



Complaints and Disciplinary Policy

Document History – Current version – Version 1.1			
Date	Version	Change	Initial
10/12/24	0.1	Initial Draft using Cycling Ireland as guidance	Gmcl
08/01/24	0.2	Review and update following clarification meeting 20/12/24	GMcl
28/01/25	0.3	Review and update following further discussion on specific items at a clarification meeting 27/01/25	GMcl
02/02/25	0.4	Update following guidance on interlocutory sanctions. Documented formatted.	GMcl
10/03/25	0.5	Version updated following GEC review and submission for board Approval	GMcl
18/03/25	1.0	Approved by the Board for publication	GMcl
10/06/25	1.1	Version updated to include a process for the sourcing of additional committee members by the Executive upon request of the Chair of the National Panel	GMcl
3/5/25	2	Updated from learnings	MMcG
11/11/25	2.1	Updated to include section on confidentiality requirement and frivolous/vexatious complaints	MMcG

Contents

INTRODUCTION	6
DEFINITIONS	8

Part 1 – The Rules	11
1. Jurisdiction	11
2. Offences	12
3. Sanctions	13
4. Mitigating and Aggravating Factors	14
Part 2 – The Procedures.....	15
Complaints and Disciplinary Procedures	15
Introduction.....	15
1. General	16
2. Complaints and Disciplinary Bodies (Club/Provincial and National)	19
3. Commencement	23
4. Complaints Procedure	25
5. Hearings Procedure	26
6. Complaint Taken by or Against a Club Committee (or by a Member of the Committee against a Member of the Club)	29
7. Appeals/Arbitration	29
Appendix 1 - Templates	30
Appendix 2 – Guidelines for Handling Complaints.....	31
Appendix 3 – Schedule of Sanctions.	33

Page intentionally blank

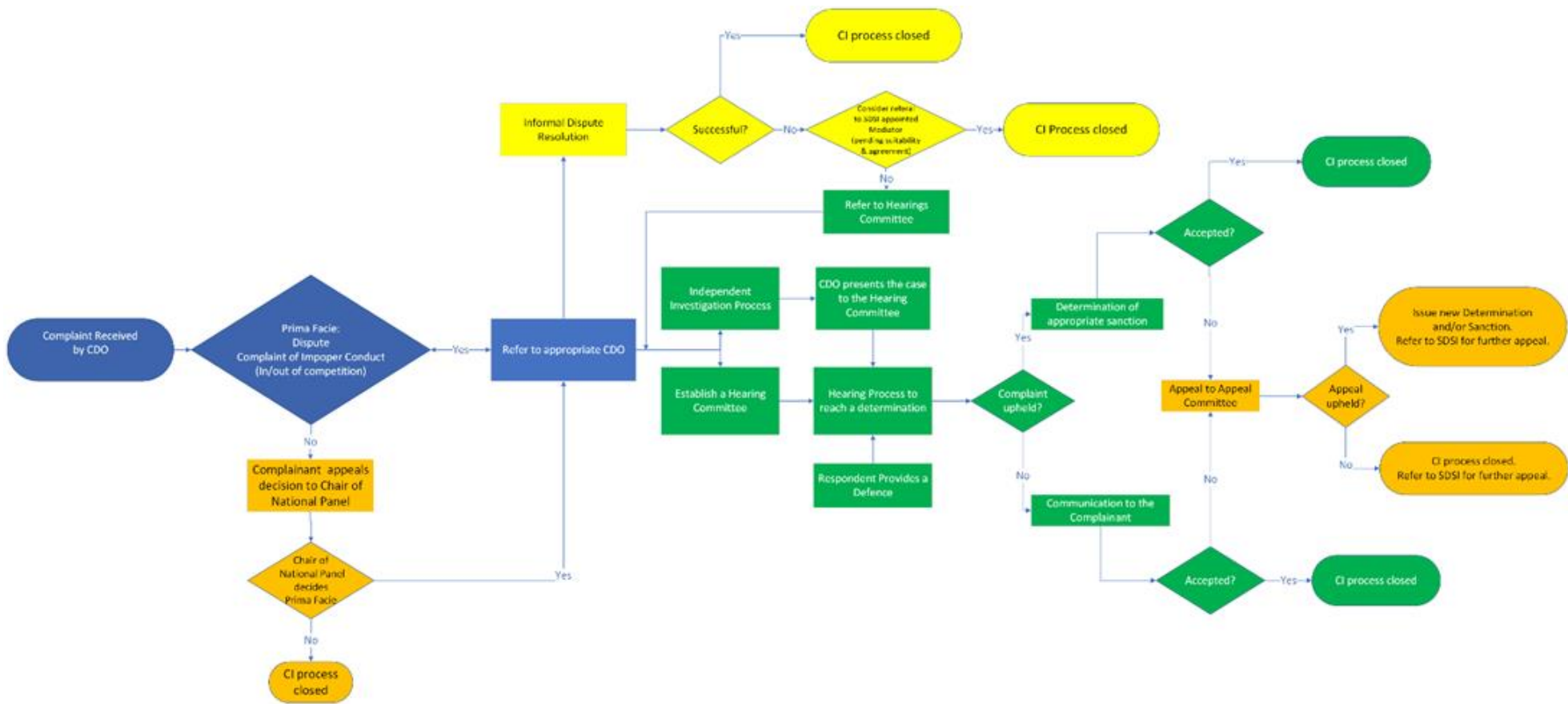


Diagram 1: Process Schematic

INTRODUCTION

These Complaints and Disciplinary Rules & Procedures have been divided into (i) Rules and (ii) Procedures to be used during the Complaints and Disciplinary process.

The Rules document clarifies for members who are the subject of a complaint or disciplinary action, what act or omission can give cause to a Complaint or disciplinary action, and what sanction can be imposed on a Participant or Unit.

The Procedures document is an explanatory document to clarify the stages of the complaints and disciplinary process from start to finish. This is a guideline for Complaints and Disciplinary Officers (CDO's), the Hearings Committee, the Appeals Committee as well as Complainants and Respondents as to how the process for a complaint or disciplinary matter commences and finishes.

It is the right of a member of Cycling Ireland, or any unit to make a complaint where standards of care, treatment and practice are perceived to fall short of what is acceptable and should be expected. Likewise, it is the right of Cycling Ireland affiliated clubs, Provincial Associations and Cycling Ireland itself to take disciplinary action against a member and other units for any act or omission for breaches of these Rules or any other rules, codes or regulations of Cycling Ireland or of the Union Cycliste Internationale (UCI).

Amendments may be made from time to time to these Rules and Procedures so long as these amendments do not conflict with the Cycling Ireland Constitution.

Any penalty imposed on an individual or unit shall be operative throughout Cycling Ireland until the penalty period has ceased.

Each Club and Provincial Association shall endeavour to appoint a Complaints & Disciplinary Officer ("**CDO**") and a Hearings Committee who shall be appointed at a Club/Provincial Association AGM or EGM. Failure to so appoint by Clubs will result in the club secretary being a defacto CDO in any complaint or disciplinary matter arising at Club level to be administered at Provincial level. Failure to so appoint by a Provincial Association will result in the provincial secretary being a defacto CDO in any complaint or disciplinary matter arising at provincial level to be administered at national level. The Hearings Committee shall hear all Complaints and disciplinary matters referred to it.

Unless otherwise determined by a CDO in consultation with their counterparts, complaints and disciplinary matters which occur at club/provincial level should be dealt with by the Hearings Committee at club/provincial level. Complaints and disciplinary matters which occur at national level shall be dealt with by the Cycling Ireland Hearings committee.

This policy also includes Guidelines for Handling Complaints, which are designed to ensure that all Complaints are dealt with effectively and with due regard to the Complainant and Respondent.

Only one level of internal appeal of a decision and/or sanction imposed by a club/Provincial Association or Cycling Ireland Hearings Committee may be made. Following this, there is a limited external right of appeal to Sport Dispute Solutions Ireland (SDSI).

Sport Dispute Solutions Ireland (SDSI) is an independent arbitral body which was set up by the Federation of Irish Sport in 2005. National Governing Bodies which have signed up to SDSI arbitration bind their members so that any challenge to decisions of the internal bodies of those National Governing Bodies shall be referred to SDSI arbitration and therefore challenges cannot be taken to the Courts.

Cycling Ireland has signed up to SDSI arbitration. This ensures that members will be availing of a quick, cost effective and very thorough appeal hearing before a distinctly independent appeals committee.

Responding effectively and in a timely manner to complaints is a key element of a quality service. Co-operation with the investigation of the complaint is essential and the use of a standardised approach is of benefit to complainants and to all involved.

These Rules and Procedures are not an appropriate mechanism for dealing with certain complaints such as allegations of physical or sexual abuse or other potential child abuse issues for which other procedures exist using the appropriate statutory authorities.

In respect of allegations of physical or sexual abuse or other potential child abuse issues, parties are referred to the Cycling Ireland Safeguarding Policy as amended from time to time.

All persons who administer complaints and disciplinary matters at any level in Cycling Ireland shall not be liable to the Parties for any act or omission in connection with their function, role or service provided by such persons in relation to the administration of complaints and disciplinary matters.

If there is an omission in these rules, then the Complaints & Disciplinary Bodies shall decide in accordance with Cycling Ireland custom or, in the absence of custom, in accordance with the spirit of the rules.

Cycling Ireland may review and amend these Rules and Procedures from time to time, particularly where legislative updates or legal developments require it. Cycling Ireland will also review, and may amend, the monetary value of the complaint/appeal fees and/or the penalties payable by Members, Clubs/Provincial Associations under these Procedures on an annual basis.

DEFINITIONS

- Board:** means the members of the Board for the time being of Cycling Ireland.
- Club:** means any Club as defined in the Cycling Ireland Constitution.
- Code of Ethics:** means the Cycling Ireland Code of Ethics and Safeguarding Policy based on the Sport Ireland Code of Ethics template for NGBs and Safeguarding Code for Children & Young People in Sport and as amended from time to time.
- Complaint:** means an expression of discontent in writing, accompanied by all relevant documentation in support of the complaint and the appropriate fee on appropriate documentation. Complaints can arise as

one of the following:

- a) a serious claim or allegation which, if substantiated, has the possibility of bringing Cycling Ireland into disrepute;
- b) a complaint is brought by a Member against a Club Committee as a whole such that the Club could not form a Complaints & Disciplinary Committee that would be free from conflicts of interest.
- c) a complaint relating to a national event or occurring at National High-Performance level within Cycling Ireland.

Complainant:	means the person making the complaint.
Complaints and Disciplinary Officer ("CDO"):	means the individual appointed to process Complaints and Disciplinary Matters.
Complaints and Disciplinary Bodies:	means the Complaints & Disciplinary Officer, Hearings Committee and Appeals Committee.
Chief Executive Officer: ("CEO")	means the most senior executive in charge of managing the Company appointed by the Board .
Disciplinary Matter:	means any matter which is referred to in a Disciplinary/Incident Report or any purported breach of these Complaints and Disciplinary Rules and Procedures which otherwise comes to the attention of the CDO.
Disciplinary/ Incident Report:	means a report from an Official/judge/Responsible Person or any clarification or addition thereto.
Event:	means any Cycling Ireland approved national or international event which means any activity, training session, competition or Cycling Ireland educational course.
Guidelines for Handling Complaints:	means the guidelines set out at Appendix 2 that the CDO and Hearings Committee shall have regard to the while dealing with a Complaint.
Hearings Panel:	means the persons appointed pursuant to Rule 2.5 from which the National Hearings Committee shall be constituted. The hearings panel shall consist of a minimum of 6 persons. Additional members may be appointed upon request of the Chair of the National Panel and agreement by the CEO, President and Chair of the National Panel.
Hearings Committee: Interlocutory:	means the persons appointed to hear a Complaint / Disciplinary matter. A judgment or decision that is made while a case is still ongoing.
Malicious Complaint:	An allegation that is made without foundation, and with malicious intent, where a person knowingly, or without regard as to its truth, accuses another person of some form of misconduct.

Mandated Person:	means, pursuant to Children First National Guidance, people who have contact with children and/or families and who, because of their qualifications, training and/or employment role, are in a key position to help protect children from harm and who have two main legal obligations under the Children First Act 2015*, as follows: <ol style="list-style-type: none"> 1 To report the harm of children above a defined threshold to Tusla; 2 To assist Tusla, if requested, in assessing a concern which has been the subject of a mandated report
Member:	means Member of Cycling Ireland as defined in the Cycling Ireland Constitution.
Director:	means the directors for the time being of the Company and includes any person occupying the position of Director by whatever name.
Officer:	a person who holds an executive position on a Club or Provincial Association, normally the Chairperson, Treasurer and Secretary.
Official:	means any person who officiates at or assists in the running of a competition.
Parent:	means the legally appointed person responsible for a child – parent or guardian
Participant:	means any member or person who participates in activities organised or sanctioned by Cycling Ireland in any capacity, including but not limited to a cyclist, Official coach, manager, doctor, soigneur or spectator.
Prima Facie	determining if a reported issue is true, valid or sufficient at first impression
Procedures:	means these Cycling Ireland Complaints and Disciplinary Procedures.
Respondent:	means the person responding to or the subject of a complaint or disciplinary action
Responsible Person:	means the Member in ultimate authority over other Members, depending on the nature of the activity. For teams, it is the team manager. For competitive events, it is the Commissaires. For other events, it is the event organiser or their delegate.
Unit:	means any team, association, contractor, club or committee or sub-committee or other grouping within or external to Cycling Ireland which includes the parents/guardians of Cycling Ireland members who are under 18 years of age.

*References to Children’s First Act 2015 above and hereafter shall also include the Children Order 1995 (NI) as the applicable legislation for Northern Ireland.

Part 1 – The Rules

Complaints and Disciplinary Rules (“the Rules”)

1. Jurisdiction

1.1 General

In addition to the offences under these Rules, any Complaint or Disciplinary Matter arising out of, under or in connection with any breach of or any act or omission prohibited in the following documents shall be dealt with under the Rules and Procedures:

- a) Cycling Ireland Constitution
- b) Cycling Ireland Safeguarding Policy
- c) Cycling Ireland Code of Behaviour
- d) Cycling Ireland policies and procedures
- e) Cycling Ireland Technical Rules and Regulations
- f) UCI Regulations

Nothing in these Rules and Procedures shall affect the power of a Commissaires to apply the Cycling Ireland Regulations in the administration of any competition. In the event that a Responsible Person seeks to invoke a disciplinary sanction in addition to what is provided for in the Cycling Ireland Technical Rules and Regulations on foot of misconduct by a Participant then the sanction shall be imposed in accordance with these Rules and Procedures.

The Complaints and Disciplinary Bodies shall determine if an offence has been committed and the sanctions to be imposed, if any, at club, provincial or national level.

The Rules together with the Procedures regulate the organisation and function of the Complaints and Disciplinary Bodies responsible for taking decisions and the procedures to be followed by these bodies.

In the absence of a specific provision in these Rules or in other disciplinary provisions of the Cycling Ireland Regulations, the Complaints and Disciplinary Bodies shall rule according to the general principles appearing in these Rules or, failing that, according to the general principles of Irish law.

The Cycling Ireland Technical Rules and Regulations relate to competition regulation and is not the authoritative document in respect of Complaints or Disciplinary Matters.

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

- a) Member
- b) Participant in an Event
- c) Any Unit

Nothing in these Rules overrides: (a) Cycling Ireland’s Constitution/Technical Regulations; (b) safeguarding referrals to statutory authorities; (c) anti-doping rules; (d) criminal matters; or (e) statutory employment/data protection rights. Sporting disputes are governed by these Rules. Statutory rights remain unaffected.

1.2 The Rules apply in respect of:

- a) Complaints against any natural or legal persons set out in paragraph 1.1
- b) Disciplinary matters against any natural or legal persons as set out in paragraph 1.1

1.3 Exclusions:

- 1.3.1. Employment and quasi employment contractual disputes.
- 1.3.2. Complaints or Disciplinary Matters relating to persons sitting on the Board or other committees of the Board. Such Complaints shall be referred to an ad hoc Hearings Committee composed of non-Members who shall be appointed by the National CDO. The hearing of any such Complaints or Disciplinary Matters shall otherwise be conducted in accordance with these Rules and Procedures.
- 1.3.3. Allegations of child abuse. Such Complaints shall be referred to the statutory authorities by the Cycling Ireland Mandated Person, Designated Liaison Persons or Children's Officers without prejudice to exercising the powers as specified in Clause 3.3.
- 1.3.4. Criminal matters. Such Complaints shall be referred to the statutory authorities.
- 1.3.5. Anti-doping matters. Such Complaints shall be dealt with in accordance with the Irish Anti-Doping Rules.
- 1.3.6. Competition administration (field-of-play decisions) remains under Technical Regulations. Misconduct beyond those regulations may proceed under these Rules.

2. Offences

- 2.1. Breach of any of the rules, statutes, codes, regulations, policies and Codes of Ethics more specifically provided in rule 1.1.
- 2.2. Aggressive or threatening behaviour or Foul Language
- 2.3. Offensive behaviour to other cyclists, volunteers or Cycling Ireland Officials
- 2.4. Unsporting like behaviour
- 2.5. Violation of instructions and directives from Cycling Ireland Officials
- 2.6. Damaging the dignity of a person or a group of persons, in any way whatsoever, in particular due to gender, marital status, family status, age, disability, sexual orientation, race, religion or membership of the Traveller community
- 2.7. Violation of contractual obligations towards Cycling Ireland
- 2.8. Cheating
- 2.9. Fighting
- 2.10. Inciting hatred or violence
- 2.11. Bullying
- 2.12. Harassment
- 2.13. Ineligibility – including but not limited to age and club affiliation
- 2.14. Intimidation or threats
- 2.15. Coercion
- 2.16. Discrimination in particular due to gender, marital status, family status, age, disability, sexual orientation, race, religion or membership of the Traveller community
- 2.17. Disparaging comments
- 2.18. Forgery or falsification

- 2.19. Corruption
- 2.20. Acts or omissions bringing the sport of Cycling Ireland into disrepute
- 2.21. Alcohol or substance abuse by minor members at an event
- 2.22. Criminal investigation for indictable offences
- 2.23. Criminal conviction likely to bring Cycling Ireland into disrepute
- 2.24. Mischievous or vexatious Complaints
- 2.25. Participation at an Event without the permission of Cycling Ireland
- 2.26. Purporting to represent Cycling Ireland without the permission of Cycling Ireland
- 2.27. Taking part in a competition or event organised by a club or committee not affiliated to Cycling Ireland with the exception of those sanctioned events listed on the Cycling Ireland calendar.
- 2.28. Failure to comply with a decision of the Hearings Committee.
- 2.29. Use social media or social media apps for the distribution of offensive content, to taunt, bully or racially abuse others.
- 2.30. Use social media to implicate or undermine participants, opponents, coaches,
- 2.31. Commissaires/officials, volunteers, or other individuals.
knowingly submitting false or misleading evidence in a complaint/disciplinary matter.”

3. Sanctions

3.1. Warnings

- 3.1.1. Prior to imposing an Immediate Sanction, where appropriate a Responsible Person may issue a verbal warning to a Participant at an Event. This must be recorded and notified to Cycling Ireland in the form of a Commissaires Report for competitive events or a notification correspondence for other events.

3.2. Immediate Sanctions

- 3.2.1. The following Immediate Sanctions may be imposed on a Participant at an Event:

- a) Permission to start withheld
- b) Fine
- c) Time Penalty
- d) Points deduction
- e) Elimination
- f) Disqualification

3.3. Interlocutory Sanctions

- 3.3.1. On confirmation that a Respondent is under criminal investigation for an indictable criminal offence, which if proven, is likely to bring the Club/Provincial Association, or Cycling Ireland into disrepute, then the Hearings Committee shall be empowered to recommend to the Board to suspend a Respondent from membership and/or from future participation in a Club, Provincial and/or national event and/or from attending a venue or building associated with an event pending the outcome of a criminal investigation but without necessarily convening an oral hearing on the matter.
- 3.3.2. A Hearings Committee shall be empowered to recommend to the Board to impose a suspension on a Respondent pending the determination of a Complaint where in the

opinion of the Hearings Committee the gravity of the Complaint received shall warrant immediate suspension.

3.4. Non-Immediate Sanctions

- 3.4.1. The Hearings Committee has sole jurisdiction to impose a Non-Immediate Sanction save where a fast-track committee is convened under Clause 5.2 of the Procedures.
- 3.4.2. Non-Immediate Sanctions may only be imposed by a Hearings Committee following a decision on foot of an oral hearing.
- 3.4.3. The following Non-Immediate Sanctions, supported by the table in Appendix 3 may be directed or imposed by a Hearings Committee:
- a) Apology
 - b) Reprimand
 - c) Written warning
 - d) Fine
 - e) Suspension from participation in an Event or in a team for a specified duration or number of Events
 - f) Suspension from Membership/Affiliation*
 - g) Expulsion from Membership/Affiliation*
 - h) Suspension of use of qualifications obtained through Cycling Ireland
 - i) Suspension from coaching
 - j) Suspension/expulsion from office of a person on the Cycling Ireland Board/Sub-Committee and/or Commission
 - k) Cancellation of results of a competition
 - l) Obligation to restore the financial benefits and prizes received
 - m) Restriction from attending Events
 - n) Completion of an education or training course.

*Final determination of Suspension or Expulsion from Membership/Affiliation of Cycling Ireland shall be by the Board of Cycling Ireland in accordance with Article 14 and 16 of the Cycling Ireland Constitution.

4. Mitigating and Aggravating Factors

- 4.1. A Hearings Committee shall take into account mitigating and aggravating factors once a decision on culpability is reached but prior to the imposition of a sanction.
- 4.2. A Hearings Committee shall take into account the following factors:
- a) Age
 - b) Cooperation
 - c) Prior warnings
 - d) Repeat offences
 - e) Apology made
 - f) Remorse
 - g) Gravity of the offence
 - h) Effect on the victim
 - i) Effect of sanction on the Respondent
 - j) Any other factor deemed relevant

Part 2 – The Procedures

Complaints and Disciplinary Procedures

Introduction

The procedures are to be used in respect of (i) Complaints and (ii) Disciplinary Matters.

The Procedures set out below are intended to provide a step-by-step guideline as to how a Complaint or Disciplinary Matter should be commenced, investigated, decided on and appealed.

The Complaints and Disciplinary Officer (“CDO”) is responsible for receiving Complaints and deciding whether a prima facie case has been made. This can be achieved by the CDO following the Independent Investigations Process as per section 2.3. The CDO may consult with the National CDO or other relevant person for guidance on the process.

Before the Formal Complaints procedures are instigated, Members must consider the complaint and if action required, the following steps must be taken in the order of

- a) Informal dispute resolution through the CDO and
- b) Mediation by a SDSI appointed mediator.

Subject to the agreement by all parties including costs, complaint shall be referred to mediation by the CDO unless the CDO determines that it would not be in the best interests of the Complainant to partake in mediation, in which scenario the Complainant may refer the matter directly to the Hearings Committee. If the mediation process does not lead to a satisfactory conclusion, then the Formal Complaints procedure may be adopted upon application by either party.

While Cycling Ireland is supportive of informal resolution of complaints at Club level/Provincial level, Cycling Ireland does not take any responsibility for the outcome of such informal procedures.

Complaints relating to incidents at a certain level e.g. club level should be dealt with by that club or at provincial level should be dealt with by that Provincial Association. Complaints and Disciplinary Matters occurring at national level shall be dealt with by the National CDO at first instance.

The primary function of the CDO is to process Complaints and Disciplinary Matters.

The primary function of the Hearings Committee is to hear evidence in respect of a Complaint or Disciplinary Matter, to decide on culpability and to impose a sanction.

In so far as there may be minor technical breaches of these Procedures, Complainants and Respondents must recognise that the volunteers who donate their time to staff Hearings Committees at all levels may on occasion administer justice robustly and such breaches do not constitute cause for dismissal on appeal of a decision.

1. General

1.1. Deviation

Any deviation from these Rules or the procedures referred to in these Rules shall not invalidate any finding, procedure, decision or result under these Rules 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.

1.2 Days

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 for the purpose of these Rules.

1.3 Technical Defects

All acts done in good faith by any Person in the implementation of these Rules, 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.

1.4 Liability

None of Cycling Ireland's, members, Officers, employees, agents, representatives and other Persons involved in the administration of these Rules 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 these Rules.

1.5 Severability

If any clause or provision of these Rules is held invalid, unenforceable or illegal for any reason, these Rules shall remain otherwise in full force apart from such clause or provision which shall be deemed deleted insofar as it is invalid, unenforceable or illegal.

1.6 Discretion

Where a matter arises that is not otherwise provided for in these Rules, the Person or body called upon to resolve the matter shall have discretion to do so in such manner as he or she or it sees fit, provided that such resolution does not materially undermine the reliability of proceedings under these Rules or otherwise cause material injustice to the Participant to whom these Rules are being applied.

1.7 **Confidentiality**

At all stages of the Complaints and Disciplinary process, including any appeal, all participants are required to respect the privacy of all others involved and treat all aspects relating to the investigation with total confidentiality.

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/Provincial or National level but only where necessary. The Documents produced during any disciplinary proceedings shall remain private unless required by Law or the provisions of the General Data Protection Regulations ("GDPR").

The Complainant(s) and Respondent(s) are required to observe confidentiality in regard to the subject of the investigation and in regard to any material that engages with the investigation process. The Complainant(s) and Respondent(s) shall not discuss this subject matter, or share any documents relevant to the investigation, with any third parties unless required by law or an order of the Court, or to their immediate family members or legal advisors, who shall likewise be bound by the same requirement for confidentiality.

Audio, video or any other electronic recordings of investigation meetings under this procedure are not permitted. Any party to the investigation who does not comply with this requirement may be subject to disciplinary action.

Witnesses and/or persons accompanying the Complainant(s) or Respondent(s) at investigation meetings are also required to adhere to the above standards of privacy and confidentiality.

- 1.8. Minors
 - 1.8.1. Any Member under the age of 18 shall be accompanied by their guardian or parent at a hearing.
 - 1.8.2. Any Member under the age of 18 who is a Complainant or a Respondent is obliged to attend any hearing and where appropriate, by video link.
 - 1.8.3. 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 Club/Provincial and Cycling Ireland Safeguarding Officer.
 - 1.8.4. The Hearings Committee shall ensure a Safeguarding Officer is present at a hearing where the matter concerns an under 18-year-old Member. The Safeguarding Officer shall be invited to make submissions on behalf of the child at the hearing.
 - 1.8.5. The Hearings Committee shall never exceed three persons when an under 18-year-old is providing evidence.
- 1.9. Costs/Expenses
 - 1.9.1. Any costs or expenses incurred by a member (or any of their witnesses but not including the CDO and/or the Hearings Committee) in relation to any matter under

the Procedures will be the sole responsibility of that Member. The Hearings Committee shall have no authority to make any award for costs.

1.9.2. There is a cost for each Club/Provincial Association and Cycling Ireland in administering the Complaints and Disciplinary process. Accordingly, Members when making a Complaint only will be obliged to pay an administration fee. Where a Complaint is upheld, the administration fee will be reimbursed to the Complainant.

1.10. Criminal Charges

1.10.1. The Hearings Committee shall have the right to recommend to the Board of Cycling Ireland the suspension of a Member where that Member is subject to a criminal charge where that charge has the potential to bring Cycling Ireland into disrepute. Once the matter has been dealt with by the statutory authorities, the Hearings Committee reserves the right to take further action as appropriate.

1.10.2. In the event of criminal charges being initiated in relation to the alleged misconduct of a member the subject of the Complaint received, then the Member may be suspended pending the outcome of the said charges, which will be referred to the statutory authorities. Once the appropriate statutory authorities have dealt with the matter, even if the Member concerned is not eventually convicted of the charge, the Hearings Committee shall nevertheless have the right and power to review all circumstances in accordance with this procedure and make recommendations to the Board of Cycling Ireland to continue the suspension or expel the Member, if it deems it so necessary in the interests of Cycling Ireland as a whole. The Board of Cycling Ireland will follow article 14 of the Constitution in their determination of the matter.

1.11. Poor Practice

Allegations of a breach of the Cycling Ireland Safeguarding Policy 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 Procedures.

1.12. Suspension Pending Hearing

A Hearings Committee shall be empowered to recommend to the Board of Cycling Ireland to impose a suspension on a Respondent pending the determination on culpability where the gravity of the Complaint/ Disciplinary Matter shall warrant immediate suspension. The Board of Cycling Ireland will follow article 14 of the Constitution in their determination of the matter.

1.13. Notification to Cycling Ireland

Cycling Ireland shall be notified if a Member is suspended, is stepped down from a position or expelled from a Club or Committee. Notification should be received in writing from the person or committee imposing the sanction stating the sanction imposed, the outcome and their authority in the process.

1.14. Communications

- 1.14.1. All communications shall be sent by email to the complaints@cyclingireland.ie depending on the nature of the matter or via written correspondence to Complaints and Disciplinary Officer, Cycling Ireland, National Sports Campus, Blanchardstown, Dublin 15 or c/o the relevant Club address and to the Complainant/Respondent.
- 1.14.2. Any such communications shall be deemed to be delivered in accordance with the provisions of article 89 of the Constitution, predominantly by electronic mail, at the expiration of 12 hours after receipt of same has been acknowledged to the sender thereof.
- 1.15. Mediation
- Cycling Ireland recognises the benefits of Mediation as an informal method of dispute resolution and has provided for it in Part 4 below, Informal Complaints Procedure. Mediation is encouraged but **voluntary**. It is **not** appropriate for certain cases (e.g., serious misconduct, safeguarding, power imbalance). The CDO may bypass mediation where inappropriate in the interests of safety, fairness, or urgency.

2. Complaints and Disciplinary Bodies (Club/Provincial and National)

2.1. The following bodies shall be empowered to impose sanctions:

- 2.1.1. Responsible Person at an event (for warnings and immediate sanctions where applicable)
- 2.1.2. Hearings Committee
- 2.1.3. The Board of Cycling Ireland for suspension/expulsion from the federation

2.2. Complaints and Disciplinary Officer (CDO)

- 2.2.1. The Board of Cycling Ireland shall appoint one or more Complaints and Disciplinary Officers (“CDO”) at national level
- 2.2.2. The equivalent Committee at Club/Provincial level shall appoint the Club/Provincial CDO
- 2.2.3. The national CDO shall have the following functions:
- a) To receive a written Complaint or Disciplinary Report and acknowledge promptly.
 - b) To determine whether a prima facie case has been made against a Respondent on receipt of a Complaint, Disciplinary Report or an incident which comes to the attention of the CDO but which is not contained in a Complaint or Disciplinary Report.
 - c) Following a determination of Prima Facie, to refer a Disciplinary Report to the Hearings Committee following investigation to gather further information by way of making enquiries of any individuals and seek any information or documents in relation to the matter.

- d) Following a determination of Prima Facie, to refer a Complaint to the Hearings Committee following information gathering and the complaints procedure set out at section 5.
- e) To conduct an informal dispute resolution process between the Complainant and the Respondent to a Complaint;
- f) To refer the parties to a Complaint to mediation after the informal dispute resolution process has concluded, where deemed appropriate.
- g) To correspond with and notify the parties of all necessary information prior to a hearing before the Hearings Committee.
- h) To prepare papers for the Hearings Committee.
- i) To present the case in respect of a Disciplinary Matter before the Hearings Committee.
- j) To act on behalf of Cycling Ireland in respect of any appeal to SDSI.
- k) To maintain a record of:
 - (i) Complaints and Disciplinary Matters and the offences allegedly breached;
 - (ii) Prima facie determinations of CDO's;
 - (iii) Decisions of the CDO;
 - (iv) Decisions of the Hearings Committee;

and present updates to the Board on a quarterly basis.

- 2.2.4. A Club/Provincial CDO shall have all the functions of the national CDO, Complaint recipient in respect of Disciplinary Matters or Complaints that arise within that Club/Province.
- 2.2.5. In exercising their functions, a CDO may, at their discretion, take such advice and consult with such third parties as they deem necessary or appropriate.
- 2.2.6. Where a CDO has any actual, perceived or potential conflict of interest, they shall stand aside from a Complaint/Disciplinary Matter and the CEO of Cycling Ireland (or their designate)/ Chairperson of the Club Committee/Provincial Association shall appoint another CDO in respect of that particular matter. In the event that the CDO does not stand aside, the Cycling Ireland CEO (or their designate) shall be entitled to remove the CDO from the investigation and appoint another CDO.
- 2.2.7. The CDO is not required to notify a Participant of the investigation while it is ongoing.
- 2.2.8. Prior to referring the matter to the Hearings Committee, the CDO shall notify the Respondent and any other relevant party with the following information and documentation:
 - a) Copy of the written Complaint /Disciplinary Report
 - b) The relevant rule allegedly breached
 - c) Copy of supporting documents relied on by either party (including, where relevant, copies of all documents before any subordinate body, where the Hearings Committee is conducting an appeal, or similar hearing)
 - d) The parties to the Complaint

- e) The procedures involved
- f) The possible sanctions
- g) The rights of the parties at the hearing
- h) Any other procedural requirements
- i) That the Chair of the Hearings Committee will notify of the time date and venue of the hearing.

2.3. Chair of the National Panel

2.3.1. The Chair of the National Panel shall have the following functions:

- a) To receive appeals from any party to a Complaint or Disciplinary Matter against a determination by the CDO that a prima facie was not made;
- b) To dismiss an appeal and to record their reasoning for that decision;
- c) To uphold an appeal on the basis that a prima facie case had been established;
- d) To coordinate a National Panel of Hearing/Appeal Committee members
- e) To keep record of Hearing/Appeal Committee members participation in cases

2.3.2. Where a Chair of the National Panel has not been appointed or is otherwise unable to perform the role, the CEO (or their designate) may undertake their functions on an interim basis and any reference to the Chair of the National Panel should be construed as a reference to the CEO (or their designate) in those circumstances.

2.3.3. If additional members are required to be appointed to the National Panel due to required expertise, the request shall originate from the Chair of the National Panel to the Executive. Proposed additions to the panel shall be subject to the agreement of the CEO, President and Chair of the National Panel.

2.4. Responsible Person

2.4.1. Immediate Sanctions may only be imposed by a Responsible Person at an Event.

2.4.2. The imposition of an Immediate sanction need not be imposed in the order set out at Rules 3.1 and 3.2 of the Disciplinary Rules.

2.4.3. A Responsible Person shall specify the date and nature of the misconduct, and the rule allegedly breached in writing prior to imposing an Immediate Sanction.

2.4.4. A Responsible Person shall, where a Respondent is under 18, notify the parents of the Respondent of the Immediate Sanction where such Immediate Sanction involves expulsion from an Event, and/or where a number of warnings and other Immediate Sanctions have been imposed prior to the expulsion sanction away from home.

2.4.5. A Responsible Person shall prepare a Disciplinary Report for the Hearings Committee within three days of the incident or as soon as possible thereafter only if (i) an Immediate Sanction has been imposed and

(ii) where the Responsible Person deems it necessary that further sanction is necessary (without commenting on what that further sanction should be).

The Disciplinary Report prepared by a Responsible Person shall contain:

2.4.6.

- a) party affected;
- b) details of the nature of the misconduct;
- c) the rule breached;
- d) Immediate Sanction imposed; and
- e) time, date and venue of the Event.

2.4.7.

A Responsible Person shall share the Disciplinary Report with the Provincial and National CDO's.

2.4.8.

A Respondent may challenge the imposition of an Immediate Sanction which involves expulsion from an Event to the Hearings Committee, such a challenge to be heard as expeditiously as possible.

2.5. Hearings Committee

2.5.1.

The Hearings Panel shall be appointed by the Board of Cycling Ireland at national level and approved annually.

2.5.2.

A Hearings Committee shall be selected by the Chair of the National Panel at national level or by the Club/Provincial Association chairperson at club/Provincial level from the applicable Hearings Panel so established at that level.

2.5.3.

Assistance may be sought from members of the National Panel to partake in a Hearings Committee at club/Provincial level however this must be approved by the Chair of the National Panel in order to ensure conflict of interest is declared in any subsequent hearings/appeals associated with that case.

2.5.4.

A quorum of 3 persons shall be sufficient to convene a hearing of the Hearings Committee.

2.5.5.

The Hearings Committee shall be empowered to delegate any particular function to one member of the Hearings Committee.

2.5.6.

A Safeguarding Officer may not sit on a Hearings Committee.

2.5.7.

On appointment, the Hearings Committee shall appoint a chairperson.

2.5.8.

Any person selected to sit on the Hearings Committee who has any actual, perceived or potential conflict of interest in the outcome of the hearing shall stand aside from hearing the Complaint/Disciplinary Matter. An alternative person shall be appointed from the Hearings Panel by the Chair of the national Panel or Club/Provincial Association chairperson.

- 2.5.9. The Hearings Committee shall act on a simple majority vote (+ 51%) in arriving at a decision. No minority or dissenting decisions shall be produced. In the event of a majority decision, this shall be the decision of the Hearing Committee.
- 2.5.10. The Hearings Committee shall have jurisdiction to impose any sanction as set out in sections 3.3 and 3.4 of the Disciplinary Rules.

3. Commencement

3.1. Disciplinary Matter

3.1.1 The Complaints and Disciplinary process is initiated in respect of a Disciplinary Matter in any of the following circumstances:

- a) When a CDO receives a valid Complaint in writing.
- b) A valid Complaint shall state:
 - (i) the nature of the Complaint
 - (ii) the date of the incident
 - (iii) the rule allegedly breached or provide sufficient information to allow the CDO to identify the rule allegedly breached.
- c) A valid Complaint shall be made within 14 days of the occurrence of the subject matter of the Complaint unless:
 - (i) the CDO is satisfied that it is reasonable in the circumstances and in the interests of fairness to the Complainant and/or the integrity of the sport of Cycling to extend the time within which a valid Complaint may be made; or
 - (ii) it is brought under the Children's First Act 2015, where it shall be accepted if made within 2 months of the date of the act complained.
- d) A valid Complaint shall be accompanied with payment of a fee to be borne by the Complainant of €100/£90 for a Complaint made at Club level and €150/£135 for a Complaint made to any other level. The CDO shall have discretion to waive the complaint fee where they deem appropriate.
- e) The fee for any Complaint will be refunded to the Complainant where:
 - (i) the Complaint is upheld by a Hearings Committee; or
 - (ii) the Complaint is resolved during the informal dispute resolution procedure; or
 - (iii) the Complaint is resolved, to the satisfaction of the CDO, at any other point prior to the Complaint being referred to the Hearings Committee.
- f) A valid Complaint elevated by a Club to Provincial level or from Provincial level to national level for mediation shall be accompanied with payment of a fee of €250/£225 which shall be borne by the Club/Provincial

Association.

- g) A valid complaint that is requested by any party to go to a formal hearing (following Informal dispute resolution through the CDO and Mediation by a SDSI appointed mediator) shall be accompanied with a further payment of €150/£135 which shall be borne by that party.
- 3.1.2
- a. A Complaint must be set out in **no more than 3,000 words** (excluding annexed evidence).
 - b. It must clearly identify: the **nature** of the complaint, **date/time/location**, **rule(s)** allegedly breached (if known), and the **relief sought**.
 - c. Evidence should be annexed, referenced, and **paginated**. Audio/video should be indexed with timestamps.
 - d. Complaints must be typed and submitted electronically unless reasonable accommodation is required.
 - e. After acknowledgment, the CDO will set a **single deadline** (normally **7 Working Days**) for **all** supplementary material from each party ("**Supplementary Exchange**").
 - f. No further material may be submitted after the Supplementary Exchange **without prior leave** of the Chair of the Hearings Committee (or CDO pre-hearing) and **only** where (i) it was not reasonably available earlier, and (ii) it is material to the issues.
 - g. Late or non-compliant material may be excluded, or the hearing adjourned with **directions/costs** consequences.

4. Complaints Procedure

- 4.1. On receipt of a Complaint (but not a Disciplinary Matter) the following steps shall be taken in the following order:
 - 4.1.1. 'Prima facie' determination by the CDO.
 - 4.1.2. Gathering of further information by the CDO.
 - 4.1.3. Informal dispute resolution through the CDO.
 - 4.1.4. Mediation by a SDSI appointed mediator.
 - 4.1.5. Formal Hearing.
 - 4.1.6. Appeal Hearing (where requested)
 - 4.1.7. SDSI Arbitration.
- 4.2. A Complainant may withdraw a Complaint at any time.
- 4.3. The CDO shall have regard to the Guidelines for Handling Complaints at Appendix 2 in dealing with Complaints.
- 4.4. The CDO will decide whether a prima facie case has been made against the Respondent within 7 days of receipt of the Complaint, a time period which may be

extended at the discretion of the CDO. If a prima facie case has not been established, the CDO shall notify the Complainant that the Complaint has been dismissed and record their reasoning for that decision internally.

- 4.5. If a prima facie case has been established, the CDO will gather further evidence and prepare a case file on the complaint.
- 4.6. A party to a Complaint may appeal a determination that a prima facie case was not established by writing to the Chair of the National Panel within 7 days of being notified of that determination.
- 4.7. The Chair of the National Panel will decide whether a prima facie case had been established. If the Chair of the National Panel upholds the appeal, they shall refer the Complaint to the CDO for evidence gathering. If the Chair of the National Panel rejects the appeal, the CDO shall notify the Complainant of that decision.
- 4.8. The CDO shall approach both parties to attempt to resolve the dispute on an informal basis within a further 14-day period. Informal dispute resolution may include arranging a meeting between all the parties to try to resolve the matter by agreement. An extension to this 14-day limit may be considered by the CDO in exceptional circumstances e.g. caseload.
- 4.9. The CDO shall notify the parties where informal dispute resolution has been unsuccessful.
- 4.10. In the absence of reaching an informal resolution of a Complaint, the CDO shall refer the Complaint to SDSI mediation unless they determine that it would not be in the best interests of the Complainant to partake in mediation, or if either party does not agree to SDSI mediation, in which scenario the Complainant may refer the matter directly to the Hearings Committee.
- 4.11. Where the CDO refers the matter to SDSI mediation with agreement from both parties, they shall require the parties to engage as follows:
 - a) Subject to clause 4.10, it shall be mandatory for both parties to the Complaint to participate in mediation.
 - b) The mediation shall be conducted under the then current mediation procedures of Sport Dispute Solutions Ireland (SDSI) mediation and shall precede any such Complaint being heard before a Hearings Committee of Cycling Ireland or in SDSI arbitration.
 - c) The CDO shall appoint a SDSI mediator to attempt to resolve the Complaint between the parties.
 - d) The costs and expenses of the Informal Dispute Resolution shall be underwritten by Cycling Ireland. Such costs and expenses do not include either party's professional advisors, who are specifically excluded from participating in the mediation session or the fee required if a club is elevating the complaint to national level for mediation.

- e) The CDO shall be a party to the mediation and may attend the mediation session at their discretion.
- f) The initial mediation session shall be held within fourteen (14) days after the appointment of the mediator. The CDO shall have the discretion to extend this deadline where deemed appropriate.
- g) The parties acknowledge and agree that mediation proceedings are settlement negotiations, and that, to the extent allowed by applicable law, all offers, promises, conduct and statements, whether oral or written, made in the course of the mediation by any of the parties shall be confidential and inadmissible in any subsequent Cycling Ireland hearing or in SDSI arbitration.

4.12. Any party seeking to refer the matter to the formal Hearings Procedure following mediation, shall notify the CDO within 14 days of the mediation session. The notifying party is liable to pay the referred fee of €150/£135.

5. Hearings Procedure

- 5.1. Within 14 days of receipt of the Complaint/ Disciplinary Report, the Chairperson of the Hearings Committee shall write to the relevant parties advising them of:
- a) The relevant rule and offence alleged
 - b) Composition of the committee
 - c) Declaration that the committee members have no interest in the outcome
 - d) Confirmation of documents to hand
 - e) Invitation for any further clarification / submissions in writing
 - f) Invitation of any further evidence to be relied on
 - g) Rights of the parties
 - h) Time, date and venue for hearing

The Hearings Committee shall have discretion to extend the deadline where they deem it appropriate.

- 5.2. In circumstances where an expedited process is necessary the Chairperson of the Disciplinary Panel, may designate himself or herself or another member of the Disciplinary Panel to serve as the Hearing Committee in the event that it is not possible to constitute a Hearing Committee in an expedited manner. In such cases, the Chairperson shall have all the powers of a Hearing Committee as if a Hearing Committee had been duly convened.
- 5.3. The Hearings Committee shall have regard to the Guidelines for Handling Complaints at Schedule 2 in hearing Complaints.
- 5.4. The Hearings Committee, in its discretion, may invite other persons (including but not limited to witnesses, Officials or experts) to provide evidence or assistance to the Committee in any form.
- 5.5. The parties are entitled at a hearing to:

- a) Be accompanied at the hearing, by either a Member of Cycling Ireland or if the Member is a minor, by a parent or guardian.
- b) Call witnesses. Such witnesses may only be present to give their evidence, and which witnesses may be questioned by the Hearings Committee and the other parties to the Hearing.
- c) Make submissions in writing or otherwise.

Where a party exercises any or all of the rights as set out in (a), (b) or (c) above then the party shall notify the CDO, chairperson of the Hearings Committee and the other party of the names of any persons accompanying and the names of any witnesses.

- 5.6. The Hearings Committee may permit a party to be legally represented in their absence at the hearing where:
 - a) The party provides written submissions no later than 14 days before the hearing date; and
 - b) The Hearings Committee is satisfied that exceptional circumstances apply towards the absence of the party.
- 5.7. The CEO (or their designate), in their discretion, may appoint a legal assessor to attend the Hearing in order to ensure the Hearing is conducted fairly and with regard to the provisions in these Complaints and Disciplinary Procedures. The legal assessor shall not have any decision-making role.
- 5.8. The Hearings Committee shall conduct the hearing in any matter that it deems necessary, including but not limited to, directing that cross examination of the Complainant is conducted through the Chair, allowing the Complainant to present evidence by video link or to attend with a third party to give emotional support, while at all times applying the rules of natural justice as reflected in these procedures.
- 5.9. The Hearings Committee shall have the discretion to accept testimony by telephone, written statement or submission, whether by fax, email or other means.
- 5.10. The Hearings Committee shall have the power to decide on the admissibility, relevance and weight of any evidence (including the testimony of any fact or expert witness) and shall not be bound by any laws or rules regarding the conduct of Court proceedings in relation to such matters. Facts may be established by any reliable means, including admissions.
- 5.11. In the event of the non-attendance, without reasonable cause (considered by the Committee to be justifiable reason for non-attendance), of a CDO or Complainant at a hearing, the Complaint/Disciplinary Matter against the Respondent shall be dismissed.
- 5.12. In the event of non-attendance, without reasonable cause, of a Respondent at a hearing, the Hearings Committee will be entitled to proceed to hear the matter and decide the matter based on the information and evidence before it. The Hearings Committee may draw an adverse inference against a Respondent who fails to appear at the hearing after being given reasonable notice of the hearing, or the

Participant's refusal to answer questions put to him or her by the Complainant/CDO or by the Hearings Committee.

- 5.13. The Hearings Committee may adjourn or rearrange the hearing at its discretion. An adjourned or rearranged hearing shall take place as soon as is practicable, and the suspension of the Member, if already imposed, shall be automatically extended until the rearranged hearing takes place.
- 5.14. In the case of a disciplinary action the CDO shall present the case against the Respondent. In the case of a Complaint the Complainant shall present the case against a Respondent.
- 5.15. The CDO/Complainant shall have the burden of proving the alleged rule breach(es). The standard of proof shall be whether the CDO/Complainant has established the rule breach(es) on the balance of probabilities. Where facts are established by virtue of a Disciplinary Report the burden of proof is then on the Respondent to establish the contrary on the balance of probabilities.
- 5.16. Facts established by a decision of a court of law which is not the subject of a pending appeal shall be irrefutable evidence of those facts against a Respondent.
- 5.17. A Disciplinary Report shall be, until the contrary is established to satisfaction of the Hearing Committee, sufficient evidence of:
 - a) the qualifications and authority of the Responsible Person has reporting authority; and
 - b) the authority of the Responsible Person who signed the Disciplinary Report.
 - c) the facts stated in the Disciplinary Report.
- 5.18. On deciding culpability but prior to the imposition of a sanction, the Hearings Committee shall take into account any aggravating/mitigating factors into account.
- 5.19. After deciding on culpability of the Respondent the Hearings Committee shall impose a sanction as set out in clause 3.3. and 3.4 of the Complaints & Disciplinary Rules supported by the table in appendix 3.
- 5.20. The decision of the Hearings Committee shall be made and notified in writing to the relevant parties within 3 days of the hearing, unless the Hearings Committee deem an extension of time necessary. The CDO shall retain the decision on a register.
- 5.21. The written decision shall be in a format as set out in the appendices. The decision shall include reference to the parties' right to appeal the decision within 14 days of the date of the decision. One level of internal appeal is permissible. Appeals to determinations/sanctions from National Hearing Committees may be made to SDSI.
- 5.22. Pending the appeal the original sanction imposed by the Hearings Committee shall stand.

6. Complaint Taken by or Against a Club Committee (or by a Member of the Committee against a Member of the Club)

- 6.1. A Club Committee Member or the Club Committee as a whole may make a complaint against a Club Member or vice versa.
- 6.2. Where a Club Committee Member makes the Complaint or where the Complaint is made against a Club Committee Member, the Club Hearings Committee must be appointed without inclusion of that Club Committee Member.
- 6.3. Where a Complaint is made by a Club Member against a Club Committee or vice versa, then jurisdiction should be declined by the Club to determine the complaint, and a reference should be made to the Provincial Hearings Committee, where a whole Club Committee is conflicted, the matter goes to **Provincial**; if Provincial is conflicted, goes to **National**.

7. Appeals/Arbitration

- 7.1. A decision of the Club/Provincial Hearings Committee may be appealed internally to the next level above, i.e. club to provincial or provincial to national levels. Appeals to National Hearing Committee decisions or any subsequent appeals against decisions of internal Appeals Committees may be made exclusively by referral to Sport Dispute Solutions Ireland, within 14 days from receipt of such decision, for final and binding arbitration in accordance with the Sport Dispute Solutions Ireland Arbitration Rules. The arbitral award issued by SDSI may be appealed exclusively by referral to the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland, within 21 days from receipt of such arbitral award, for final and binding arbitration in accordance with the CAS Code of Sports-related Arbitration.
- 7.2. The appeal to an internal Appeals Committee or subsequently SDSI arbitration shall be limited to the legality of the procedures used and/or of the legality of the decision made.
- 7.3. The appellant shall deliver a written notification of appeal to the Chair of the National Panel for internal appeal or the secretary of SDSI within 14 days of receipt of the internal Appeals Committee/National Hearings Committee decision specifying:
 - (a) date of decision
 - (b) the grounds of appeal
 - (c) copy of relevant documentation together with (d) and the appropriate fee.
- 7.4. A copy of the Notice of Appeal shall be sent by registered post to the Chair of the National Panel, CDO and Complainant/Respondent to any appeal.
- 7.5. No Member, Participant, Unit or Cycling Ireland, its affiliate members may issue court proceedings relating to such dispute in any court in any jurisdiction.

- 7.6. No Member, Participant, Unit or Cycling Ireland, or its affiliate members shall refer a dispute to SDSI arbitration or CAS arbitration until all available avenues of resolution under the Cycling Ireland Rules have been exhausted.

For more details on Sport Dispute Solutions Ireland refer to:
<http://sportdisputesolutions.ie/>

8. Malicious/frivolous complaints:

A malicious complaint is an allegation that is made without foundation, and with malicious intent, where a person knowingly, or without regard as to its truth, accuses another person of some form of misconduct. Where a complaint is deemed by the investigation team to be malicious, it will be treated as misconduct and the person who made said malicious complaint may be subject to disciplinary action.

Where a person repeatedly lodges complaints and/or engages in correspondence which, though none may individually be considered to be malicious, are by their subject matter and repeated nature considered to be frivolous and designed to cause the Respondent(s) inconvenience, stress, pain and/or damage, it will be treated as misconduct and the person who made said complaints may be subject to disciplinary action.

Natural Justice & Fairness. Cycling Ireland shall ensure that all complaints and disciplinary matters are administered in accordance with the principles of natural justice, including independence and impartiality of decision-makers, timely notice, an opportunity to be heard, access to relevant material relied upon, reasoned decisions, and proportionate sanctions.

Appendix 1 - Templates

- 1 Cycling Ireland C&D Document 1 – Complaint Form
- 2 Cycling Ireland C&D Document 2 – Request from a Club to GI CDO to proceed with Formal Mediation
- 3 Cycling Ireland C&D Document 3 – CDO Investigation report form to CEO or Club Chairperson (complaint only)
- 4 Cycling Ireland C&D Document 4 – Notification letter from CDO to Respondent
- 5 Cycling Ireland C&D Document 5 – Notification letter from Hearings Committee to Respondent & CDO
- 6 Cycling Ireland C&D Document 5 (a) – Notification letter from Hearings Committee to Respondent & Complainant
- 7 Cycling Ireland C&D Document 6 – Notice of decision by Cycling Ireland Hearings Committee
- 8 Cycling Ireland C&D Document 7 – Notice of decision by Club Hearings Committee

- 9 Cycling Ireland C&D Document 8 – Confirmation of Immediate Sanction by Responsible Person
- 10 Cycling Ireland C&D Document 9 – Responsible Person Disciplinary Report
- 11 Cycling Ireland C&D Document 10 – Request Form to Challenge an Immediate Sanction
- 12 Cycling Ireland C&D Document 11 – Presenting a Complaint -Help Notes
- 13 Cycling Ireland C&D Document 12 – Some Q & A’s
- 14 Cycling Ireland C&D Document 13 – Request from any party seeking to refer the matter to the formal Hearings Procedure following mediation

Appendix 2 – Guidelines for Handling Complaints

1. Introduction

- 1.1. When dealing with any Complaint it is crucial to approach the situation with a high degree of empathy and professionalism. The following guidelines are designed to assist in handling such Complaints effectively, ensuring that the Complainant and Respondent feel heard, respected, and that their concerns are addressed appropriately.

2. Initial Response and Investigation:

- 2.1. Acknowledge the Complaint Promptly: Ensure that the Complainant receives a timely acknowledgment of their Complaint, indicating that their concerns are being taken seriously. Anonymous complaints cannot be progressed.
- 2.2. Express Empathy: Show understanding and empathy in your initial response. Use language that is sensitive and non-judgmental.

- 2.3. Explain the Process: Clearly explain what the Complaints procedure entails, including any potential outcomes and the voluntary nature of the process.
- 2.4. Sensitivity to Needs: Be sensitive to individual needs and equality issues – making suitable adjustments and accommodations to make sure the Complainant can engage safely and effectively with the process.
- 2.5. Sensitive Investigation: approach all parties involved with sensitivity, understanding the emotional impact, ensuring the Complainant has a supportive environment and the Respondent receives fair treatment.

3. Informal Dispute Resolution

- 3.1. Offer Informal Resolution Options: Before proceeding to formal processes, offer the Complainant the option of informal resolution. This may or may not involve a facilitated discussion between the parties involved. Be aware that the Complainant may not wish to meet with the respondent.
- 3.2. No Pressure: Ensure the Complainant understands that they have the right to proceed to a formal hearing after informal dispute resolution and mediation.
- 3.3. Clarify the Role of Mediation: ensure the Complainant understands that the mediator's role is to facilitate communication and not to make a judgment or impose a solution.

4. Formal Hearing

- 4.1. Explain the Process: If the Complaint proceeds to a formal hearing, the Safeguarding Officer should prepare the Complainant by explaining the process and what to expect.
- 4.2. Adapted Hearing Procedures: the Hearing Committee may consider, on a case by case basis, directing that cross examination of the Complainant is directed through the Chair, allowing the Complainant to present evidence by video link and/or to attend with a third party to give emotional support and/or be legally represented at the hearing.

5. Follow-Up

- 5.1. Communicate the Outcome: Inform the Complainant and Respondent of the outcome of the hearing in a timely and respectful manner.
- 5.2. Provide Support: Offer support services to the Complainant and Respondent after the resolution of the Complaint, regardless of the outcome.
- 5.3. Review and Reflect: After the case is closed, review the process to identify any areas for improvement in handling Complaints in the future.

6. Conclusion

- 6.1. It is essential that Complaints are approached with care and diligence. These guidelines can help ensure that the process is respectful, fair, and focused on achieving a resolution that acknowledges the Complainant and Respondent's experiences and promotes a positive and inclusive environment for Cycling Ireland members.

Appendix 3 – Schedule of Sanctions.

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

Offence	Low Offence	Medium Offence	High Offence
Fighting, Aggressive or threatening behaviour	N/A	Written Warning	Suspension from: A) Membership/ Affiliation B) Participation in an Event/Team
Offensive behaviour to other participants or Cycling Ireland officials	Fine €25/£22.50	Fine €50/£45	Fine €100/£90 + Written Warning

Unsporting behaviour	Reprimand	Written Warning	Fine €100/£90 + Written Warning
Violation of instructions and directives from Cycling Ireland officials	Reprimand	Written Warning Fine	Suspension from participation in: A) Events B) Teams Fine
Damaging the dignity of a person or group whatsoever on account of race, skin colour, ethnic, national, or social origin, gender, disability, language, religion, political opinion or any other opinion, wealth, birth or any other status, sexual orientation, or any other reason;	N/A	Suspension from participation in: A)Events B) Teams Written Warning Removal of Privileges Suspension from Membership Fine	Expulsion from Membership Fine Other
Cheating	Reprimand Suspension from participation in: a) Events b) Teams Fine	Severe Reprimand Written Warning Removal of Privileges Suspension from participation in: a) Events b) Teams Suspension from Membership Fine	Expulsion from Membership Fine
Racism	N/A	Written Warning Removal of Privileges Suspension from participation in: a) Events b) Teams Suspension from Membership Fine	Expulsion from Membership Fine
Inciting Hatred	N/A	Severe Reprimand	Expulsion from Membership

		Removal of Privileges Suspension from participation in: a) Events b) Teams Suspension from Membership Fine	Fine
Bullying	Reprimand	Written Warning Severe Reprimand Removal of Privileges Suspension from participation in: a) Events b) Teams	Expulsion from membership
Intimidation of threats	Reprimand	Written Warning Suspension from Membership €50/£45 Fine	Expulsion from Membership Fine €100/£90 Other
Coercion	Reprimand	Written Warning	Severe Reprimand Suspension from Membership
Discrimination	Reprimand	Written Warning Suspension from participation in: a) Events b) Teams	Severe Reprimand Suspension from participation in: a) Events b) Teams Suspension from Membership
Foul Language	Reprimand	Written Warning Fine	Written Warning Severe Reprimand Fine
Disparaging Comments	Reprimand	Written Warning	Written Warning

	Fine	Fine	Severe Reprimand Suspension from participation in: a) Events b) Teams Fine
Acts or omissions bringing the sport of Cycling into disrepute	N/A	Written Warning Suspension from participation in: a) Events b) Teams Fine	Severe Reprimand Expulsion from Membership Fine
Criminal investigation for an indictable offence	Suspension from participation in: a) Events b) Teams pending outcome of the criminal investigation	Suspension from participation in: a) Events b) Teams pending outcome of the criminal investigation	Suspension from participation in: a) Events b) Teams pending outcome of the criminal investigation
Criminal conviction likely to bring Cycling Ireland into disrepute	Suspension from Membership	Expulsion from Membership	Expulsion from Membership
Mischievous, Malicious or vexatious complaints	Reprimand Fine	Reprimand Written Warning Fine	Severe Reprimand Fine Suspension from participation in: a) Events b) Teams
Breaches of rules and codes of conduct	Reprimand	Written Warning Fine	Severe Reprimand Suspension from participation in: a) Events b) Teams Fine

APPENDIXES & TEMPLATES

1. CI Complaints and Disciplinary FAQ
2. CI Chairperson hearings Committee Letter to respondent and CDO Discipline Issue.

3. CI Complaint Form
4. CI Confirmation of an Immediate Sanction
5. CI Disciplinary Report Form
6. CI Notice of Decision by the Club Hearings Committee
7. CI Notice of Decision by the Cycling Ireland Hearings Committee
8. CI Notification Letter from Complaints & Disciplinary Officer (CDO) to Respondent.
9. CI Presenting a complaint under CI Rules & Procedures
10. CI Request to move to Formal Mediation
11. CI Request to move to Hearings Committee
12. CI Responsible Person – Disciplinary Report