



Policy number: 11

**Policy Name: Grievance, Complaints & Disciplinary Policy
(‘Disciplinary’)**

Grievance, Complaints & Disciplinary Policy (Disciplinary)

CONTENTS

INTRODUCTION	3
1.0 GENERAL	4
1.1 POLICY STATEMENT / PURPOSE OF POLICY	4
2.0 OBJECTIVES OF POLICY	4
3.0 SCOPE OF POLICY.....	4
3.1 THIS POLICY APPLIES IN CIRCUMSTANCES WHERE NO OTHER POLICY OR RULE (INCLUDING COMPETITION RULES) GIVES A PROCESS TO RESOLVE A DISPUTE INVOLVING:	4
3.2 THIS POLICY DOES NOT APPLY TO:	4
3.3 EXAMPLES OF OTHER POLICIES AND MATTERS WHICH FALL OUTSIDE THE SCOPE OF THIS POLICY:.....	5
4.0 GENERAL PROVISIONS	5
4.1 DISCIPLINARY DEEMED INSUFFICIENT TO PROCEED	6
4.2 DIFFERENCE BETWEEN DISCIPLINARY MATTERS, COMPLAINTS AND GRIEVANCES.....	6
4.3 DISCIPLINARY OR GRIEVANCE PROCESS – WHICH WILL BE FOLLOWED?	7
5.0 REVIEW.....	7
6.0 DISCIPLINARY PROCESS	7
6.1 DISCIPLINARY PANELS AND PERSONNEL	7
7.0 GRIEVANCE PROCESS.....	8
7.1 GRIEVANCE PROCEDURE	8
7.2 RESTRICTIONS ON THE EXTENT OF REMEDIES FOR UPHELD GRIEVANCES	9
APPENDIX 1 – DISCIPLINARY PROCEDURE.....	10
APPENDIX 2 - DISCIPLINARY PANEL / DISCIPLINARY COMMITTEES / APPEALS COMMITTEE TERMS OF REFERENCE AND PROCEDURES.	15
COMPLAINTS FORM.....	16

INTRODUCTION

Squash Ireland's Grievance, Complaints and Disciplinary Policy sets out how we handle complaints and disciplinary matters to ensure that the process is clear and works fairly for all involved.

This policy sets out the procedures and timelines involved and how matters will be processed once Squash Ireland have received the information. As Squash Ireland is a not-for-profit organisation with a very small team of staff we rely on volunteers and sometimes external expertise to support the implementation of this policy and to assist in hearing cases and complaints.

The Board of Squash Ireland has approved the appointment of a Disciplinary Panel ('DP') to be headed up by a Chairperson appointed by the Board. The Disciplinary Panel must include at least one independent person who is not a member of Squash Ireland and may include members of the Board.

When disputes arise, that require decisions under the relevant aspects of this policy, the Chairperson of the Disciplinary Panel will form a Disciplinary Committee ('DC'). The DC will consist of a minimum of four appointees from the DP, a quorum will be three.

The Honorary Secretary ('Hon Sec') of Squash Ireland will support this policy by performing administrative functions. They will be the initial point of contact for all disputes. All disputes received by the Hon Sec will be forwarded promptly to the Chair of the DP. Administrative assistance may also be provided to the Disciplinary Panel by other personnel, or staff appointed by the Hon Sec or the CEO to perform that function from time to time.

The Board will also appoint a Disciplinary Officer ('DO') to investigate disputes, complaints and/or disciplinary matters when requested to do so. The DO, in consultation with the Chair of the DP, at the initial stages of receipt of a dispute, complaint or disciplinary matter, will determine the best route for a matter to be progressed as set out in this Policy. The DO will undertake investigations, where relevant and present cases to the DC for matters which require a hearing.

1.0 GENERAL

1.1 Policy Statement / Purpose of Policy

This Policy is designed to outline the approach Squash Ireland takes to resolving grievances, complaints and disciplinary matters and upholding standards of appropriate conduct and implementing the regulations and policies of Squash Ireland (each a “dispute” for the purposes of this policy).

If the subject matter of a dispute or complaint is covered in a regulation or other policy of Squash Ireland, then the procedure set out in that regulation or policy shall apply.

For example,

- a) a dispute arising as the result of a safeguarding issue is covered by Policy 2a Squash Ireland’s Safeguarding Policy.
- b) a GDPR matter will be dealt with under Policy 5 Data Protection Policy which deals with GDPR policy matters.

Further information on the scope of this policy and examples of matters which fall outside the policy can be found under Section 3 below.

If the subject matter of a dispute falls within the scope of this policy and is not otherwise covered by a regulation or policy of Squash Ireland, then this document sets out the procedures which must be used.

Squash Ireland is also subject to the World Squash Federation (WSF) Code of Ethics and Code of Conduct and any grievance, complaint or disciplinary matter which falls within the scope of those Codes may also be referred to WSF for their review and potential action under the WSF Codes. Similarly any person who is becomes subject to a process by WSF may also be subject to a process under this Squash Ireland policy.

2.0 Objectives of Policy

This policy and the related procedures, outlined in Appendix I, are designed to help and encourage everyone to achieve and maintain high standards of conduct, ethics and performance. This policy provides a mechanism to raise and deal with disciplinary issues with fairness and due process where no other Squash Ireland policy or rule applies.

3.0 Scope of Policy

3.1 This policy applies in circumstances where no other policy or rule (including competition rules) gives a process to resolve a dispute involving:

- a) Activities, events and competitions;
- b) Volunteers who are officially engaged by Squash Ireland across our activities, events and competitions; and
- c) Volunteers who sit on the Board and on Sub Committees.

3.2 This policy does not apply to:

- a) Employees of Squash Ireland, for whom there is a specific policy;
- b) Paid contractors, consultants, or third parties who are paid by us, for whom there is a specific policy or contract in place;
- c) Disputes within member clubs or between a member of a Squash club and that club or any other Squash club (other than in the limited circumstances outlined below); or

- d) Complaints/appeals relating to team selection at competition.
(Appeals relating to team selection are governed by Policy No. 29 *Squash Ireland Selection Appeal Policy*).

3.3 Examples of other policies and matters which fall outside the scope of this policy:

- a) **Criminal activity:** Allegations of criminal activity when the matter should be brought to the relevant state authority e.g. An Garda Síochána or Police Service of Northern Ireland.
- b) **Safeguarding:** Matters concerning safeguarding shall be dealt with under the Policy 2a Safeguarding Policy in the first instance and only referred back to be handled under this policy once all safeguarding concerns have been considered and addressed first.
- c) **Data Protection:** Matters concerning data protection shall be dealt with under Policy 05 the Data Protection Policy in the first instance and only referred back to be handled under this policy once all such concerns have been considered and addressed first.
- d) **Staff-related issues:** Any issue may be raised with the CEO who shall consider what action or process should be followed in such cases. The staff disciplinary and grievance procedure shall be followed if applicable.
- e) **Decisions made by the Board and its Sub Committees:** The Board is authorised and empowered to make decisions under the Constitution. The Board also delegates certain decisions to its Sub Committees. The appropriate forum to raise any queries or questions about these decisions is to write to the relevant Chair of these bodies and/or at annual meetings of the membership. Decisions of the Board and its Sub Committees are not matters for review or appeal through this policy. However, the Board and its Sub Committees welcome feedback.
- f) **Decisions made by the Staff of the organisation:** Any question may be raised with the CEO if it relates to a decision of a member of staff. The CEO will determine if any action is required. If the matter relates to a decision of the CEO, the issue should be raised with the President of Squash Ireland who will determine if any action is required.
- g) **Grievances / allegations which arise at club level:** There are only certain limited circumstances in which Squash Ireland has the authority to handle grievances and/or allegations by or against clubs or involving members of clubs. These include:
 - i. Disciplinary relating to non-compliance with the terms of affiliation with Squash Ireland
 - ii. Disputes relating to non-compliance of a member club with Squash Ireland's Constitution or policies or directions issued to a club; and
 - iii. Any dispute which may not have been properly handled by a Club. In such a case Squash Ireland may decide to request a Club to set up a dispute process for a matter or provide a club with guidance to conduct its own procedures. If a matter requires Squash Ireland to intervene itself to hear a case this decision shall be made in consultation with the Disciplinary Officer and the Chair of the DP.

4.0 General Provisions

- a) None of the members, officers, employees, agents or representatives of Squash Ireland, or other persons involved in the administration of this policy shall be liable to any person in any way, in relation to acts done or omitted to be done in good faith in connection with this policy.
- b) Any deviation from this policy or the procedures referred to shall not invalidate any finding, procedure, decision or result under this policy unless the person relying on such deviation establishes that it casts material doubt on the validity of such finding, procedure, decision or result and the other parties to the proceedings cannot rebut that doubt or otherwise establish the validity of such finding, procedure, decision or result.
- c) Unless otherwise specified, time periods in these Rules are total consecutive days irrespective

of weekends or holidays. When a deadline falls on a weekend or a statutory holiday, the next working day shall be the deadline

- d) All acts done in good faith by any person in the implementation of this policy, notwithstanding that it is afterwards discovered that there was some defect in the appointment or authority of such person so acting, shall be as valid as if every such person had been duly appointed or authorised.
- e) Where a matter arises that is not otherwise provided for, the person or body called upon to resolve the matter shall have discretion to do so in such manner as he, she, they or the body called upon sees fit, provided that such resolution does not materially undermine the reliability of proceedings or otherwise cause material injustice those involved.
- f) The Complaints and Disciplinary Bodies shall keep all information disclosed to them confidential and no disclosure of any detail shall be made to any third party unless in the administration of their disciplinary function. The administration of a disciplinary function may require the disclosure of certain offences and sanctions to be made to other persons at Club, or National level but only where required. The documents produced during any proceedings shall remain private unless required by Law.

4.1 Disciplinary deemed insufficient to proceed

When a dispute is received the procedure set out in Appendix 1 will be followed. If the DO and the Chair of the DP determine that the matter falls outside the scope of this policy, or is insufficient to proceed, they will advise the Hon Sec who will advise the complainant.

The complainant may request an appeal to this decision on payment of an Appeal fee of €200. Appeals must be accompanied by a Bank Draft or Postal Order for the Appeal Fee of €200 made payable to Squash Ireland or proof of electronic payment. This fee shall be refunded only if the appeal is successful.

The appeal will be considered by a Disciplinary Committee ('DC') set up for this purpose. The DC will consist of a minimum of four members with three being a quorum. The decision of this DC is final. If the appeal is upheld a new DC will be formed with different members of the DP to hear the dispute.

4.2 Difference between Disciplinary matters, Complaints and Grievances

- a) Disciplinary matters may arise from a breach of Policy 06 The Code of Conduct or any other Squash Ireland Policy or from behaviour or conduct which may reasonably be considered to bring Squash Ireland into disrepute.
- b) Disciplinary matters usually but not always result in a full hearing of a matter with parties entitled to attend and make their case. Disciplinary matters may also result in a sanction of varying degrees if a party is found guilty of the particular charge being laid against them.
- c) Grievances are issues that do not result in hearings or sanctions and can generally be categorised as a complaint about how a matter was handled.
- d) Grievances can often be resolved, and issues improved or positions accepted or rejected. Not all grievances can be resolved but they can be aired and understood.
- e) Examples of grievance include but are not limited to:
 - i. Feeling something was not handled correctly
 - ii. The service you received
 - iii. Raising concerns over behaviour or tone of an individual
 - iv. Not believing equity has taken place over a particular matter
 - v. Raising unfairness of any kind
 - vi. General complaints and issues someone is unhappy about
 - vii. Complaints arise when a participant (Player, coach, selector, supporter, Parent,

Guardian, Official or other personnel) raises an issue that is considered by them to be unsatisfactory or unacceptable.

- f) Complaints may initially be categorised as a grievance but may also be categorised as a disciplinary matter.

4.3 Disciplinary or Grievance Process – which will be followed?

When an issue is raised the Chair of the DP and the DO will firstly determine if the matter is a matter which should be handled under this policy or if another more appropriate policy applies as outlined in section 3.3.

This initial assessment shall be made by the Chair of the DP and the DO. If a decision has been made that a matter is clearly outside the scope of this policy, Chair of the DP and the DO will advise the Hon Sec who will advise the person in writing of that position.

It may also be that a matter that initially starts as a grievance, at a later stage becomes a disciplinary case. Some issues may also require an initial review first to make this determination. Sometimes this determination will be straight forward but other times it may require further consideration. This determination will be made by the DO in consultation with the Chair of the DP. They may also decide to re-categorise an issue as a grievance or as a disciplinary matter as a matter proceeds. If necessary, the Chair of the DP and the DO may decide to empanel a three-person review panel to further consider the matter.

5.0 Review

Squash Ireland will monitor and review this policy and make any changes and amendments to this policy that it considers necessary. Squash Ireland may also vary this policy as required under legislative changes and as appropriate in any case.

6.0 DISCIPLINARY PROCESS

6.1 Disciplinary panels and personnel

The Disciplinary Panel ('DP'). The DP will consist of persons who are engaged by Squash Ireland to sit on cases which require a formal disciplinary hearing. Such persons may be drawn from a range of backgrounds including from the membership, from other sporting organisations, from the legal profession or others who have skills and/or experience considered suitable for this panel. The Board have authority to appoint people to this panel on application or on recommendation. The Board will appoint a Chair of the Disciplinary Panel. Staff members do not sit on this panel. Members of the Disciplinary Panel will not be selected for cases where there may be a conflict of interest. The Board will review and approve the Disciplinary Panel on an annual basis.

The Disciplinary Committee ('DC'). For each hearing, four people will be appointed from the DP, by the Chair of the DP, to sit as a Disciplinary Committee ('DC') to hear and adjudicate cases. The quorum will be three people. The Chair of the DP will appoint one of the people on the DC as Chair of the DC to hear the specific case. The Chair of the DP will endeavour, as much as possible, to ensure a mix of persons with appropriate skills for cases which may arise.

The Disciplinary Officer ('DO'). The DO is appointed by the Board. The DO will engage with the Chair of the DP when a dispute arises to help decide how it is to be dealt with. The DO will conduct investigations into disputes and present findings to the DC in a report.

The Honorary Secretary ('Hon Sec'). The Hon Sec of Squash Ireland will do administration for the DP. Complaints, grievances and disciplinary matters are initially submitted to the Hon Sec who will forward them to the Chair of the PD and the DO in a timely manner.

7.0 GRIEVANCE PROCESS

7.1 Grievance Procedure

The procedure below should be followed by anyone who has a grievance or concern;

Informal Discussion

The majority of concerns are generally best resolved through informal discussions between the parties. If this discussion fails to resolve the matter to the satisfaction of the aggrieved party, the grievance should be sent to the Hon Sec within one month of the issue concerned. Anonymous complaints will not be eligible for consideration under this procedure.

If a grievance sent outside the one-month period but there are exceptional reasons as to why there has been a delay the DO and the Chair of the DP may determine that the case can proceed due to exceptional circumstances being applicable. They shall be the final decision makers in that regard.

Email outlining the grievance

Grievances should be sent to the Hon Sec at Honsecretary@irishsquash.com and copied to ceo@irishsquash.com.

The email must contain the following information:

- a) Outline the details of the grievance, stating clearly what the issue is and who the grievance is against and the reasons for this.
- b) Confirm that the issue has been raised initially informally or advise the reasons why it is not possible to do this.
- c) State what outcome/resolution you are seeking from the grievance hearing.

We also have a complaints form on our website which you can use or it can be emailed to you on request. If you prefer to use email to set out your complaint either method is acceptable.

An acknowledgement will be sent within 7 working days of receiving a grievance.

Grievance Meeting/Phone call/Online

If the DO and the Chair of the DP consider the grievance is a valid matter which requires further consideration a meeting in person, online or by phone may take place for which the complainant must make themselves available and to which they can be accompanied by another member of Squash Ireland. The DO and the Chair of the DP will determine if an investigation is required. If you choose to take advantage of this right, you are asked to notify the Hon Sec of the name of the person prior to the grievance meeting. The DO and the Chair of the DP will determine if an investigation is required. When the meeting has been held and, where appropriate, the investigation completed the Hon Sec will write to you within 10 working days to confirm the outcome.

Appealing an outcome of a Grievance

If you are unhappy with the outcome and decide to appeal you must confirm this in writing within 5 working days of receiving the outcome, setting out the reasons why. The Hon Sec will arrange another appropriate person to re-consider your grievance. When a decision has been made the Hon Sec will confirm the outcome in writing. The decision is final.

Where the DO and the Chair of the DP believe a grievance has been made with malicious intent, or with a view to cause provocation, Irish Squash reserves the right to investigate and take disciplinary action where necessary.

Where the DO and the Chair of the PD believe a matter is more appropriately dealt with under the

Disciplinary Process, the Hon Sec will advise you of same.

7.2 Restrictions on the extent of remedies for upheld grievances

Where the outcome of this process means a grievance is upheld, there may be limitations on the extent to which the grievance can be fully remedied. This will depend on the practical circumstances that apply on a case-by-case basis.

For example, if the grievance relates to a competition and the outcome of an investigation confirms the merits of the grievance, due to time constraints that generally apply the remedy would be limited to an apology from the organisation together with an undertaking to ensure corrective action is taken with regard to future processes.

Appendix 1 – Disciplinary Procedure

1. Investigation

- a) All complaints must be made within one month from the date of the issue about which the complaint is being made. Complaints may be made by any person to Squash Ireland via email to honsecretary@irishsquash.com and copied to CEO@irishsquash.com or by letter to the Secretary at Squash Ireland HQ, Sport Ireland Campus, Blanchardstown, Dublin 15, Ireland, D15 DY62. Such complaints must be in writing and must include all evidence as to the alleged breach. Anonymous complaints will not be eligible for consideration under this procedure.
- b) The Hon Sec will forward the complaint to DO and the Chair of the Disciplinary Panel for consideration.
- c) If a complaint is made outside the one-month period but there are exceptional reasons as to why there has been a delay the DO and the Chair of the DP may determine that the case can proceed due to exceptional circumstances being applicable. They shall be the final decision makers in that regard.
- d) If the complaint is deemed within scope and a legitimate complaint, the DO shall set up a case file, set out the process, inform all parties involved in writing of the complaint and allow all parties an opportunity to respond within a timeframe set out. An example of legitimate grounds could include but is not limited to; preliminary evidence provided of any kind which in the opinion of the DO may mean a rule, policy or code may have been breached; a complaint which the DO considers is reasonably grounded on genuine or serious concerns and merits an initial investigation; information provided that in the opinion of the DO could result in potential risk to any individuals or to the organisation as a whole and merits opening an initial investigation.
- e) In all cases the DO and the Chair of the DP will make an initial assessment and determine whether a complaint merits opening an initial investigation. If it is considered a matter is spurious, or has no grounds, or there is no initial evidence and there is no risk to any individuals or to the organisation from not proceeding with an initial investigation then the DO and the Chair of the DP have the authority to deem the complaint insufficient to proceed.
- f) The DO and the Chair of the DP will also determine whether the matter is a grievance or a disciplinary issue. Examples of grievances are set out earlier in this policy.
- g) The DO and the Chair of the DP may also be able to resolve the matter through discussion with the parties or by having relevant personnel address a specific matter which has been raised.
- h) The initial determination to proceed with a case is not reflective of the final outcome of a matter or indicative of any guilt by any party which will be at the sole discretion of the Disciplinary Committee hearing the case.
- i) If a case is proceeding the DO may issue initial time frames to the parties for all responses but shall ensure the initial complaint is examined and responded to within 14 days unless there are sufficient grounds to delay procedures. The DO can conduct any necessary preliminary investigations and seek expert opinion and/or reports and an inspection of documents or files may be necessary. The DO may conduct any initial enquiry deemed necessary in order to fully investigate the complaint, so a full file is ready for the Disciplinary Committee hearing.
- j) On completing an initial investigation, the DO and the Chair of the DP shall decide if a Disciplinary Committee hearing is required and if any charge for breach of policy, code, direction or such other disciplinary offence needs to be issued against anyone. In the event such a charge is brought, the case will be submitted for consideration to a Disciplinary Committee hearing.
- k) The DO and the Chair of the DP shall not discuss the merits of any case with the Disciplinary

- Committee or the Board prior to the hearing.
- l) Failure to reasonably co-operate with an investigation of the DO, may also be referred to a Disciplinary Committee who may sanction accordingly.
 - m) The Chair of the Disciplinary Panel shall not sit on any case they have previously provided directions on or discuss the merits of the case with any member of the Disciplinary Committee.
 - n) In the event of the DO and the Chair of the DP considering the complaint insufficient to proceed at any point, the complainant may request an appeal which will be considered by a member of the Disciplinary Panel on payment of an Appeal fee of €200. Appeals must be accompanied by a Bank Draft, Postal Order made payable to Squash Ireland or proof of electronic payment (details for electronic payment are available from the Squash Ireland office info@irishsquash.com), for the Appeal Fee of €200. This fee shall be refunded only if the appeal is successful. If the appeal is upheld, the member of the Disciplinary Panel who considered the appeal will not be a member of the Disciplinary Committee subsequently set up to hear the case. If the initial decision that the complaint was insufficient to proceed is upheld, the decision of the member of the Disciplinary Panel is final.

2. Disciplinary Procedure - Disciplinary Committee remit and role

Disciplinary cases shall be heard by a Disciplinary Committee which is ultimately responsible for hearing cases and adjudicating case. The following applies:

- a) The Disciplinary Committees shall be made up of a panel of four persons, with a quorum of three persons, based on the independence and knowledge of the issues to be considered. One member of the Committee shall act as Chair of the Committee. The Board of Squash Ireland shall set up a panel of persons with suitable skills who can be drawn upon for any disciplinary panel cases as they arise. This panel may be drawn from the membership overall, members of committees, members of the Board and independent persons outside of Squash Ireland, once no conflicts of interest exist.
- b) The Disciplinary Committee has a general Terms of Reference regarding its overall remit and composition.
- c) The Disciplinary Committee may set out any additional Terms of Reference for specific cases such as requiring evidence, hearing of witnesses, written statements or other such terms as may be required in certain cases.
- d) The Disciplinary Committee may request the attendance (in-person or online) of any persons at a hearing. Failure to comply with any reasonable request may in itself result in disciplinary action if deemed appropriate in the circumstances.
- e) The DO takes charge of the administrative work for the Disciplinary Committee and may also delegate a person to assist in minute taking and correspondence.
- f) The Disciplinary Committee make their decisions entirely independently of other parties but can ask the DO for information on the process and the investigation they conducted to date.
- g) The Disciplinary Committee shall decide by simple majority vote. In the event of a tie the Chairperson shall have an additional and casting vote.
- h) Members of the Disciplinary Committee shall decline to participate in any hearing concerning a matter where there are serious grounds for questioning their impartiality or where conflicts of interest may arise.
- i) All proceedings and disclosures made in relation to a case remain confidential to the parties however decisions may be disclosed and made public (subject to the sensitivity and specifics of each individual case).
- j) The Chair of the DP shall communicate the decision of the DC to all parties involved within 3 days and provide a summary report to the Board of Irish Squash once the period of appeal has elapsed.

3. Disciplinary Procedure – Hearing procedures

- a) The DO must inform all parties to the case of the venue, date and time of the hearing and all Parties are entitled to attend the hearing. A party shall not be prejudiced if they do not wish to attend a hearing unless they have specifically been requested to attend by the Disciplinary Committee and fail to do so. Failure to attend such a meeting when requested by the DC to do so will be treated as a breach of Squash Ireland Code of Conduct.
- b) All parties involved in the hearing must confirm to the DO in writing the name and the role within, or relationship to the party, of all persons who will be attending the hearing on their behalf, or at their request within time limits as stated in the notification. The Disciplinary Committee shall have discretion to permit the attendance of any persons not confirmed within the stated deadlines.
- c) The Disciplinary Committee, once appointed, can issue directions to the parties in respect of the hearing prior to proceedings commencing.
- d) A hearing can be postponed if the appointed Disciplinary Committee requires additional information prior to proceedings commencing or to allow technical or other issues to be addressed.
- e) The Disciplinary Committee may adjourn or suspend proceedings for further deliberation or to seek further or additional evidence or expert advice or where it is otherwise considered necessary to do so, provided an adjournment does not unduly prejudice any party. Following an adjournment the Disciplinary Committee must reconvene within ten days.
- f) The Disciplinary Committee shall consider all evidence that it deems relevant to the case.
- g) The DO and the Disciplinary Committee shall remit all matters pertaining to the protection of children or vulnerable adults to the statutory authorities as required under Policy 2a Safeguarding Policy.
- h) Any type of proof may be produced in a hearing unless it does not serve to establish relevant facts. The following are, in particular, admissible: reports, declarations from the parties and witnesses, material evidence, social media extracts, expert opinions and unedited audio or video recordings.
- i) The Disciplinary Committee will have absolute discretion regarding proof. The Disciplinary Committee shall hear all evidence it considers relevant to the case and shall decide on the basis of the proof before them. The Disciplinary Committee may request a party or any other body to submit information or documentation. Such a request shall be complied with.
- j) The parties may be represented at a hearing by a third party, but should appear personally where requested to do so by the disciplinary body.
- k) It is expected that all parties shall bear their own costs.
- l) The Chair of the DP shall send a copy of each decision to all parties to the procedure within 3 days of the hearing at which the decision was made. A brief report shall be sent to the Board of Squash Ireland outlining the complaint and the findings thereafter but in time for the next Board meeting.
- m) It shall be a breach of the Squash Ireland Code of Conduct not to comply with a decision, and any party that fails to respect such a decision may be sanctioned further.

4. Minors

- a) Any Member of Squash Ireland under the age of 18 shall be accompanied by their guardian or parent at a hearing.
- b) Unless requested to attend in person, minors may make a submission in writing or attend in person or both, whichever they prefer. However, there may be occasions when the person must attend if requested to do so.
- c) In all cases, but particularly where the subject of the Complaint is under 18, steps should be taken to ensure the fair treatment of both parties, and advice should be sought if necessary from the Child Protection Officer and CEO.

- d) The Hearing Committee shall ensure a Children's Officer is present at a hearing where the matter concerns an under 18-year-old. The Children's Officer shall be invited to make submissions on behalf of the child at the hearing

5. Sensitive Cases

A case may be deemed sensitive by the DO investigating due to its circumstances for any number of reasons. Squash Ireland understands persons may have existing needs or may require access to special services during the time a case is being handled or due to the circumstances of the complaint.

6. Appeals

- a) An appeal may be lodged against a decision of the Disciplinary Committee
- b) Appeals must be lodged to Squash Ireland, within five (5) days of the date on which the written notification of the decision being appealed against was sent to the appellant. For the avoidance of doubt time limits begin from the day after receipt of the notification.
- c) Appeals must be accompanied by a Bank Draft, Postal Order made payable to Squash Ireland or proof of electronic payment (details for electronic payment are available from the Squash Ireland office info@irishsquash.com) for the Appeal Fee of €200. This fee shall be refunded only if the appeal is successful.
- d) The appellant must submit to the DO the initial appeal documents and all additional documentation, submissions and/or evidence upon which it intends to rely at the Appeal Committee hearing. The DO shall determine the relevant parties to the appeal and shall copy all parties with all documentation, submissions and/or evidence as soon as possible. The DO shall set all timelines.
- e) All appeal hearings shall commence within fifteen (15) days of receipt of the appeal by the DO unless there are exceptional circumstances which require an extension of this time period. The DO shall inform all parties to the appeal of the venue, date and time of the Appeal Committee hearing.
- f) The Appeal Committee, shall be constituted as per the Disciplinary Committee and draw from the Disciplinary Panel using persons who are not conflicted and have had no role in the initial Disciplinary Committee hearing or investigation. The Appeal Committee, once appointed, can issue directions to the parties in respect of the hearing prior to proceedings commencing.
- g) All parties involved in the appeal must, at least three (3) days before the hearing, confirm in writing, by post or email to the DO the name and the role, or relationship to the party, of all persons who will be attending the hearing on their behalf, or at their request. The Appeal Committee shall have discretion to permit the attendance of any persons not confirmed within the stated deadlines.
- h) Any party involved in the appeal who fails to attend an Appeal hearing if requested to do so by the Appeal Committee may be subject to disciplinary action.
- i) In cases of urgency, the Appeal Committee, or if the Appeal Committee has not yet been appointed, the DO, may amend the time limits indicated above, with the exception of the time limit to file an appeal, in order to facilitate an expedited appeals process.
- j) Appeal procedures shall follow the same procedures as set out for Disciplinary Committee procedures above in terms of the hearing, administration, evidence and decision notifications. The Appeals Committee may also set a terms of reference if it deems this necessary for specific cases.

7. External Appeals

Any decision made by the Appeal Committee may be submitted exclusively by way of appeal to

Sport Dispute Solutions Ireland (“SDSI”) in accordance with its rules and (where applicable) to the Court of Arbitration for Sport in Lausanne, Switzerland (“CAS”). The time limit for any appeal to SDSI is currently two weeks and in the case of CAS is twenty-one days after the receipt by the appellant of the decision to be appealed. These timeframes are subject to change and the complainant should check the respective websites for the most up to date information; registrar@sportdisputesolutions.ie or info@tas-cas.org . If the Court of Arbitration agrees to entertain an appeal of the decision made, it will resolve the dispute definitively in accordance with the code of Sports Related Arbitration. The decision of SDSI or, if applicable, the Court of Arbitration for Sport in Lausanne shall be final and binding on the parties.

Appendix 2 - Disciplinary Panel / Disciplinary Committees / Appeals Committee Terms of Reference and Procedures.

All that follows is in accordance with and subject to the Squash Ireland Grievance, Complaints & Disciplinary Policy No. 11

- 1) The Board of Squash Ireland shall appoint the Chair of the Disciplinary Panel (DP).
- 2) The Chair of the DP shall recruit the members of the DP having regard to the need for experience, gender balance and a sufficiency of independent members as to enable the Disciplinary Committees (DC) to function.
- 3) The Board of Squash Ireland shall ratify the nominations of persons to serve on the DP.
- 4) The DP shall comprise a minimum of 8 persons thereby enabling two separate Disciplinary Committees to deal with hearing a complaint and hearing any appeal arising.
- 5) Where the Disciplinary Officer and the Chair of the DP are of the opinion that a hearing is necessary the Chair of the DP shall form a DC of 4 members including one independent person. An 'independent' person refers to a person who is not a member of Squash Ireland.
- 6) Hearings of the DC can be either in-person or online.
- 7) The quorum for any DC meeting shall be three of its four members.
- 8) The Chair of the DP shall appoint one of the DC to act as Chairperson of that DC.
- 9) All information deemed to be required by the DC to enable it to carry out its work shall be provided by the Disciplinary Officer (DO) who carries out all investigations related to the complaint and who provides all required support for the DC.
- 10) Typically, but not necessarily, the DC shall have a preliminary meeting to review any information already made available by the DO, to determine whatever additional information is needed and to set a date and time for the hearing at which oral and or written submissions or both will be heard from the parties involved and after which a decision will be reached.
- 11) All DC meetings shall be confidential except to the extent of informing the participants of the outcome and the supply to the Board of Squash Ireland of a brief report as to the outcomes and the sending of the agreed report to the Chair of the DP.
- 12) Decisions of the DC will be by simple majority and where there is an equality of votes the chairperson shall have a second and casting vote.
- 13) Members of the DC exercise a collective responsibility for decisions reached by the DC.
- 14) At the conclusion of its work the Chairperson of the DC shall send an agreed report to the Chairperson of the DP stating the extent to which the complaint was upheld or otherwise; what sanctions, if any, are to be imposed and any recommendations that the DC considered appropriate arising out of its deliberations.
- 15) The Chair of the DP shall communicate the findings to the parties involved either by email or registered post in the event that the parties have elected the latter as their preferred means of communication.
- 16) The Chair of the DP shall also communicate the agreed report to the DO and the Board of Squash Ireland.
- 17) Members of the DC shall not involve themselves in hearings involving persons with whom they have a relationship that could be perceived as resulting in a conflict of interest. Mere acquaintanceship with a person will not be construed as giving rise to such a conflict.
- 18) Where a decision of a DC is appealed the Chair of the DP shall recruit 4 members of the DP to constitute an Appeals Committee (AC) none of whom has served on the original DC.
- 19) Procedures 5 to 17 above shall apply to the Appeals Committee and the Appeals process.
- 20) Any decision made by the Appeal Committee may be submitted exclusively by way of appeal to Sport Dispute Solutions Ireland ("SDSI") or where applicable to the Court of Arbitration for Sport as described in Section 7 of Squash Ireland's Grievance, Complaints and Disciplinary Policy No. 11.



Complaints Form

Details of person making Complaint	
Name:	Club/Involvement in Squash Ireland/ Member of Public etc
Address:	Position
Email	
Phone:	
Date and time of Incident:	
Details of Complaint: (Please attach any supporting documentation)	
Was the complaint reported to any other person or body? Please give details	
Signature _____ Date	