



A guide to R.9 for Affiliated Clubs and All Members

DEFINITIONS

C/A-COMPLAINT ASSESSOR, **CDO** COUNTY DISCIPLINARY OFFICER

GCO- DESIGNATED BOWLS ENGLAND GOVERNANCE & COMPLIANCE OFFICER

CE- CHIEF EXECUTIVE ENGAGED BY BOWLS ENGLAND

This lengthy document has been shortened to encompass all relevant points.

The County Disciplinary Officer will be available five days a week 9-5 to answer queries and offer advice.

Templates for the named forms can also be obtained from the C.D.O

What is R 9?

R 9 is Bowls England's framework for addressing complaints of misconduct. Formerly known as Regulation 9, this revised process has been significantly enhanced to improve ease of use for our members.

How does Regulation 9 work?

The process involves a **neutral 3rd party, the Complaints assessor**, who will assess complaints based on their nature and severity of impact. This categorization guides the appropriate investigative pathway to ensure a just and proportionate decision, which may include a sanction

Why is it important to follow R 9?

R9 is a mandatory process that ensures fair and just resolution of misconduct complaints.

As per our conditions of affiliation R 9 must be quoted within the Affiliated Club's governing documents such as Club Constitutions.

All Affiliated Clubs and County Associations must exclusively utilize R9 to address all complaints of misconduct against Members

No alternative processes for handling misconduct are permitted .

No sanctions, penalties, suspension or removal of membership can be implemented without having followed the provisions of R9 in full.

Complaints must be written not verbal

Made against an Affiliated Member , Made by an Affiliated Member

Non-affiliated members would need to raise a 'concern' and then the Club would adopt the complaint if it was valid.

A Complaint of Misconduct must be made **within 14 days of the first awareness** and a Complaints Form Template completed. Discretion allowed if late due to circumstances.

Anonymous complaints will be treated as feedback only.

Complaint Assessor means the person to whom complaints are submitted. The complaints assessor can be club chair/president or suitable person i.e. **Someone who does not have any conflict of interest regarding the complaint.**

If complainant does not agree to the Complaints assessor, refer to C DO

It is the Complaint Assessor's role to review the complaint and must not be influenced by other parties

To ensure a fair review of the complaint, there should be no discussion solely within the club committee

COMPLAINT FORM REVIEW

Assessor must review and return form with outcome to complainant within 14 days

Levels of Misconduct

These are examples only for guide as each incident MUST be assessed on its own merit. The CDO can be contacted for advice

E.g 'Name calling incidents may be considered minor by one member but if a complainant is leaving the club because it has affected their mental health it becomes Major.

MINOR is addressed informally :-

Breach of affiliated clubs code of conduct

Rude language / hand gestures

Unsporting behaviour

MODERATE MISCONDUCT through mediation

Disruptive behaviour/abusive messaging/texts/social media

Deliberate damage to property

Bullying /harassment/intimidation

Dangerous/careless behavior/abuse of power

SERIOUS MISCONDUCT via a formal hearing.

Behaviour that poses a significant threat to well-being. Integrity or reputation of the sport of lawn bowls.

Violence/sexual harassment or incidents in which the police may be involved i.e. theft etc.

OUTCOMES

Unfounded- no action.

This can be challenged at club level through the process by the complainant by referring to CDO.

INFORMAL PROCESS

CA will discuss with complainant to determine how the conduct was inappropriate /breach of code of conduct & decide on course of action. (letter of apology etc.)

Agreed by CA & Complainant an informal Resolution letter will be sent.

This is kept on file for 12 months. Considered "spent" if no further breach.

Further breach may constitute moderate misconduct & require mediation

MEDIATION

Mediator is appointed by Complaint assessor. If selection is not accepted by complainant, then the CDO appoints the mediator. All parties involved must agree and comply for mediation to go ahead.

Timeline 14 days of completion for outcome to be relayed to all concerned.

HEARINGS

It is important that parties involved understand that going to a hearing is

not confirmation of guilt

Complaint assessor in this case should be Club Chair or President provided no conflict of interest.

Serious misconduct requires investigation before a hearing

concluded within 21 days of the complaint .

Time , mitigated if circumstances dictate but all parties to be informed

Hearings must be heard between 40-90 days at a suitable date for all (with 5 dates offered within a 2 week period during that time).

Witness to send statement to CA within 10 days of the request.

Witness statements must be first-hand and not hearsay. Shared between parties within 14 days

Complainant/respondent must reply within 3 days if witnesses are to attend the hearing.

Panel.

CA arranges a panel of 3 people (from inside or outside affiliated clubs)

The names are given to the respondent / Complainant at least 7 days prior to the panel.

An Independent note taker is required.

Supporters of both sides are allowed to attend; they may not participate & are bound by confidentiality.

Penalties

If guilty, penalty must be communicated verbally on the day of the hearing.

Examples: -

Exclusions from activities (not playing in leagues or same leagues as complainant.)

Suspension (time period must be defined and not indefinite or lifelong).

Financial recompense if goods damaged.

Panel chair must compile a report which should also include the process of how to appeal.

Appeals - must be submitted within 14 days of receiving report on hearing.

All parties have right to appeal if one or more of following grounds have been met.

Decision based on error

New evidence comes to light

Serious procedural irregularity or breach

Penalty unreasonable considering facts presented.

Appeal assessor must acknowledge receipt within 3 days .Appeal must be reviewed after this within 21 days

