

COMPLAINTS AND DISCIPLINARY PROCEDURE

A. Complaints Policy

This document sets out the procedure for dealing with complaints made against the Society and its members. This document also sets out the procedure for dealing with any person who at any time conducts themselves in a manner which may be deemed to bring the name of the Society into disrepute.

A complaint against a staff member/s should be reported in the same way but will be dealt with under the Society's internal HR/employment related policies.

The Society and its members endeavour to work to the highest standards in every regard. The Society considers its members to be a valuable resource in achieving its aims and does not envisage that it will receive many complaints. However, the Society wants to ensure that in the event that a complaint is made against a member of the Society, there is a procedure in place which ensures that:

- the complaint will be dealt with fairly and without prejudice
- the procedure and potential outcomes are clear for all parties involved

The Society hopes that the majority of complaints that are received can be resolved informally through mediation. This particularly applies to poor behaviour in and around the show ring. If mediation or informal resolution is not possible or it is more appropriate for the matter to be dealt with formally, then the Complaints Procedure as set out in Part 2 below should be followed.

Complaints relating to JMB height certificates should be made to the JMB (see Section 4 below).

B. Complaints Procedure

1. Complaints made against the Society and its Members

1.1. Should you wish to register a complaint then please use one of the methods stated below:

In writing to: (Please send by recorded delivery)	Sport Horse Breeding of Great Britain 96, High Street Edenbridge Kent TN8 5AR
By email to: (Please request a delivery receipt when sending your email)	office@sporthorsegb.co.uk

Complaints regarding SHB(GB) staff members:	Please address your complaint to the Chair of Council at the above address and mark 'strictly confidential'
Complaints Regarding SHB(GB) Council or Sub Committee Members:	Please address your complaint to the General Secretary at the above address and mark 'strictly confidential'

- 1.2. All complaints should be in writing either by post or email (to addresses stated previously), marked 'private & confidential' and signed by the complainant with their full name, contact address and telephone number clearly printed. Please note that the Society cannot address complaints made anonymously.
- 1.3. Your SHB(GB) membership number (where applicable), should be quoted in correspondence.
- 1.4. The complainant can also submit separate letter(s) or email(s) from an independent person(s) confirming the facts and basis of the complaint.
- 1.4. The complaint, and independent letter(s) should be received within 14 days of the incident or action causing complaint. Complaints received outside this timescale will only be investigated at the discretion of the Chairman/Council.
- 1.6. Evidence in support of the complaint should be provided along with the letter of complaint.

What will happen next?

- 1.7. The Society will send a letter or email acknowledging the complaint and, if necessary, may ask for further details.
- 1.8. The SHB(GB) Office will forward details of the complaint to the Chairman and Vice Chairman who will decide if the complaint can be resolved through an informal process and/or mediation.
- 1.9. If the Chairman and Vice Chairman of the Society feel the complaint may not be settled by mediation or an informal resolution, then the complaints procedure detailed in Part 2 below should be followed.
- 1.10. If the complaint may be resolved through an informal process, details of the complaint will be passed to the Chairman of the relevant sub-committee. If the Society believes that the matter should be addressed by mediation it will invite the complainant to participate.
- 1.11. The Chairman of the sub-committee will obtain further information if necessary. They may choose to resolve the complaint by way of a letter to the member or official named in the complaint or may also choose to forward the complaint to all members

of the sub-committee for comment or discussion which may be at the next committee meeting, or sooner if deemed necessary.

- 1.12. The sub-committee may recommend the complaint is referred to the SHB(GB) Council to determine if there has been a breach of Rules and whether any penalties are to be imposed as detailed in Part 2.
- 1.13. If the complaint pertains to a previous decision of a sub-committee, it will be referred to the SHB(GB) Council as per Stage 2 below.

2. The Council

2.1. The Chairman and Vice Chairman may refer the complaint directly to the Council for a breach of rules decision. The Council may deal with the matter in accordance with procedure referred to in 2.2 below. If in its opinion the matter is sufficiently serious the Council will refer the matter to be dealt with by the Disciplinary Panel referred to in Part 3.

2.2. If the Council decides to deal with the matter itself, it shall communicate in writing the substance of the allegations to the person against whom they are made and will afford that person the opportunity of making representations, whether orally or in writing. The Council shall then determine whether there has been a breach of these Rules and if in its opinion there has been such a breach to impose all of any of the following penalties:

- Dismiss the complaint in whole or in part
- Uphold the complaint but take no action (only if there are strong mitigating circumstances)
- Give a reprimand or caution
- Suspend membership on either a temporary or permanent basis
- Suspend the Horse, Owner, Rider, Producer and/or Member or other person participating in any Show to which these Rules apply for a period of time
- Fine such person up to a maximum amount of £5,000

2.3 In addition, in the case of a judge:

- He/she may be removed from the panel

In addition, in the case of an official:

- He/she may be prevented from officiating in any capacity at any Society affiliated show or event

C. Disciplinary Procedure

3.1. If in its opinion the matter is sufficiently serious the Council will refer the matter to be dealt with by the Disciplinary Committee referred to below.

- 3.2. A letter to the complainant will set out name(s) of the person(s) assigned to investigate complaint (the Investigating Officer(s)). If the complaint relates to a Council member or former Council member the Investigating Officer will be an independent person who may or may not be a member of the Society. If the complaint relates to any other member of the Society, the Investigating Officers will be a panel of at least three, consisting of three Council members or three independent persons, who may not be members of the Society, or a combination with not more than three in total. Any request by the Society for further details should be provided by the complainant within 10 working days otherwise the complaint will not be processed any further.
- 3.3. The investigation of the complaint will be carried out by the Investigating Officer(s) within a reasonable timescale barring issues outside their control. The Investigating Officer(s) will undertake all necessary investigation which may include obtaining a response to the complaint from any member who is the subject of the complaint. This will usually involve sharing the full details of the complaint with that member, **which in certain circumstances may include the identity of the complainant.**
- 3.4. If necessary, the complainant may be invited to a meeting to discuss the complaint and/or the response to the complaint further. In the event that this is not possible or practical the complainant may be asked to expand upon the complaint in writing or by telephone.
- 3.5. Once the investigation has been concluded, a determination will be made by the Investigating Officer who will notify the complainant in writing of the decision together with the reasons for this decision and any action that it is recommended is taken. The Investigating Officer will either:
 - (a) Dismiss the complaint in whole or in part; or
 - (b) Uphold the complaint in whole or in part which may include a determination that all or part of the matter be dealt with under the Society's disciplinary procedures.

Disciplinary Proceedings

- 3.7. Where an Investigating Officer(s) has determined, following the conclusion of an investigation, that there is a case to answer which requires further investigation, the outcome of which mean that disciplinary action may be taken against the person, the Chairman and Vice Chairman of Council acting together will appoint a disciplinary panel made up of three people who may not be members of the Society (the Disciplinary Panel). The Disciplinary Panel should be appointed within 14 days of the decision by the Investigating Officer(s) that the matter should be dealt with under this Disciplinary Procedure.
- 3.8. Within 14 days of being appointed, the Disciplinary Panel will inform the member of the allegations against them, the basis for those allegations, that there will be a disciplinary hearing convened and what the likely range of consequences will be if it

decides after the hearing that the allegations are true. Where appropriate, the following will be included:

- (a) A summary of relevant information gathered by the Investigating Officer(s) during the investigation.
 - (b) A copy of any relevant documents which will be used at the disciplinary hearing; and
 - (c) A copy of any relevant witness statements, except where a witness's identity is to be kept confidential, in which case the member will be given as much information as possible while maintaining confidentiality.
- 3.9 Within a further 14 days, the member must inform the Disciplinary Panel whether they admit the allegations or not and indicate whether they wish to attend the hearing. If no response is received, the disciplinary procedure shall continue.
- 3.10 Within a further 14 days, the Disciplinary Panel will give the member written notice of the date, time and place of the disciplinary hearing. The hearing will be held as soon as reasonably practicable, but the member will be given a reasonable amount of time to prepare their case based on the information given to them by the Disciplinary Panel.

Disciplinary Hearing

- 3.11 The disciplinary hearing will be held in front of the Disciplinary Panel. At the disciplinary hearing, the Disciplinary Panel will take the member through the allegations and the evidence that has been gathered. The member will be able to respond and present any evidence.
- 3.12 The member may ask relevant witnesses to appear at the hearing, provided they have given the Disciplinary Panel sufficient advance notice to arrange their attendance. The member will be given the opportunity to respond to any information given by a witness.
- 3.13 Written statements may be introduced only if previously produced to and/or with the consent of the Disciplinary Panel.
- 3.14 The Disciplinary Panel may make a finding, following the disciplinary hearing, that the allegations are:
- (a) Proved, in whole or in part; or
 - (b) Unproved, in whole or in part
- 3.15 The decision by the Disciplinary Panel and its reasons, along with any disciplinary penalty if appropriate, will be communicated to the member within 14 days of the date of the disciplinary hearing.

Disciplinary Penalties

- 3.16 If the Disciplinary Panel finds the conduct alleged to be proved, in whole or in part, it shall impose such of the following actions as seem appropriate given the circumstances of the case:
- (a) Uphold the complaint but take no action (only if there are strong mitigating circumstances).
 - (b) Give a reprimand or caution
 - (c) Suspend membership on either a temporary or permanent basis.
 - (d) Suspend the Horse, Owner, Rider, Producer and/or Member of other person participating in any Show to which these Rules apply for a period.
 - (e) Fine such person up to a maximum amount of £5,000
- 3.15 In addition, in the case of a judge or an official
- (a) A judge may be removed from the panel
 - (b) An official may be prevented from officiating in any capacity at any Society affiliated show or event

Animal Welfare Offences

- 3.16 If a court of law finds a Member guilty of an offence relating to animal welfare the Society may take reciprocal action to that imposed by the Court. i.e., if the Court issues a warning or reprimand the Society will similarly warn or reprimand the Member.

In the case of a Court banning a member from keeping/owning animals for a period the Society may revoke the membership of the member found guilty and ban them from membership for the full period of the ban imposed by the court or longer if appropriate.

- 3.17 There is also no appeal against a welfare issue determined by a Court of Law.
- 3.18 Any decision of the Disciplinary or Appeal Committee made pursuant to the powers conferred by these rules may be published in any newspaper or periodical as the Council may direct.

Appeal

- 3.19 If a member feels that disciplinary action taken against them is wrong or unjust then they should appeal in writing, stating the full grounds of appeal, to the Secretary within 14 days of the date on which they were informed of the decision of the

Disciplinary Panel. Where the appeal is not upheld the appellant may be required to cover the administrative cost of the appeal.

- 3.20 The Chairman and Vice Chairman of Council acting together will appoint an Appeal Committee comprising three members who may not be members of the Society.
- 3.21 Appeals may be dealt with by written representations or at an appeal hearing. The Appeal Committee will give the member written notice of the date, time and place of any appeal hearing. This will normally be 14 days after the written notice.
- 3.22 The Appeal Committee will consider all the evidence and make its decision which may be to:
 - (a) Confirm the original decision;
 - (b) Revoke the original decision; or
 - (c) Substitute a different penalty
- 3.23 The Appeal Committee will inform the member in writing of the final decision as soon as possible, usually within 14 days of the date of the appeal hearing. There will be no further right of appeal.

4. JMB Objections

- 4.1 Any dispute or complaint in respect of a JMB Certificate must be referred to the JMB Stewards and will be dealt with in accordance with their Rules. Please address complaints to The Joint Measurement Board Limited, P.O. Box 396, Hereford, HR1 9QQ Tel: 01981 510201

If an objection is lodged against a height certificate or the SHB(GB) requests a re-measurement the horse must be re-measured within 21 days of the notification by the J.M.B. of the objection or request. Unless the horse is re-measured within this time, its SHB(GB) registration will be withdrawn and the matter may be referred to the Disciplinary Committee and the membership of the owner, at the time of the request for a re-measurement will be suspended.

- 4.2 The SHB(GB) have the right to request a measurement on any horse registered on an Annual JMB Height Certificate. The horse must be measured at the owner's expense within 21 days of notification by the SHB(GB).
- 4.3 Unless the horse is measured within this time its SHB(GB) registration will be withdrawn and the matter may be referred to the Disciplinary Committee and the membership of the owner, at the time of the request for a measurement will be suspended.
- 4.4 An animal that received an objection to its JMB height certificate which is subsequently upheld will forfeit any previous qualification gained for Horse of the Year Show, RIHS, or SHB(GB) Championships Shows in the current year and the qualification will be passed to the next eligible exhibit with the eligible placings.