



The Armed Forces Para Snowsport Team Grievance & Discipline Policy

This document sets out the Armed Forces Para Snowsport Team (AFPST) Grievance Policy (“the Policy”) for AFPST Volunteers, Athletes and Third Parties. Where relevant, the Policy is designed to be read in conjunction with wider AFPST policies.

The Policy aims to fairly and promptly:

- (1) resolve by mutual agreement any AFPST Volunteers, Athlete or Third Party’s grievance raised within the AFPST training, competition and working environment;
- (2) enable AFPST Volunteers, Athletes and Third Parties to either informally or formally raise any concern, complaint or problem without victimization; and
- (3) efficiently deal with the same or substantially similar complaints.

Informal Resolution

The AFPST recommends that if the Complainant has a grievance that involves another person, they should first try to resolve the matter by discussing it informally with that person. involved.

However, if the Complainant does not wish to raise their concerns with the other person involved for whatever reason, other alternative informal ways include:

- requesting a meeting with their team manager who will try to resolve the issue. The meeting should be held within 10 working days’ after the Complainant makes the request;
- if the Complainant feels they cannot approach their own point of contact, or if the grievance is about that Individual, they may wish to approach another senior member of the AFPST with whom they feel comfortable.

If the Complainant is still dissatisfied, after any action to resolve the grievance taken by the Individuals referred to above then they may proceed to the Formal Procedure.

In some situations a Complainant may raise a grievance during an ongoing disciplinary action, for example in their capacity as an volunteer of the AFPST. In this scenario the disciplinary action may be suspended to deal with the grievance first, or the two issues may be concurrently dealt with taking into account the fairness and efficiency of each option.



Formal Procedure

If the Complainant is not satisfied with the treatment their grievance complaint has received through Informal Resolution, they may continue with the Formal Procedure. The details of the Formal Procedure are outlined below.

The Complainant has the right to be accompanied by their Authorised Representative at every stage of the Formal Procedure. This may be a support worker, friend or fellow Athlete. The Formal Procedure is internal to the AFPST and does not allow for any external representation.

If the grievance has not been resolved during Informal Resolution and the Complainant wishes to proceed to the Formal Procedure, the Complainant may do so, and the complaint will be heard by the Panel. The Complainant must set out in writing without unreasonable delay, the nature of their complaint and the reasons why they were not satisfied with the Informal Resolution stage outcome.

If the Complainant has difficulty in putting the full details of their grievance in writing they should make the AFPST aware of any difficulty by contacting a relevant AFPST director.

The Complainant should explain how they think it should be settled. This must be submitted to the Chair of the Board.

Investigations, in some cases, may be necessary to investigate the Complainant's grievance. If there is an investigation, it will be conducted before holding a Formal Hearing. If after the grievance hearing a further investigation is required, then a second Formal Hearing will be held.

For complaints relating to a process or decision, the CEO will appoint an Investigating Officer who will be asked to provide a full written report together with any relevant documents. The investigation should be conducted as quickly as possible while allowing for all relevant information and evidence to be gathered. A timescale for this will be agreed between the Complainant and the Investigating Officer.

The AFPST requires all persons involved in grievance investigations to fully cooperate during this process. This may include informing us of the names of any relevant witnesses, disclosing any relevant documents, and attending interviews.

The Formal Hearing will be held within 15 working days of receipt of the Investigating Officer's report, or within 15 working days of the complaint being received if it is against an Individual.

The Complainant will be given 10 working days' notice that the Formal Hearing is to be held. The Complainant may request an alternative date to allow up to an additional five working days.



Any relevant written information or evidence must be made available to all parties at the earliest opportunity and, in any case, three working days' before the Formal Hearing.

All parties involved will be allowed to attend and make representations at the Formal Hearing. Witnesses may be called. Refusal of either party to attend shall not invalidate the proceedings.

The Panel itself will consist of two Board members, and where relevant a Team Manager, and when no Team Manager is available the Panel will consist of three Board members and an external independent member of the Panel. An impartial note-taker, will take down a record of the proceedings. Where possible, the Panel should have a gender balance.

A Formal Record of a Hearing will be given to the Complainant. In serious cases, the Formal Hearing will be recorded, and a copy will be given to the Complainant.

Following the Formal Hearing, AFPST will adjourn to decide on what action, if any, to take. If further investigations are required these will be conducted without unreasonable delay.

The Panel's decision, the reasons for that decision, and any form of remedy will be communicated in writing to the Complainant who has made the complaint. Where the complaint is against an Individual, both parties will be given a copy of the decision. This will be handed to the Complainant whenever possible or posted directly by recorded delivery to the Complainant within six working days' of the Formal Hearing and to the Complainant's Authorised Representative, where applicable.

If the grievance is deemed valid by the Panel and the grievance instead concerns other things such as work practices or health and safety, the Panel will conclude that there will be discussion surrounding a form of remedy to ensure the grievance matter does not occur again.



Appeals

If the Complainant is not satisfied with the outcome of the Formal Hearing outlined in the Formal Procedure, they have the right of Appeal. The procedure for raising Appeals is outlined below.

An Appeal is commenced when the Complainant impacted by a grievance decision or their Authorised Representative makes an Appeal in writing to the AFPST CEO by email to their email address within the time frame of ten days after the original decision is delivered.

The Notice of Appeal must set out full details of the Complainant's ground(s) of Appeal and include:

- details of the decision which the Complainant is appealing;
- details of the ground(s) of Appeal upon which the Complainant relies, including the way the Complainant alleges that the Formal Procedure may not have been applied or followed;
- any documents or written evidence upon which the Complainant relies in support of their Appeal. Only documents relevant to the Complainant's grounds of Appeal may be submitted.

If the Complainant or their Authorised Representative fails to submit the Notice of Appeal within the time limit set out in this process, the Complainant will have lost their right of Appeal.

The Appeal will be considered first by the Panel who made the decision in the Formal Procedure, who will explain their reasons for the decision to the Complainant or their Authorised Representative. If the Complainant or Authorised Representative is not satisfied with the process or the outcome of the Panel's final decision, then the Complainant or Authorised Representative may opt to refer the matter to an Appeal Panel, based on the same grounds of appeal and Notice of Appeal.

The AFPST will nominate an Appeal Panel made up of at least three people being internal to the AFPST and none of whom have any conflicts of interest in respect of the Appeal. The fact an AFPST director participated in the Formal Procedure does not create a presumption that he or she is conflicted to form part of any Appeal Panel. In many situations the involvement of at least one director from the Formal Procedure subsequently in the Appeal will ensure the factual background is fully and promptly understood.

Once appointed, the Appeal Panel will receive the Notice of Appeal and supporting information as soon as reasonably possible. Chair of the Appeal Panel will convene a meeting to take place as soon as practical, and in any event, within five working days of receipt of the Notice of Appeal, at which the Appeal Panel will consider the Notice of Appeal.



The Appeal Panel will investigate the grounds set out in the Notice of Appeal and establish, to their reasonable satisfaction, whether or not there has been a failure to apply or adhere to the Formal Procedure.

The possible outcomes of an Appeal are:

- confirm the original decision that is under Appeal and reject the Appeal;
- withdraw the decision under Appeal and remit the matter back to the Formal Procedure Panel, identifying the errors they have made in the conduct of the Formal Procedure and requesting that a new decision is made within 10 working days;
- withdraw the decision under Appeal and confirm the remedy suitable for the Complainant.

The decision of the Appeal Panel shall be reached by majority vote and all members shall have one vote each. All parties will be informed of the Appeal Panel's decision to either confirm or withdraw the decision under Appeal.

Disciplinary Action

Where the Respondent admits misconduct and/or the Disciplinary Panel determines that any allegation has been found to be proved or a complaint has been admitted, the Disciplinary Panel, after taking into account any mitigation or representations made by the Respondent and the Case Presenter, may impose one or more of the following sanctions on the Respondent:

- a written warning as to his/her conduct which shall remain on the Respondent's record for a period of three years;
- Order that any results of the Respondent from either past or future competitions or events shall not count;
- Suspend the Respondent from membership of the AFPST for such period and/or from such specified competitions and/or events as the Disciplinary Panel decides;
- Expel the Respondent from the AFPST;
- Require the Respondent to comply with a period of mentoring/ supervision/training. If a participant fails to improve after a reasonable period of time with such a requirement, the Panel shall reconvene and consider alternative or additional sanctions, or it may refer the case for consideration by another Disciplinary Panel;



- Require the Respondent to prove competence. This may specify relevant training to be undergone and a reasonable period within which it must be undertaken. If a participant fails, without good reason, to comply with such a requirement, the Panel shall reconvene and consider alternative or additional sanctions, or it may refer the case for consideration by another Disciplinary Panel.

Where applicable, when determining sanctions, the Disciplinary Panel will refer to the rules, regulations and codes of standards from any other relevant external bodies. For example, anti-doping sanctions will be administered in accordance with the current UK Anti-Doping Rules and Regulations.

The AFPST retains the right to refuse membership or renewal of membership in respect of any member. Where a disciplinary sanction imposes a suspension or expulsion on a Member and the Member submits an Appeal Form regarding that decision, such suspension or expulsion shall continue until the Appeal is heard unless, in the sole discretion of the AFPST, there are exceptional circumstances which indicate that such suspension or expulsion should be lifted pending the outcome of the Appeal.

Confidentiality

BBU Volunteers, Athletes and Third Parties should not discuss any disciplinary matter with anyone other than the parties involved in the process and the Complainant's own Authorised Representative. Failure to maintain confidentiality may result in disciplinary action being taken.

The outcome of a Formal Hearing will remain confidential to the parties involved. Disclosure may be made in accordance with the AFPST's legal, contractual, or regulatory obligations.