



Codes of conduct

- **Complaints & Disciplinary Policy**
- **Communication policy**

Version	Date Approved	Author	Changes
1.0		Leanne Carroll	Original
1.1		Garry Bradley	Updated

Introduction

Wexford Motor Club CLG recognises the importance of encouraging and promoting effective working relationships between all members. Wexford Motor Club also recognises that, from time to time, the relationships between some of its members may become strained and lead to a situation where some intervention is required to resolve any conflicts, disputes or differences and restore confidence. Wexford Motor Club recognises the importance of resolving any such conflicts, disputes or differences, which may arise from time to time, as soon as possible and at their source. Wexford Motor Club will therefore endeavour to support the resolution of such conflicts, disputes or differences by using whatever resources are available to it including personnel who can help and support. This document outlines the terms of reference for a Complaints and Disciplinary Officer and Wexford Motor Clubs Complaints and Disciplinary process. This document also outlines the terms of reference for a Communication Officer and Wexford Motor Clubs Communication policies. It is read in conjunction with Motorsport Irelands General Competition Rules Chapter 10.





Complaints & Disciplinary Policy

Terms of Reference for the Complaints and Disciplinary Officer

Wexford Motor Club shall appoint a Complaints and Disciplinary Officer (CDO). Complaints and Disciplinary Officer means the person appointed to receive Complaints, conduct investigations, administer Complaints and Disciplinary Action and to act as prosecutor in respect of a Disciplinary Action.

Functions of the Complaints and Disciplinary Officer:

1. To be the recipient of any written Complaint and Disciplinary Report.
2. To investigate a Complaint or Disciplinary Report. Where any Complaint or Disciplinary Report refers to suspected child abuse the CDO shall immediately notify the Mandated Person.
3. To investigate an incident which comes to the attention of the CDO, but which is not contained in a Complaint or Disciplinary Report.
4. To determine whether a prima facie case has been made against a Respondent on receipt of a Complaint or an incident which comes to the attention of the CDO, but which is not contained in a Complaint or Disciplinary Report.
5. To dismiss a Complaint where after an investigation, in the opinion of the CDO, a prima facie case to answer has not been established.
6. To dismiss a Complaint where an invalid Complaint has been made.
7. To determine if the Complaint has been made in the correct jurisdiction and within the correct timeframes.
8. To refer the parties to a Complaint to Mediation, where appropriate (a Complaint may be referred to Mediation but not a Disciplinary Action).
9. To refer the Complaint/Disciplinary Report to a subcommittee of the board where in the opinion of the CDO a prima facie case to answer has been established.
10. To correspond with and notify the parties of all necessary information prior to a hearing before the Complaints and Disciplinary Committee.
11. To prepare documents for the Complaints and Disciplinary Committee.
12. To present the case in respect of a disciplinary matter before the Complaints and Disciplinary Committee, including the calling of witnesses.
13. To maintain a record of decisions of the Complaints and Disciplinary Committee.
14. To ensure that sanctions are upheld and observed by Respondents.
15. To report any findings to the board of directors at monthly meetings of any actions or inactions performed as CDO in the previous month/months

Conflict of interest

Where the CDO has any actual, perceived or potential conflict of interest, he/she shall stand aside from investigating the Complaint/Disciplinary matter and the Chairman shall appoint another CDO in respect of that matter. If the CDO does not stand aside, the Chairman shall be entitled to remove the CDO from the investigation and appoint another CDO.

Obligation

The CDO is not obliged to investigate any Complaint/Disciplinary Report.

Scope of an investigation

In the course of an investigation of any Complaint/Disciplinary Report, the CDO may consider any evidence he/she deems relevant and shall have the right to make enquiries of any individuals and seek any information or documents in relation to the matter. For the avoidance of doubt, where necessary, the CDO is entitled to consult with the competitor/member/official/relevant person to clarify any issues arising in relation to a Disciplinary Report.

Jurisdiction

Any of the following will be dealt with under these Rules and in accordance with the Procedures unless otherwise indicated:

- (i) Offences;
- (ii) breaches of the Wexford Motor Clubs Constitution
- (iii) breaches of Motorsport Irelands Code of Conduct for Children's Sport and Wexford Motor Clubs Safeguarding Policies and Procedures, as amended from time to time;
- (iv) breaches of other Wexford Motor Club CLG constitution / regulations in existence.

The Complaints and Disciplinary Procedures regulate the organisation and function of the bodies responsible for taking decisions and the procedures to be followed by these bodies. In the absence of a specific provision in these Rules, the Complaints and Disciplinary Bodies shall decide according to the general principles appearing in these Rules or, failing that, according to the general principles of Irish law.

The following natural and legal persons are subject to these rules:

- (a) Member of Wexford Motor Club
- (b) Youth Academy Leader/Coach/Official
- (c) Participant in an Event
- (d) Parent of participant (if under 18 years of age)
- (e) anybody acting on behalf of the Wexford motor club CLG

Notwithstanding any other provisions in these Rules, the following matters are excluded from the provisions of these Rules and Procedures:

- (a) Employment and contractual disputes with Motorsport Ireland
- (b) Breaches of any technical provisions of the General Competition Rules. Such breaches shall be dealt with in accordance with the provisions of the General Competition Rules for Motorsport Ireland.
- (c) Allegations of child abuse. Such allegations shall be referred to the statutory authorities and be dealt with as per process under Motorsport Irelands Child Safeguarding Policies and Procedures;
- (d) Competition administration (National level only). Such matters shall be referred to Motorsport Ireland.
- (e) Criminal matters. Such matters shall be referred to the statutory authorities
- (f) Anti-doping matters. Such allegations shall be dealt with in accordance with the Sport Ireland AntiDoping Rules

Offences

- (a) Breach of any rules, statutes, codes, regulations provided for by Motorsport Ireland/Wexford Motor Club
- (b) Offensive behaviour to Participants, Official's, Directors, Club members, Supporters.
- (c) Unsporting behaviour
- (d) Violation of instructions and directives from officials/coaches/Youth Academy Leaders
- (e) Damaging the dignity of a person or a group of persons, in any way whatsoever, in particular due to race, disability, gender, sexual orientation, creed or ethnic origin
- (f) Cheating
- (g) Inciting hatred or violence
- (h) Fighting
- (i) Aggressive or threatening behaviour
- (j) Bullying
- (k) Ineligibility
- (l) Racism
- (m) Intimidation or threats
- (n) Intentional damage to property or equipment
- (o) Discrimination
- (p) Foul language
- (q) Disparaging comments
- (r) Forgery, falsification or plagiarism
- (s) Corruption
- (t) Acts or omissions bringing Wexford Motor Club CLG into disrepute
- (u) Alcohol or substance use
- (v) Criminal investigation for indictable offences
- (w) Criminal conviction which is likely to bring Wexford Motor Club into disrepute;
- (x) Mischievous or vexatious Complaints

Sanctions

1. Warnings

Prior to imposing an Immediate Sanction, where appropriate, a Responsible Person may issue any of the following Warnings in any sequence to a Member at an Event prior to imposing an immediate Sanction:

- (a) Verbal Warning
- (b) Written Warning.

2. Immediate Sanctions

The following Immediate Sanctions may be imposed by a Responsible Person to a Member at an Event:

- (a) Time Out from the Event
- (b) Removal of Privileges at the Event
- (c) Suspension from the Event
- (d) Expulsion from the Event.

3. Interlocutory Sanctions

On confirmation that a Respondent is under criminal investigation for a criminal offence, which if proven, is likely to bring Wexford Motor Club into disrepute, then the Chairman of the Club shall be empowered to suspend a Respondent from Membership and/or from future participation in a Club Event pending the outcome of a criminal investigation prior to any hearing on the matter before a Complaints and Disciplinary Committee. The Chairman of Wexford Motor Club shall be empowered to impose a suspension on a Respondent pending the determination of a Complaints and Disciplinary Committee where the gravity of the Complaint received shall warrant immediate suspension. Sanctions can be enforced with any starting points (1a) – (4h) and indeed and steps may be skipped over as deemed appropriate.

4. Non-immediate sanctions

The Complaints and Disciplinary Committee has sole jurisdiction to impose a Non-Immediate Sanction. Non-Immediate Sanctions may only be imposed by a Complaints and Disciplinary Committee following a decision either on foot of consideration of all the documents relating to the Complaint or on foot of an Oral Hearing. Any suspension or removal from Membership of Wexford Motor Club must be notified to the Complaints and Disciplinary Officer of Motorsport Ireland. The following Non-Immediate Sanctions may be imposed by the Complaints and Disciplinary Committee:

- (a) Reprimand;
- (b) Severe Reprimand;
- (c) Written Warning;
- (d) Removal of privileges;
- (e) Suspension from participation in club events;
- (f) Suspension from Membership;
- (g) Expulsion from Membership;
- (h) Other.

Schedule of Sanctions.

Please note that the following sanctions are to provide guidance only for the Complaints and Disciplinary Committee. The Complaints and Disciplinary Committee should always consider aggravating and mitigating circumstances before deciding on a sanction to be imposed. The Complaints and Disciplinary Committees should reduce the scale of an offence when there are compelling mitigating circumstances. Likewise, Complaints and Disciplinary Committees should increase the scale of an offence where there is compelling aggravating circumstance.

*note this is a non-exhaustive list of guidelines, offences not on the below list may still require sanctions.

OFFENCE	LOW LEVEL	MEDIUM LEVEL	HIGH LEVEL
Fighting, Aggressive or threatening behaviour	N/A	Written Warning	Suspension from: (a)Membership (b)Participation in an event
Offensive behaviour to others- inc participants or Officials	Reprimand	Written Warning	Suspension from participation in an event
Unsportsmanlike Behaviour	Reprimand	Written Warning	Suspension from: (a) Membership (b)Participation in an event
Damaging the dignity of a person or a group of persons, in any way whatsoever, in particular due to race, disability, gender, sexual orientation, creed or ethnic origin	N/A	Suspension from (a)Membership (b)Participation in an event	Expulsion from Membership
Cheating Intentional damage to property or equipment	Suspension from participation in events Reprimand	Severe Reprimand Written Warning Suspension from Membership/Events	Expulsion from Membership
Racism Inciting Hatred	N/A	Severe Reprimand Written Warning Suspension from Membership/Events	Expulsion from Membership
Bullying	Reprimand	Written Warning Severe Reprimand Suspension from membership/ events	Expulsion from Membership
Intimidation or Threats	Reprimand	Written Warning Suspension from membership/events	Expulsion from Membership Severe Reprimand
Discrimination	Reprimand	Written Warning Suspension from membership/events	Severe Reprimand
Foul Language Disparaging comments	Reprimand	Written Warning	Written Warning Severe Reprimand Suspension from Events
Acts or omissions bringing the sport into disrepute	N/A	Written Warning Suspension from	Severe Reprimand

		participation in events	
OFFENCE	LOW LEVEL	MEDIUM LEVEL	HIGH LEVEL
Criminal investigation for indictable offences	Suspension from membership pending the outcome of criminal investigations	Suspension from membership pending the outcome of criminal investigations	Suspension from membership pending the outcome of criminal investigations
Criminal conviction likely to bring Wexford Motor Club into disrepute	Suspension from Membership	Expulsion from Membership	Expulsion from Membership
Breaches of Rules, Codes of Conduct and/or Club Policies	Reprimand	Written Warning	Severe Reprimand Suspension from participation in events.

Timeliness

All complaints must be made in writing to the Complaints and Disciplinary Officer within six months of the alleged offence occurring.

Discipline and the Disciplinary Committee

All members of Wexford Motor Club are obliged to comply with the General Competition Rules of Motorsport Ireland and shall be liable to disciplinary action in the event of any breach. In addition, any individual proved guilty of any misbehaviour or unfair practice in connection with Wexford Motor Club considered to bring the sport of motorsport or Wexford Motor Club or its membership into disrepute, shall be liable to such penalties as may be appropriate to such misconduct in the circumstances.

The Complaints and Disciplinary Officer (whose powers and functions may be delegated to such deputy as he or she may appoint) shall have authority to commence disciplinary proceedings against any individual considered by him or her to have committed any offence. In such case, Notice of Disciplinary proceedings shall be sent to the individual (or his/her parent/guardian if under 18 years of age) The Notice shall state the rule considered to have been breached or offence committed and shall give a description of the alleged breach.

The Notice shall invite the individual to respond by either:

- a) Admitting the breach, or
- b) Seeking a complaints hearing.

Failure for the respondent to respond within a period of three working days shall be considered an admission of the breach.

The Complaints and Disciplinary Officer may at any time prior to a hearing of disciplinary proceedings, impose an interim suspension prohibiting the recipient from competing or enjoying other privileges of membership pending the completion of the disciplinary proceedings. In deciding whether to impose such an interim suspension, the Complaints and Disciplinary Officer shall consider the gravity of the breach alleged, the possibility of other members of the club being disadvantaged in the event that immediate action is not taken, the reputation of Wexford Motor Club and its members, and such other matters as in his or her opinion appear to be relevant. If an interim suspension is imposed, the suspended individual (or his/her parent/guardian if under 18 years of age) shall be informed in writing with the Notice of Disciplinary Proceedings or in writing thereafter of the decision to impose an interim suspension and in broad terms, the grounds for the interim suspension. Prior to the next event affecting them, the suspended individual must be offered a hearing date by the Disciplinary Committee, or if that is not possible, an opportunity to address the Complaints and Disciplinary Officer to argue against the imposition of an interim suspension.

Where a breach is admitted, the Complaints and Disciplinary Officer shall send notice to the individual (or his/her parent/guardian if under 18 years of age) of the penalty which, if accepted, will be imposed. The individual may seek a hearing in relation to the appropriate penalty, but failure to respond within 3 days shall be considered acceptance of the penalty indicated.

Where a hearing is sought by an individual, the Complaints and Disciplinary Officer shall, as soon as reasonably practicable, notify the Disciplinary Committee of the impending hearing. The Secretary of the Disciplinary Committee shall set a date for the hearing and give 7 days' notice to both parties of the same, this time frame can be reduced if both parties agreed on time and date. The Complaints and Disciplinary Officer and the Disciplinary Committee shall be independent of one another and shall not communicate with each other in relation to any specific case save in writing, and copies of any such communication shall be made available to any individual the subject of the disciplinary proceedings on request. A disciplinary hearing shall be conducted by a panel of either 3 or 5 members of the Disciplinary Committee, selected by its Chairman. The Disciplinary Committee (by which is meant the panel of 3 or 5 where appropriate) shall conduct the hearing in such manner as it deems fit and shall apply such rules of evidence as befit the circumstances. In the case of a member under 18 years of age, the individual should be accompanied by his/her parent/guardian and the Disciplinary Committee should endeavour to ensure that the individual does not feel intimidated by the hearing. The Complaints and Disciplinary Officer shall present the case for disciplinary action. In all cases, a written statement from witness shall be presumed correct unless shown to be clearly in error. The Disciplinary Committee shall determine the question of liability and/or penalty at a hearing by simple majority. Penalties shall include disqualification from competitions (which may operate retrospectively), suspension from competitions, suspension from other privileges of membership and in serious cases expulsion from Wexford Motor Club. Any members of the disciplinary committee that may have a conflict of interest should notify the committee chair prior to hearing.

Proof

The Complaints and Disciplinary bodies shall make decisions on culpability based on the 'balance of probabilities' meaning that the incident in question was more likely than not to have occurred.

Criminal charges

The Complaints and Disciplinary Committee reserves the right to suspend a Member where that Member is subject to a criminal charge where that charge has the potential to bring the Club or Motorsport Ireland into disrepute. Once the matter has been dealt with by the statutory authorities, the relevant Complaints and Disciplinary Committee reserves the right to take further action in accordance with these procedures. As appropriate, in the event of criminal charges being initiated in relation to the alleged misconduct of a Member the subject of the Complaint received by the Club, then the Member may be suspended pending the outcome of the said charges, which will be referred to the statutory authorities. Once the statutory authorities have dealt with the matter, even if the Member concerned is not eventually convicted of the charge, the Club shall nevertheless have the right and power to review all circumstances in accordance with these Rules and Procedures and decide to continue the suspension or expel the Member, if it deems it so necessary in the interests of the Club or Motorsport Ireland as a whole.

Poor practice

It should be noted that allegations of breaching the Safeguarding Children Policies and Procedures are not necessarily suspected child abuse. A breach of the code of conduct can be due to poor practice which should be dealt with pursuant to these Rules and Procedures. If assistance is required in order to define what is abuse vis-a-vis poor practice the Children's Officer or the Motorsport Irelands National Children's Officer should be contacted for advice. Matters of poor practice are dealt with pursuant to these Rules and Procedures.

Suspension Pending Hearing

A Complaints and Disciplinary Committee shall be empowered to impose a suspension on a Respondent pending the determination of a Complaint where the gravity of the Complaint received shall warrant immediate suspension.

Referring to the Complaints and Disciplinary Committee

Prior to referring a matter to the Complaints and Disciplinary Committee, the CDO shall notify the Respondent (or his/her parent/guardian if under 18 years of age) and any other relevant party with the following information and documentation:

- (i) Copy of the written Complaint/Disciplinary Report;
- (ii) The relevant rule allegedly breached;
- (iii) Copy of supporting documents relied on by either party;
- (iv) The parties to the Complaint;
- (v) The procedures involved;
- (vi) The possible sanctions (if known);
- (vii) The rights of the parties at the Hearing;
- (viii) Any other procedural requirements

Appeal to Motorsport Ireland

If the respondent is not satisfied with the outcome the matter shall be referred to Motorsport Ireland for consideration. All decisions issued under the appeals procedure may be appealed exclusively by referral to Sport Dispute Solutions Ireland within 14 days after the decision has been communicated to the person in respect of whom the decision was made, for final and binding arbitration in accordance with the Sport Dispute Solutions Ireland Arbitration Rules. All costs associated with Sport Dispute Solutions Ireland will be the responsibility of the person or persons disputing the decision(s) issued under the appeals procedure.



Communication Policy

Version	Date Approved	Author	Changes
1.0		Leanne Carroll	Original
1.1		Garry Bradley	updated





Communication Policy

Good communication throughout the structure of Wexford Motor Club and its Youth Academy is vital to ensure that Child Safeguarding Policies are followed. The following should be observed:

- Wexford Motor Club's Child Safeguarding Statement should be available to view on the Wexford Motor Clubs website.
- Wexford Motor Club's Child Safeguarding Statement should be displayed on the notice board of every Wexford Motor Club event that involves participants under 18 years of age, along with the Club Children's Officer name and contact number/email
- All Youth Academy Leaders should have induction training on Child Safeguarding Policies and should be furnished with a copy of all relevant Policies.
- Parents of Youth Academy participants should be furnished with a copy MI App 123 – 6 – Motorsport Ireland Guidelines for Parents/Guardians and be required to sign a declaration
- Youth Academy participants should be furnished with a copy of MI App 123 – 4 – Motorsport Ireland Guidelines for Young Competitors and be required to sign a declaration

Information about the Motor club & Youth Academy events / activities for members will be communicated by text or email to the young person and their parent/guardian as a group text/email or individual text/email. In line with Wexford Motor Clubs GDPR guidelines written permission must be sought from the young person and their parent/guardian for them to receive communications from Wexford Motor Club. This permission can be withdrawn at any time by contacting the secretary.

Use of Mobile Phones /Social media

Those whose work with children and young people need to be aware of the opportunities for abuse through the misuse of mobile phones ,text messaging and social media. While good use of such media can be beneficial we must be vigilant and alert to the possibilities of misuse and consequent harm that can result to young people. Leaders must also take care to protect the children in their care and themselves.

- Leaders involved in sport should only have children's and young people's mobile numbers or social media info if the nature of their involvement requires them to phone or text them.
- Parental permission in writing should be sought if the leader in this role will be contacting children or young people via mobile phone. If contact is through social media confirmation that parents are the admin on any (racing team) pages should be sought
- A method of accountability should be arranged e.g. copies of texts could also be sent to the administrator or to parents.
- If a leader has a young person's phone number it should only be used for the purposes it has been given, i.e., the leader should not share this information.

Texting/Facebook Messenger etc. – Communication not Conversation!

- Texts should be used for the purposes of reminding children or young people about events which are forthcoming.
- Texts can also be used as a means to encourage children or young people if it is appropriate it, e.g., 'Good luck at the weekend.'
- If it turns into a conversation, communications should be ended. A leader can suggest discussing the subject further at the next event. If they are concerned about the child/ young person, they should contact the Club Children's Officer about their concerns.