or behaviour, or a lack of respect for other people and their property, will not be tolerated. Misconduct should be reported to the Executive and may lead to resolution action.

Nottinghamshire County Sailing Club implements the RYA Racing Charter and members will be expected to sail in compliance with it.

Nottinghamshire County Sailing Club Members are expected to:

- Abide by the Club's Rules.
- Follow the Club's operating, safety, and safeguarding procedures.
- Treat members and visitors with respect and understanding, regardless of age, disability, gender identity, race, religion or belief, sex or sexual orientation.
- Avoid the use of language that others may find offensive, whether on club premises, at a Club event, or when using the Club's social media channels.
- Encourage all members to play as full a role in the Club as they wish to and support them in developing their skills and experience.
- Recognise the contribution of coaches, instructors, officials and volunteers.
- Prioritise the safety and wellbeing of participants.
- Promote courtesy to other water users.
- Use established procedures where there is a genuine concern or dispute.

Club members can expect to:

- Feel welcome and valued.
- Be respected and treated fairly.
- Be listened to and kept informed.
- Be involved and contribute towards decisions within the Club.



## NCSC COMPLAINTS, DISPUTES AND RESOLUTION PROCEDURE

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### Introduction

Nottinghamshire County Council Sailing Club's resolution procedure applies to all members of the Club and aims to ensure that all members be treated fairly and consistently in relation to the club's code of conduct. The Executive Committee may review and amend the procedure to meet any change in requirements.

### Principles of the Resolution Procedure

- The Club Executive will not undertake any action in relation to a complaint until there has been a review of the complaint, which will be undertaken by person/persons, appointed by the Executive, who will not be involved in any subsequent resolution decision.
- Resolution matters will be concluded without undue delay after the review.
- Resolution matters will be treated confidentially and only those directly involved in the process will be informed.
- Resolution matters will be heard by the Officers of the Executive, with a right of appeal to the Trustees of the Club.
- The Executive may appoint a smaller panel to conduct the resolution meeting comprising a Flag Officer and two others, with a right of appeal to a further panel of Trustees who have not been involved in the original meeting.
- A member who is the subject of resolution action requiring informal resolution will be advised in writing of the nature of the complaint against them, will be allowed sufficient time to prepare for the resolution meeting, and will be given the opportunity to state their case.
- The member will have the right to invite a fellow member, or another representative (but not a legal representative) at the discretion of the Executive panel.
- The member will have the right to appeal against any sanction or finding, and for that appeal to be heard by a panel of Trustees not involved in the original resolution meeting.
- A record will be kept of any resolution decision, taking into account the need for confidentiality.
- The complainant will be informed when the matter is concluded, but does not have the right to be informed of the nature of any outcome.

Examples of incidents requiring a resolution meeting include but are not limited to the following:

- Failure to comply with club rules, regulations, policies or codes of conduct, including health and safety and safeguarding policies.
- Failure to pay membership subscriptions, boat fees or other monies owed to the club within a reasonable time.
- Foul, abusive or discriminatory language, behaviour, or harassment.



- Placing at risk of harm a child or young person aged under 18 or a vulnerable person.
- Conduct, whether within or outside the club, which might bring it into disrepute by association.

## **Procedure**

### **Receipt of complaint**

1. A complaint is received by the Club and passed to the Commodore and is acknowledged by notifying the complainant.
2. The Commodore informs the Executive that a complaint has been received and appoints a member of the Executive to explore it.
3. If the presence at the Club of the member who is the subject of the complaint may put others at risk, his membership and/or attendance may be temporarily suspended pending the review and the outcome of any subsequent resolution meeting.

### **Review of the complaint**

4. The matter is investigated; this may include speaking to the complainant and gathering written information from any witnesses. In the case of failure to make a payment, it may involve checking the club's financial records.
5. If, during the course of the review, it appears that the member may have committed a criminal offence, this may be reported to the Police and the internal resolution procedure will be put on hold until any Police investigation and subsequent prosecution has been concluded.

### **Resolution meeting**

6. If appropriate, the Commodore appoints three Executive members to make up a Resolution Executive. The member who conducted the review may be asked to present the information on behalf of the Club, excluding any member who is related to either the complainant or the member who is the subject of the complaint, and any member who has been involved in a previous resolution action involving the same member.
7. The date, time and venue for the resolution meeting is decided, allowing sufficient time for the member to prepare their information.
8. The member is informed in writing of the nature of the complaint, is asked to attend the meeting, informed that they can be accompanied and provided with copies of this procedure, and any relevant documents.
9. If the member is unable, for good reason, to attend on the appointed date, the Resolution Executive should endeavour to agree a suitable alternative date. If the member is unable to agree a mutually acceptable date within a reasonable period, the hearing may take place in their absence.
10. The meeting takes place.
11. No information should be introduced at the meeting without prior notice and copies of



all written documents must be produced for consideration prior to the meeting, to be available in advance to all the parties involved.

12. The Resolution Executive may adjourn the meeting to allow further evidence to be introduced, if the Executive considers it fair to do so.

### **Decision**

13. The Resolution Executive decides whether misconduct has taken place, and if so, decides on an appropriate and proportionate resolution actions.
14. After the meeting and if the Executive has reached a decision; the subject of the complaint will be notified in writing of such decision and informed of any outcomes within 7 days of the decision being made; outcomes will be effective from the date of the decision. If relevant, the member will be informed of their right of appeal and the timescales involved.
15. A record is made of the meeting outcomes decision.

### **Appeal**

16. If the member appeals, the matter is referred either to the members at a General Meeting or to a further panel of Executive members who were not involved in the original meeting. The appeal hearing may uphold the original decision, reverse it, or reduce the penalty but may not increase it.
17. The appeal decision is final.

### **Conclusion**

18. The complainant is informed that the matter has been concluded.



## **Appeals Procedure**

An appeal may be made on the following grounds:

- the Club has failed to follow a fair process; and/or
- the member feels that the sanction is disproportionate to the circumstances an appeal can be made, then written notice of appeal should be delivered to the Secretary, within 28 days of being notified of the decision. No appeal will be valid or considered after that period has elapsed. The member must give full written grounds for the appeal, stating exactly what is being appealed against and the reasons for this.

An appeal hearing will be convened as soon as practicable and will consist of an Appeal Executive of [3 Trustees] who did not take part in the first meeting and who will elect their own Chairperson (who will have the casting vote).

New evidence cannot be presented at the appeal meeting. The Appeal Executive shall have power to uphold the original decision, reverse it, or reduce the penalty but may not increase it. The decision of the Appeal Executive is final and binding on the parties.

A handwritten signature in black ink, appearing to read "JK P Twemlow".

JK P Twemlow  
Commodore

April 2024