



Memo to all Swim Ireland Clubs and Members

Updates to Complaints and Disciplinary Rules and Procedures and Rule Book.

OCTOBER 2018

In keeping with Swim Ireland's commitment to the Governance Code for Voluntary and Non-Profit Organisations we have undertaken a comprehensive review of the Swim Ireland Complaints and Disciplinary Rules and Procedures 2012 and The Swim Ireland Rule Book. The review is now complete, and the revised documents now come into immediate effect (save in respect of complaints processes already in train).

Swim Ireland Complaints and Disciplinary Rules and Procedures 2018 is attached for your information and use. Copies are also available on the Swim Ireland website www.swimireland.ie. Printed versions will be distributed to Clubs over the coming months and are available by application to the Regional Support Officers and through the Complaints and Disciplinary Workshops.

The purpose of the changes is to further streamline the process, to amend some inconsistencies and to provide clarity in relation to procedures and roles at club, regional and national level.

Some of the key changes include:

Definition of responsible person

The "Responsible Person" as defined in the 2012 Rules has been renamed as the "Person in Charge" and the definition has been redefined as: "*Person in Charge means the Member in ultimate authority over a Member, team or delegation at an Event.*"

New offence – Breach of Code of Conduct

The purpose of this offence is to provide an overarching provision that covers the various codes of conduct that might apply to officials and others at events that may not be specifically covered in the General Rules

Submissions allowed by Children's Officer

Under the 2012 Rules a Children's Officer is not allowed to intervene in a hearing unless invited to do so by the Complaints and Disciplinary Committee. Provision has now been made that the Children's Officer may intervene in a hearing if he/she feels it is necessary to protect the welfare of a child.

Provision has also been made to allow for circumstances whereby if the Children's Officer is a necessary witness to a Complaint and where that matter would otherwise require the presence or involvement of that person in their capacity as Children's Officer, another officer must be appointed to assume the role of Children's Officer for the duration of the matter



Revision to role of the Complaints and Disciplinary Officer (CDO)

The rules now provide that the CDO may seek an informal resolution of a Complaint or an Appeal where he/she considers it appropriate

Hearings – local and national level

There are a number of provisions that apply exclusively to hearings at national level and the revised document has separate sections for hearings at local and national level providing clarity in an area that was causing confusion

Appeals to SICDC – fresh hearing

Changes have been made to the provision for appeals to SICDC providing that a fresh hearing will take place, however, the parties may, by mutual consent, agree to limit the hearing to specific matters or issues arising from the original decision, or to include matters that have arisen since the hearing

Alcohol Use

The offence of alcohol misuse has been reworded to read *“Alcohol or substance use during an event or while carrying out official duties”*

Penalties and Sanctions

The range and severity of the penalties and sanctions has been reviewed

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Coach on Club Committee

One of the main changes to the Rule Book is the introduction of the Head Coach as a member onto the club committee. This will be mandatory for all clubs from September 2019. To help with the introduction of this, support will be provided through club training days in early 2019.

Regards

Swim Ireland Membership Department