

OURA DISCIPLINARY POLICY CLUB DISPUTES OR COMPLAINTS PROCEDURES

NOTE: This policy is not for complaints related to serious criminal conduct, please refer to the University of Oxford [non-academic misconduct procedure](#) for complaints related to serious criminal conduct.

This document applies to athletes, coaches, OURA staff, club committee members and other people engaged by the clubs for specific roles (e.g. physiotherapists or consultants). The Oxford University Rowing Association (OURA) operates a procedure that allows club members to raise complaints about issues, which might include, but are not limited to, the following:

- Breach of the OURA Code of Conduct
- The safety of club activities
- Poor standards of instruction or leadership
- The standard of equipment used for club activities is unsafe
- Poor club administration
- The lack of suitable activities for their level of participation

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1 Club Disputes or Complaints

A club dispute or complaint is a dispute that involves:

- Two or more members of one rowing club; or
- One or more members of one rowing club on one side and a club on the other; or
- One or more members of one rowing club on the one side, and one or more members of another rowing club on the other;
- One or more individuals (meaning a person who is not a member of a Club but has a reasonable cause to raise a complaint with a Club) on the one side, and a Club on the other.

2 Resolving the Club Dispute or Complaint: Informally

- 2.1 First and foremost, the parties to a club dispute or complaint should use reasonable means to settle the issues between them informally and amicably.
- 2.2 Secondly, if this is not achievable, or not appropriate given the nature of the complaint, then the complaint should be raised with the Senior Member of the appropriate club, or another member of the Executive Committee if the Senior Member is not the most appropriate person.
- 2.3 If such a resolution cannot be achieved through informal discussions and/or raising the issue with the Executive Committee, then the dispute or complaint shall be resolved according to these Procedural Guidelines.

3 Resolving a Club Dispute or Complaint: Independent Panel

- 3.1 In these Procedural Guidelines the term 'independent' as applied to a person means a person who has not had any direct or indirect involvement (apart from being notified about it) in any relevant club dispute or complaint.
- 3.2 Details of the dispute or complaint must be made in writing using the OURA Dispute or Complaints Form (included below).

- 3.3 Clubs should resolve disputes or complaints in the manner set out in this section 3.
- 3.4 Club disputes or complaints shall be referred to the Senior Member of the relevant club (or if that person is a party to the dispute, then to another member of the Executive Committee) who should appoint an independent person to act as a mediator between the parties. The mediator may be a member of the club or a member of another club.
- 3.5 If the mediator is unable to bring about a satisfactory settlement, the club shall appoint an independent panel (the 'panel') to determine the dispute or complaint. One member of the independent panel must be unconnected to OURA.
- 3.6 The panel shall consist of up to three persons who have not been involved in the dispute or complaint. The parties shall be given the opportunity to object (on reasonable grounds) to any of the members of the panel within seven days of their appointment.
- 3.7 The panel members shall appoint one of their number to act as the chair of the panel and either appoint another of their number, or alternatively appoint an additional person without any other powers, to act as the clerk of the hearing.
- 3.8 The chair of the panel shall arrange the date of the hearing and notify the parties of the arrangements at least fourteen days in advance of the date set. The notified date shall not be changed unless one or more of the parties has a compelling reason for not being able to attend on the notified day or time.
- 3.9 The procedure shall be flexible, and it shall be the responsibility of the chair of the panel to ensure the orderly, fair and effective conduct of the hearing.
- 3.10 Each party must have a reasonable opportunity to give and call evidence, address the panel and present their case. In the case of complaints, the party complained about shall receive a summary of the complaint, including relevant documents and information provided by the person making the complaint, in advance of the hearing. The chair of the panel shall have the discretion to limit the number of witnesses that would otherwise have been called.
- 3.11 The panel shall come to a decision as soon as reasonably practicable after the hearing and, if possible, announce its findings and decisions orally to the parties.
- 3.12 The chair of the panel shall notify the parties and, if the club was not a party to the dispute or complaint, the club in writing of the findings and decisions within five days of the hearing.

4 Appeals: Club Disputes or Complaints

An appeal may be made in respect of the findings of a club dispute or complaint as provided below.

An appeal may be made to a second independent panel established by the relevant club on one or more of the following grounds:

- 4.1 Relevant information was ignored or not considered by the original panel;
- 4.2 The procedure was tainted by unreasonable bias or conflict of interests;
- 4.3 Relevant provisions of any procedures were not adhered to;
- 4.4 The first panel exceeded its jurisdiction;
- 4.5 The findings of the first panel were irrational or were findings that would not be reached by a reasonable panel.

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DISCIPLINARY COMPLAINTS AGAINST STUDENTS: SERIOUS CRIMINAL CONDUCT

In the case of complaints about potentially serious criminal conduct, members of the Executive Committee to whom such a complaint was notified should seek the advice of the University Proctors' Office.

The right of a student, member of staff or member of the public to report a student's behaviour under [Statute XI: University Discipline](#) to the Proctors' Office remains unaffected by the internal club complaints procedure. Further information about the process can be found in the [non-academic misconduct procedures](#).

OURA DISCIPLINARY POLICY: VEXATIOUS COMPLAINTS

OURA expects its coaches, rowers and volunteers to be treated with courtesy and respect at all times and will protect them from unacceptable behaviour by complainants. Unacceptable behaviour may include but is not limited to:

- abusive, threatening or inappropriate language, either verbally or in writing, including via social media;
- sending multiple emails or messages via social media, especially over a short timescale;
- recording phone or video calls without prior permission of all parties on that call;
- communication by any means that could bring the sport, the clubs or the university into disrepute; or
- otherwise unreasonably pursuing a complaint.

As per [University procedures](#), malicious or vexatious allegations may result in disciplinary action against the person making the complaint.

Process for declaring a complaint to be vexatious

If a member of an OURA club is concerned about a complaint potentially being vexatious, the matter should be referred up to their Senior Member with a note explaining the member's concerns and attaching any relevant emails and/or other documents. Where the complaint concerned relates to the Senior Member, the matter should be referred to the Chair of the Executive Committee, who shall appoint an independent person to deal with it.

OURA CLUB DISPUTES OR COMPLAINTS FORM

Everybody who is involved in any of the OURA clubs has the responsibility to operate fairly, appropriately and in the best interests of the whole OURA rowing community. If you believe that someone within OURA has not acted in this way, and efforts were made to resolve the issue informally, you can raise a dispute or complaint via this form. The information indicated with an asterisk* must be provided.

First name*
Surname*
Club* (or, if not a member of a club, please explain your involvement in Rowing)
Email address*
Telephone number
Please explain briefly the basis for your dispute or complaint.
1. What efforts were made to resolve the complaint informally?
2. What efforts were made to resolve the complaint with the Senior Member (or other Executive Committee Member) of the appropriate club?
Please list any documents and/or information that you would like to refer to in support of your dispute or complaint.
What would you like to happen to resolve your dispute or complaint?
Please let us know how you would like us to contact you: By email/ telephone/ post/ any of the above (please delete as appropriate & provide relevant details)

Please send your dispute or complaint form and any other relevant information and documents relating to your dispute or complaint to the Senior Member of the appropriate club, or another member of the Executive Committee if the Senior Member is not the most appropriate person.

The Senior Member or a member of the Executive Committee will need to contact you about this complaint. If you would prefer not to be contacted, OURA will treat your complaint as a confidential piece of information and may use it in relation to other investigations, without reference to you personally.

On receipt of your complaint the Senior Member or a member of the Executive Committee will assess whether it complies with the OURA Disputes or Complaints Policy. If it does not, we will explain why so that, if possible, you can correct any problems.

IMPORTANT: if your complaint is accepted, it, and the documents and information you have provided, will be provided to the person or persons named in your complaint.