ROWING IRELAND

Complaints and Disciplinary Procedure



Initial Approval Date:
14-Feb-2025
Implementation Date:
10-Aug-2026

Please check the Rowing Ireland website for the most up-to-date version

Contents

Introduction....3
Complaints....4
Complaints and Disciplinary Committee....6
Consideration of Complaints....7
Investigation Process....7
Mediation....8
Oral Hearing....8
Outcome of Oral Hearings....9
Appeals....10
List of abbreviations:....10
References....11
Appendices:....11
Appendix A - Complaint procedure flow chart.....12
Appendix B – Informal concern process....13

Introduction

The Board of Rowing Ireland recognises the importance of encouraging and promoting effective working relationships between all stakeholders. While we work hard to achieve this, we are aware that on occasion, complaints will arise. As a result, and in keeping with our commitment to excellence in service, we have updated our Complaints & Disciplinary Procedure.

All previous procedures are superseded by this version.

Rowing Ireland may review and amend these Rules and Procedures from time to time, particularly where required by legislative updates or legal developments.
The definitive text of this document in force from time to time is the version contained on the Rowing Ireland website. Any printed text or electronic copy held elsewhere is only a snapshot of the text at the time it is printed, copied or downloaded.

The underlying principles of this document are ones of respect and safety for all. These principles promote the desire of individuals to be valued and heard in a safe constructive environment.

The first consideration will therefore be of a restorative approach to resolving disputes or differences.

The disputes resolution process should be engaged where mediation and restorative practice have not assisted parties in bringing about a resolution to the matters under consideration. By promoting mediation and restorative solutions to difficulties it is hoped that a culture of respect in individual relationships will continue to grow.

This document sets out how a complaint should be made and what will happen when it is made.

This procedure allows for disciplinary action to be taken against any Member, Participant, Volunteer or Club on foot of a complaint being upheld.

This procedure sets out the factors to be considered in dealing with complaints and if required, disciplinary action. It identifies the relevant bodies to deal with complaints and disciplinary matters. It specifies how complaints and disciplinary hearings are commenced and clarifies the stages involved, right of appeal and the grounds of challenge under Sports Dispute Solutions Ireland (SDSI) [1] methods of dispute resolution.

Every official, member, including all participants, volunteers and spectators shall accept that this Procedure shall govern how complaints, disciplinary actions or dispute of whatsoever nature and howsoever arising shall be determined.

As there is a cost in administering the complaints and disciplinary process, complainants will be subjected to an administration fee as set out on the most recent version of the Complaint form.

This Complaints Procedure does **not** apply to the following:

- Complaints of child welfare, abuse, or suspected child welfare. See RI website and other related documents.
- Informal concerns are those not put in writing. See Appendix B for the informal concerns process.
  Complaints at events should be made during the event to the event controller, who will review and act to rectify the complaint.
- High Performance selection – See RI website for selection appeal procedure

- ❖ Employment and quasi employment contractual disputes with Rowing Ireland. Republic of Ireland workplace relation legislation is applicable.
- ❖ Complaints related to the board or executive. The RI Senior Independent director will review and act.

Complaints

Rowing Ireland can only accept and address complaints from registered members eighteen years or older. A complaint on behalf of a minor may be submitted by their parent or guardian.
For any complainant/respondent or witness under the age of 18 years.

- They shall be accompanied by their parent or guardian at any Hearing.
- Are obliged to be present at a Hearing save for exceptional circumstances.
- May be obliged to give evidence (either in writing or at the Hearing, depending upon the circumstances).
- Steps should be taken to ensure the fair treatment of both parties, and advice should be sought, if necessary, from the Club and RI Children's Officer.
- The CDC/AC shall ensure a Children's Officer is present where the matter concerns a Member under 18 years of age.

Any complaints or issues relating to individual clubs must first be addressed and resolved at the club level through the club's internal processes. Only after a complaint made at the club level remains unresolved should a formal complaint be submitted to Rowing Ireland for further review.
Complaints are deemed to be made when they are put in writing and signed by a person, or persons making the complaint and submitted to the RI Complaints officer at complaints@rowingireland.ie.
The appropriate fee to RI shall be paid before the complaint process is initiated.

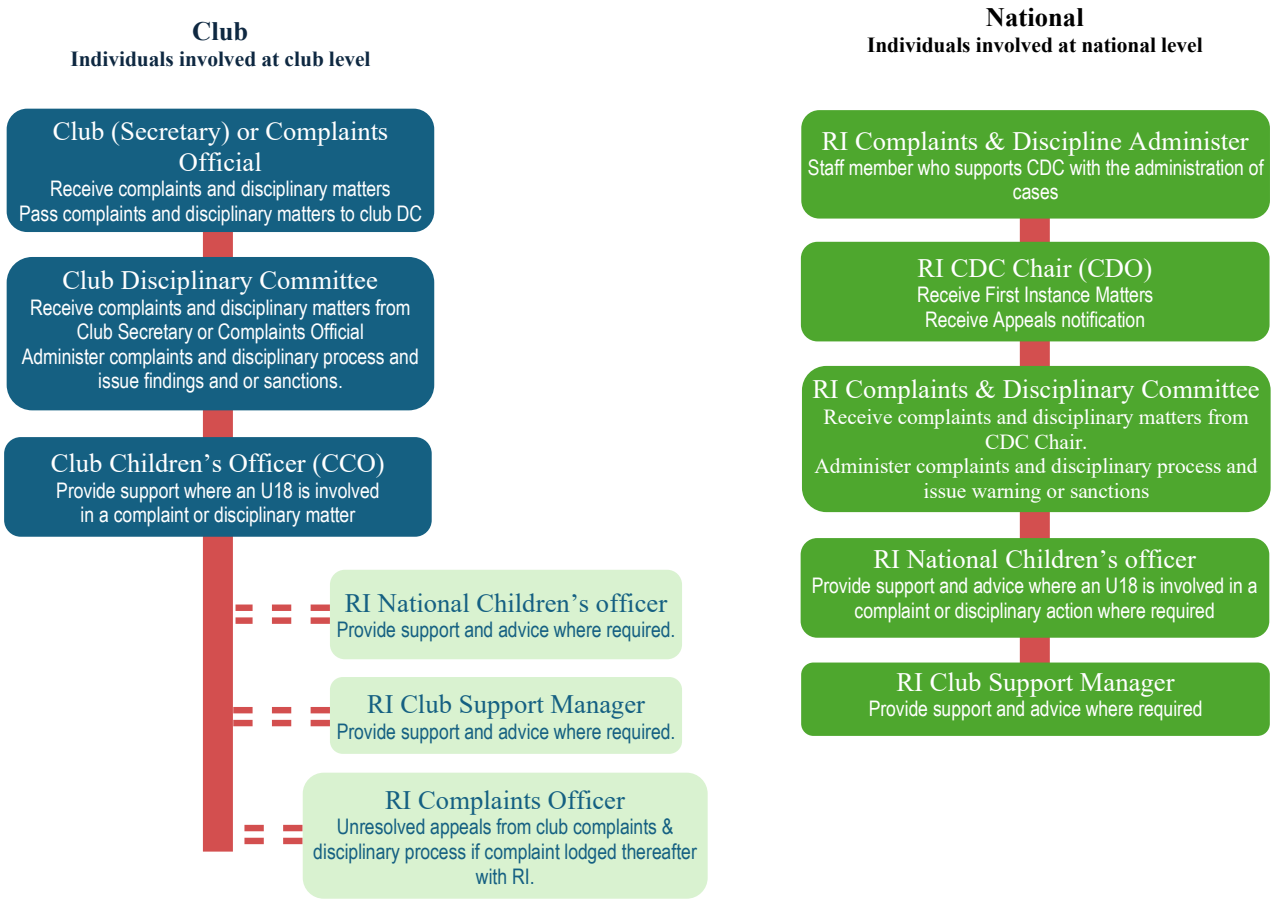
A complaint form is available to download from the Rowing Ireland website.

For a complaint to be valid, the complaint shall:

1) Be made within 8 weeks of the date of the alleged incident or breach (save where exceptional circumstances are proven to the satisfaction of the Complaints and Disciplinary Committee (CDC).
2) Be in writing completed on the official Complaint Form.
3) Refer specifically to a particular incident or incidents.
4) Specify the Rule allegedly broken or the breach that allegedly occurred; and
5) Be accompanied by an appropriate fee made payable to Rowing Ireland.

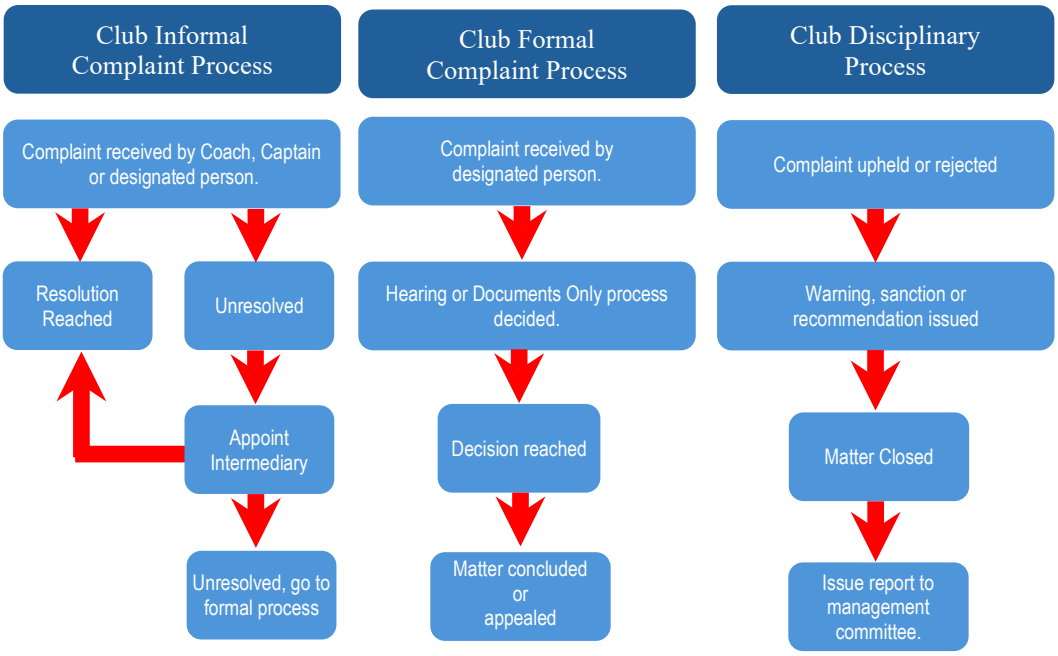
The fee in respect of complaints is always on the most current version of the complaint form.

The following diagrams outline the roles and responsibilities of individuals and committees at club and national level for a complaint.



Summary for Club Complaints and Disciplinary Committees

The following summarises a typical complaint and the disciplinary process at club level.



Complaints and Disciplinary Committee

The Board of Rowing Ireland shall, every 4 years, appoint a Complaints and Disciplinary Committee (CDC). A Chairperson of the CDC will also be appointed for the same term. A Terms of Reference for the CDC will be implemented.

The Board of Rowing Ireland shall, every 4 years, also appoint an Appeals Committee (AC). A Chairperson of the AC will also be appointed for the same term. A Terms of Reference for the AC will be implemented.

The CDC & AC Chairpersons are the presenters of every disciplinary case that will come before the CDC and AC. Both roles will not have voting rights. The Chairpersons of the CDC and AC shall not be the same person for the same complaint.

The CDC and AC Members are independent of Rowing Ireland.

The CDC committee will deal with complaints and with disciplinary action or reports. The CDC decides on how an incident is dealt with and can issue a sanction.

If an appeal is lodged, then the AC decides on the sanction.

Once a complaint is received by the complaints officer of Rowing Ireland in the appropriate format outlined in this policy document, if deemed valid the CDC Chairperson will send a report to the CDC for further action and notify the CEO of the complaint. The CEO will ensure that the RI complaint log is updated and will determine the level of the complaint.
Any complaints that could affect the good reputation of the company (RI) will then be communicated to the secretary of the RI Board.

The CDC Chairperson decides on validity of the complaint only and does not decide on the substantive issues.

The CDC Chairperson, shall then organise a hearing of the CDC who shall appoint a panel who will hear all evidence, decide on each case and to impose disciplinary penalties if necessary. They may also issue recommendations.

They shall do so in a fair and timely manner and in compliance with the laws of Natural Justice and Fair Procedures.

All decisions of the CDC may be appealed to the Appeals Committee (AC). The AC is the final appeal forum.

The Chairperson of the AC does not adjudicate on complaints but presents the complaints to the panel and assists the panel with rule interpretation and any queries that may arise. The Panel of independent members have the sole exclusive right to adjudicate all complaints that arise.

The standard of proof the Panel shall use will be the 'balance of probabilities.

Any complaints relating to breaches of:

1 This Policy.
2 These Rules and Procedures.
3 The Memorandum and Articles of Association of Rowing Ireland.
4 The Rowing Ireland Rulebook.
5 The Rowing Ireland Code of Conduct.
6 Any or all other Rowing Ireland Policies or Statements; and/or
7 Any actions bringing the Rowing Ireland into disrepute (including but not exclusively, any form of abuse, aggressive, bullying, or threatening behaviour, coercion, intimidation, incitement to hatred or violence, assault or damage to property, any form of alcohol or substance use or any mischievous, malicious or vexatious behaviour).
8 Any noncompliance with a previous decision of the CDC.

The validity of any and all complaints shall be determined in accordance with this Policy and all members, volunteers, participants, spectators, clubs and National Committees or Sub-Committees and any other official provided for by the Board, now or in the future, shall be subject to this Policy. Consequently, the policy covers all complaints of whatsoever nature and howsoever arising except for the exclusions mentioned above.

Where a Person is charged with a criminal offence, which if proven, is likely to bring Rowing Ireland into disrepute, then that Person may be suspended from membership by the CDC or AC if it forms the opinion that it is prudent to do so. Such suspension is not an indication of guilt or a sanction per se however it is for the best interests of Rowing Ireland pending an outcome of the matter.

Such a suspension shall also preclude that person from future participation in Rowing Ireland events and from attending at any building in which Rowing Ireland and its affiliates or associates gather for the preparation for an event pending the resolution of the matter but without the necessity on the part of the CDC to have an oral hearing on the matter.

Importantly no disciplinary action shall be taken against any person charged with a criminal offence which relates to the complaint until such criminal action is concluded in full.

Where a person is convicted of a crime which is deemed to be an unspent conviction under legislation, Rowing Ireland has a right to exclude that individual from partaking in any way in Rowing Ireland indefinitely.

Consideration of Complaints

Investigation Process

On becoming aware of a complaint, a CDC shall be empowered to impose a suspension on a member, participant or volunteer pending the determination of the complaint where the gravity of the allegation made or the potential consequences of not imposing a suspension shall in the opinion of the CDC warrant such immediate suspension. In such cases the chairperson shall call an urgent CDC hearing to allow for the imposition of the suspension but pending the full hearing of the matter.
If a complaint involves a minor (a person under the age of 18) the complainer must include the confirmed age of the person involved and the Child Welfare Officer must be notified immediately by the Chairperson.

Where any member of CDC or AC has any actual, perceived, or potential conflict of interest, they shall stand aside from the Complaint/Disciplinary matter and the Chairperson of that Panel shall appoint another appropriate person in respect of that matter.

The Respondent, if there is one, shall be issued with a copy of the formal complaint by the Chairperson of the CDC within 5 working days of receipt by the CDC. Such complaint may be redacted if necessary.

Within 14 days of receipt of the complaint, the Chairperson of the CDC shall write to the Complainant and Respondent seeking clarification of any facts and copies of any documentation and inviting the parties to make any further comment or produce any further documentation and seeking any further details as the chairperson of the CDC may deem necessary.

The Chairperson of the CDC shall have discretion to extend the deadline where they deem it appropriate.

Co-operation with any investigation of a complaint is essential, such co-operation is expected from all concerned, and a CDC may draw conclusions from any party's lack of co-operation.

The Chairperson shall then deem the complaint to be valid and shall move to the next stage of the process – oral hearing.

Mediation

Rowing Ireland supports mediation as a form of alternative dispute resolution. Where the CDC considers a complaint appropriate for resolution by mediation, then the parties to the complaint shall be invited to participate in mediation. The participation in mediation does not prejudice either party's right to proceed to a formal hearing by the CDC should the mediation process not result in a settlement of the complaint or if either party refuses mediation.
Mediation/Restorative Practice may be referred to Sport Dispute Solutions Ireland (SDSI) by the CDC of Rowing Ireland on consideration of the case details. Any costs or expenses incurred by any party (or any of their witnesses) incurred will be the sole responsibility of that party.
The mediation restorative practice does not prejudice either party's right to proceed to a formal hearing by the CDC should the process not result in a settlement of the complaint. SDSI shall be used for all mediation in such circumstances.

Oral Hearing

The CDC Chairperson shall convene an oral hearing in the event of a complaint being held valid and where in the opinion of the Chairperson and upon notifying the CEO, that a hearing is required.

The Chairperson shall have discretion to either convene an oral hearing by the CDC or for the CDC to decide the complaint on a "documents only" basis but shall always ensure fair procedures are followed.

In considering the above, the Chairperson of the CDC shall have regard to the gravity of the complaint.

Where an oral hearing is convened, the Chairperson of the CDC shall notify the parties of:

1 The specific complaint, alleged misconduct or objection.
2 The relevant rule and offence allegedly breached.
3 The identification of the parties.
4 The time, date and venue of the hearing.
5 The procedures involved.
6 The possible sanctions.
7 The rights of the parties; and
8 Any other procedural requirements.

The Chairperson shall be responsible for ensuring the Panel members have all documentation in advance of the hearing as received from both the complainant, the respondent, and Rowing Ireland.

At a hearing, the Chairperson shall first present the case and call on the complainant to put forward their case and call such witnesses and make such submissions. The Respondent, if there is one, shall respond in like manner. Cross examination of witnesses is allowed.
The CDC, in its discretion, may invite third parties (including but not limited to witnesses, officials or experts) to provide evidence or assistance to the Committee in any form at a hearing. The CDC may also invite such third parties to make submissions in writing or otherwise in advance of the hearing.

The parties to a complaint are entitled at a hearing to be accompanied by one person and

depending on the severity of the case, bearing in mind equality of arms, legal representation is permitted. If either the complainant or respondent wish bring legal representation they must notify the Chairperson 7 working days in advance of the hearing.
The CDC may decide however at the outset of every case if equality of arms is not present and may disallow legal representation.

In the event of the non-attendance of a Complainant at a hearing, without notice deemed sufficient by the CDC to be reasonable cause for non-attendance, the complaint shall be deemed to have been determined in the Respondent's favour and not upheld and shall be at an end save for an appeal.

The CDC may adjourn or rearrange any hearing at its discretion. An adjourned or rearranged hearing shall take place as soon as is practicable, and any suspension already imposed, shall be automatically extended until the rearranged hearing takes place.

Outcome of Oral Hearings

Following a decision either on foot of the consideration of all the documents relating to the complaint or on foot of an oral hearing the CDC may decide to uphold the complaint or dismiss the complaint.

If a CDC upholds a complaint, it may also impose a sanction on the Respondent.

When determining sanction, the CDC shall consider all relevant mitigating and aggravating factors.
In determining the sanction in any case, the CDC shall consider the following factors:

1. Age
2. Co-operation
3. Prior Warnings
4. Prior Record
5. Apology offered.
6. Remorse
7. Gravity of offence
8. Effect on parties affected by the matter complained of
9. Effect of sanction on Respondent
10. Any other factor deemed relevant.

Panel Members of the CDC shall keep all information disclosed to them confidential and no disclosure of any detail shall be made to any third party unless by order of the Courts or governmental administrative body of competent jurisdiction.

The Board may require the disclosure of certain facts to be made to other persons but only where strictly required. The documents produced during any internal proceedings shall remain private to Rowing Ireland unless required by the Courts or governmental administrative body of competent jurisdiction to be made public.

Panel Members of CDC and AC shall not be held personally liable in any forum or Court for any acts or omissions in their role as members of the CDC and AC including the chairperson of the CDC and AC.

Any costs or expenses incurred by any party (or any of their witnesses) incurred prior to, during or after a CDC or AC hearing will be the sole responsibility of that party.

The decision of the CDC or AC shall be notified in writing simultaneously to the relevant parties within 5 working days of the making of the decision.

The decision shall include reference to the parties' right to appeal to the next level within 7 working days of the date of notification of the decision.

While the appeal if any is being determined, the original sanction imposed by the CDC shall stand.

Appeals

Each party to a decision of a CDC shall have the right of appeal to the Appeals Committee (AC). An appeal must be made within 7 working days of publication of the CDC decision.

The appeal shall be a fresh hearing as if the first hearing before the CDC did not take place. The appeal will be deemed an Appeal De Novo. [6]

The appellant shall deliver a written notice of appeal to the Chairperson of the AC specifying.

- date of decision
- the grounds of appeal
- copy of relevant documentation and
- an Appeal fee of €50 (which shall be refunded in the event of a successful appeal).

The AC Chairperson shall call a hearing of the AC within 28 days of the date the Appeal papers are lodged.
While the appeal if any is being determined, the original sanction imposed by the CDC shall stand.
None of the members of the first CDC will sit on the AC hearing.
The decision of the AC shall be notified in writing simultaneously to the relevant parties within 5 working days of the making of the decision.

If the appellant request is upheld the appellant will be reimbursed the full appeal fee value.

List of abbreviations:

AC	Appeals committee
ACO	Appeals committee officer (chair).
Board	The board of Rowing Ireland
CDC	Complaints Disciplinary Committee.
CDO	Complaints disciplinary officer (chair).
CEO	Chief Executive Officer of Rowing Ireland.
CR	Confidential Recipient
Executive	Rowing Ireland Managers.
SDSI	Sport Dispute Solutions Ireland.
RI	Rowing Ireland.

References

[1] “Sport Dispute Solutions Ireland,” [Online]. Available: https://sportdisputesolutions.ie/. [Accessed December 2024].

[2] “Rowing Ireland,” [Online]. Available: https://www.rowingireland.ie/safeguarding/. [Accessed Dec 2024].

[3] “Rowing Ireland,” [Online]. Available: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.rowingireland.ie/wp-content/uploads/2023/11/Selection-Appeals-Policy.pdf. [Accessed Dec 2024].

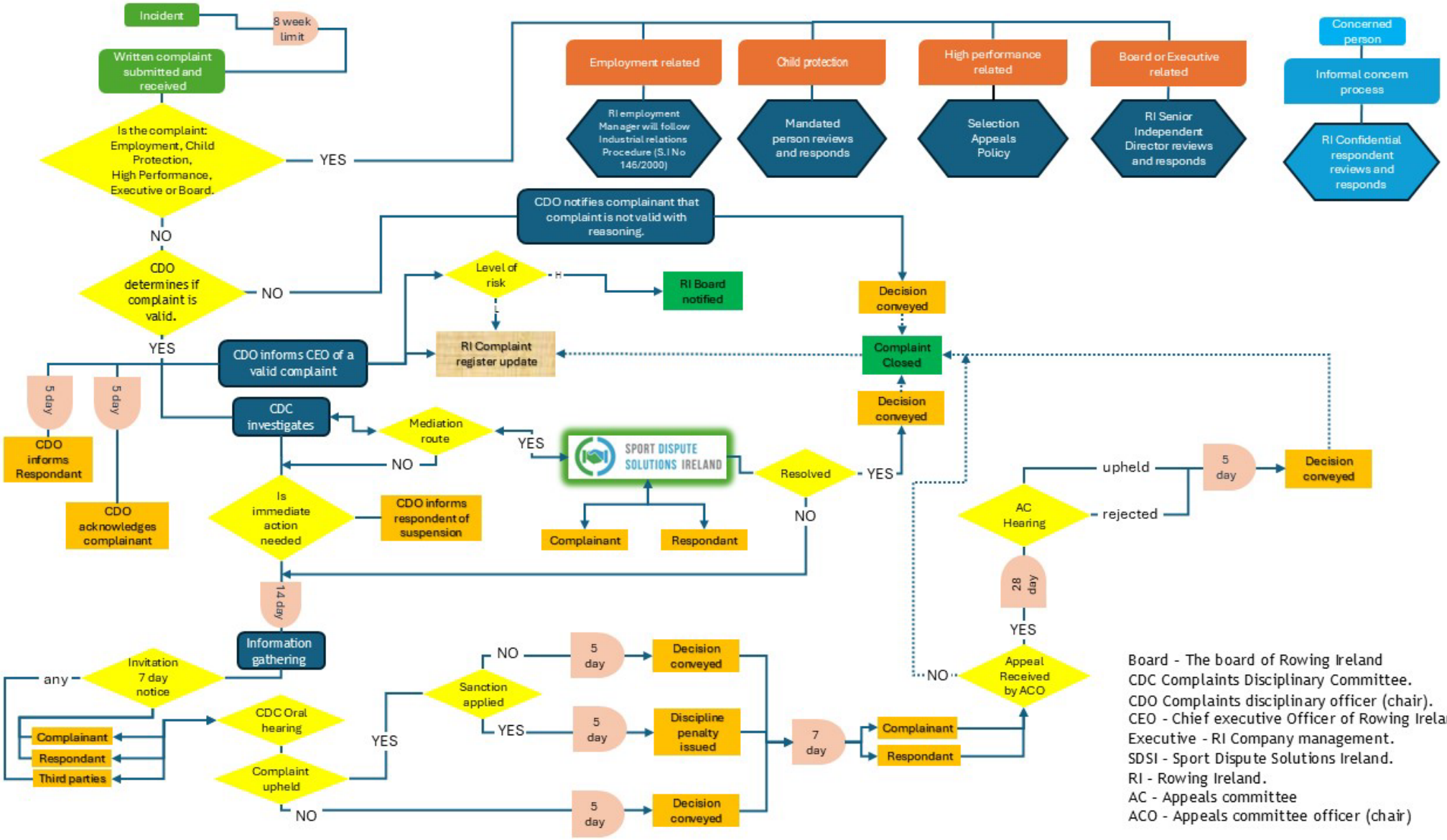
[4] “WRC,” [Online]. Available: https://www.workplacerelations.ie/en/. [Accessed Dec 2024].

[5] “Rowing ireland,” [Online]. Available: https://www.rowingireland.ie/about-us/board/. [Accessed Dec 2024].

[6] R. Charlton. [Online]. [Accessed Feb 2025].

Appendices:

Appendix A - Complaint procedure flow chart.
Appendix B – Informal concern process.



Board - The board of Rowing Ireland
CDC Complaints Disciplinary Committee.
CDO Complaints disciplinary officer (chair).
CEO - Chief executive Officer of Rowing Ireland.
Executive - RI Company management.
SDSI - Sport Dispute Solutions Ireland.
RI - Rowing Ireland.
AC - Appeals committee
ACO - Appeals committee officer (chair)

Appendix A - Complaint procedure flow chart.

Appendix B – Informal concern process.

Role of a Confidential Recipient in an Informal Complaint Process

---

Objective: The Confidential Recipient (CR) plays a pivotal role in fostering trust, maintaining confidentiality, and providing a safe space for individuals to voice concerns. They act as a neutral party who listens, advises, and facilitates resolution without escalating to formal channels unless requested by the complainant.

Role Summary
The Confidential Recipient serves as the first point of contact for individuals raising informal complaints. Their primary responsibility is to ensure the complainant feels heard, supported, and informed about their options. The CR's role is to maintain confidentiality while offering guidance tailored to the complainant's needs.

Key Responsibilities

1. **Initial Contact and Trust Building**
   - Greet the complainant warmly, ensuring they feel comfortable sharing their concerns.
   - Reassure the complainant of the informal and confidential nature of the discussion.
   - Clarify the boundaries of confidentiality, explaining scenarios where it may need to be breached (e.g., threats to safety or legality).
2. **Active Listening and Understanding**
   - Use empathetic listening techniques to fully understand the nature of the concern.
   - Ask clarifying questions to gain a comprehensive understanding without making judgments or assumptions.
   - Reflect and summarize to ensure mutual understanding of the issue.
3. **Providing Information and Options**
   - Explain the available pathways for addressing the concern, including informal resolution strategies and escalation procedures.
   - Discuss potential outcomes of each option to help the complainant make an informed decision.
4. **Facilitating Informal Resolution**
   - If requested, assist in mediating conversations or finding resources to address the issue.
   - Guide the complainant in drafting a clear, non-confrontational statement of their concerns, if needed.
   - Maintain neutrality and avoid taking sides, focusing on facilitating understanding and resolution.
5. **Maintaining Confidentiality and Records**
   - Keep records minimal and only with the complainant's explicit consent.
   - Store any necessary documentation securely, ensuring access is restricted.
6. **Providing Support and Follow-Up**
   - Offer resources such as counselling services or peer support networks.
   - Follow up with the complainant to ensure their issue has been addressed satisfactorily or to discuss next steps if unresolved.

Appendix B – continued.

Desired Skills and Behaviours

- **Empathy:** Demonstrating genuine care and understanding for the complainant's situation.
- **Neutrality:** Remaining unbiased and avoiding influence by personal opinions or external pressures.
- **Communication:** Being clear, concise, and sensitive in discussions, ensuring information is conveyed effectively.
- **Discretion:** Upholding the highest standards of confidentiality and professionalism.
- **Problem-Solving:** Helping identify realistic and acceptable solutions to the issue presented.

Sample Interaction

Complainant: "I'm really upset about how my team leader talks to me. It feels dismissive and rude, but I'm not sure if it's worth making a big deal about."
CR: "I'm so sorry to hear you're feeling this way—it's important that you feel respected. This is a confidential space, so feel free to share as much or as little as you're comfortable with. I'm here to listen and help you figure out the best way forward. If you'd like, we can explore informal ways to address this together, or I can explain other options available to you."

Conclusion

The Confidential Recipient's role is essential for empowering individuals to voice concerns while minimizing fear of retaliation or escalation. By creating a safe, supportive environment, the CR promotes a culture of trust and proactive conflict resolution.