

	Gasóga na hÉireann/Scouting Ireland			
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	Category: Complaints, Conflict and Disciplinary			
Disputes Process				

Related Documents
SID-CCD02 - Scouting Ireland's Conflict Resolution Policy and Guidelines
SID-CCD03 - Scouting Ireland's Disputes Policy (Youth Members Under 18)
SID-39/05 - Scouting Ireland's Code of Good Practice
TOR-SUB04 - Disputes Resolution and Appeals Panel – Terms of Reference

Revision Schedule		
Revision	Date	Description
#	11/11/2017	Document Issued
A	09/12/2017	Minor Amendment
B	01/09/2018	Amended to incorporate the Disciplinary Process

INTRODUCTION

For the purpose of this document Scouting Ireland recognises two categories of Dispute being:

- (a) A dispute between two or more members of Scouting Ireland (Section A); and
- (b) A dispute between Scouting Ireland and a member of Scouting Ireland brought about because of a complaint against that member by a specified officer (Section B).

For the purpose of this document disputes brought forward under Section B will be referred to as disciplinary matters.

Should any connected external proceedings be brought to the attention of Scouting Ireland during the course of the handling of a dispute or a disciplinary matter then the person or committee managing or processing the matter reserves the right to suspend all activity on the matter, should it be deemed appropriate to do so, until such time as it is considered appropriate to proceed. Notwithstanding that any external proceedings or litigation may not be resolved or succeed as prosecuted, Scouting Ireland reserves the right to, and will consider, the subject matter of all disputes irrespective of the outcome of the external proceedings, and in the case of a disciplinary matter, should the complainant allege an act of misconduct, to investigate it in accordance with the terms within this Disputes Process to establish if the adult in question is a fit and proper person to be a member of Scouting Ireland.

SECTION A – MATTERS RELATING TO DISPUTES BETWEEN TWO OR MORE MEMBERS OF SCOUTING IRELAND

Scope of Section A

The part of the Disputes Process, as outlined in this Section, is designed to cover any dispute between two or more **ADULTS** within Scouting Ireland.

The Disputes Resolution and Appeals Panel

The Disputes Resolution and Appeals Panel Sub-committee are appointed annually subject to Article 46 of Scouting Ireland's Constitution and Rule 127 of Scouting Ireland's Rules. The purpose of this Sub-committee is to oversee and manage Scouting Ireland's Disputes Process, as outlined within the terms of this policy document and as outlined within the policy document pertaining to Youth Members contained in SID-CCD03. The membership of the Sub-committee and their key areas of responsibility are as prescribed in TOR-SUB04.

Stage 1 Disputes (Before an Official Dispute is registered)

The historical evidence held by Scouting Ireland shows that most disputes that have been lodged with National Office, in the past, are locally based. It is therefore important that Scouting Ireland recognises the need to resolve all disputes at source before they escalate to become an Official Dispute (in accordance with Rule 30 of Scouting Ireland's Rules).

Therefore should any dispute arise between two or more **adults** within Scouting Ireland, acting in a role in any Group, County, Province or at National level, the following action should be taken:

Group:

The Group Leader (or an alternative member of the Group, as appointed by the Group Council, if the Group Leader is a party to the dispute) should take a written record of the particulars of the dispute from all parties to the dispute.

The Group Leader (or person appointed by the Group Council) should endeavour to resolve the dispute by using Scouting Ireland's Conflict Resolution Policy and Guidelines (SID-CCD02).

In addition to this, and only if the Group require it, the Chief Commissioner (Adult Resources) can also provide assistance to the Group by way of a conciliation service via members of the National Adult Resources Committee.

If after following these procedures the Group Leader (or person appointed by the Group Council) is unable to resolve the dispute amicably, then it will be for the Group Council (as a whole) to consider the circumstances of the dispute and make a further attempt to establish if an amicable agreement can be reached.

Should the Group require advice and/or guidance at any stage as to how to handle any particular aspect of the dispute, they should make this request (in writing, setting out the full particulars of the dispute) to the Disputes Resolution and Appeals Panel.

If any party to the dispute still has a grievance after the Group has made every attempt to resolve the dispute amicably it is at that stage, **and only at that stage**, that they will be permitted to lodge an Official Dispute in accordance with Rule 30 of Scouting Ireland's Rules.

County:

The County Commissioner (or an alternative member of the County Team, as appointed by the County Management Committee, if the County Commissioner is a party to the dispute) should take a written record of the particulars of the dispute from all parties to the dispute.

The County Commissioner (or person appointed by the County Management Committee) should endeavour to resolve the dispute by using Scouting Ireland's Conflict Resolution Policy and Guidelines (SID-CCD02).

In addition to this, and only if the County require it, the Chief Commissioner (Adult Resources) can also provide assistance to the County by way of a conciliation service via members of the National Adult Resources Committee.

If after following these procedures the County Commissioner (or person appointed by the County Management Committee) is unable to resolve the dispute amicably, then it will be for the County Management Committee (as a whole) to consider the circumstances of the dispute and make a further attempt to establish if an amicable agreement can be reached.

Should the County require advice and/or guidance at any stage as to how to handle any particular aspect of the dispute, they should make this request (in writing, setting out the full particulars of the dispute) to the Disputes Resolution and Appeals Panel.

If any party to the dispute still has a grievance after the County has made every attempt to resolve the dispute amicably it is at that stage, **and only at that stage**, that they will be permitted to lodge an Official Dispute in accordance with Rule 30 of Scouting Ireland's Rules.

Province:

The Provincial Commissioner (or an alternative member of the Provincial Team, as appointed by the Provincial Management Support Team, if the Provincial Commissioner is a party to the dispute) should take a written record of the particulars of the dispute from all parties to the dispute.

The Provincial Commissioner (or person appointed by the Provincial Management Support Team) should endeavour to resolve the dispute by using Scouting Ireland's Conflict Resolution Policy and Guidelines (SID-CCD02).

In addition to this, and only if the Province require it, the Chief Commissioner (Adult Resources) can also provide assistance to the Province by way of a conciliation service via members of the National Adult Resources Committee.

If after following these procedures the Provincial Commissioner (or person appointed by the Provincial Management Support Team) is unable to resolve the dispute amicably, then it will be for the Provincial Management Support Team (as a whole) to consider the circumstances of the dispute and make a further attempt to establish if an amicable agreement can be reached.

Should the Province require advice and/or guidance at any stage as to how to handle any particular aspect of the dispute, they should make this request (in writing, setting out the full particulars of the dispute) to the Disputes Resolution and Appeals Panel.

If any party to the dispute still has a grievance after the Province has made every attempt to resolve the dispute amicably it is at that stage, **and only at that stage**, that they will be permitted to lodge an Official Dispute in accordance with Rule 30 of Scouting Ireland's Rules.

National:

Should any dispute arise (concerning a National matter) between two or more adults, any one of which holds an appointment/position at National level, then the National Management Committee will appoint one of the Provincial Commissioners (with no direct connection to the terms of the dispute) to deal with this matter in the first instance.

The Provincial Commissioner should take a written record of the particulars of the dispute from all parties to the dispute and then should endeavour to resolve the dispute by using Scouting Ireland's Conflict Resolution Policy and Guidelines (SID-CCD02).

In addition to this, and only if the National Management Committee require it, the Chief Commissioner (Adult Resources) can also provide assistance to the National Management Committee by way of a conciliation service via members of the National Adult Resources Committee.

Should the Provincial Commissioner require advice and/or guidance at any stage as to how to handle any particular aspect of the dispute, they should make this request (in writing, setting out the full particulars of the dispute) to the Disputes Resolution and Appeals Panel.

If after following these procedures the Provincial Commissioner is unable to resolve the dispute amicably and any party to the dispute still has a grievance, it is at that stage, **and only at that stage**, that they will be permitted to lodge an Official Dispute in accordance with Rule 30 of Scouting Ireland's Rules.

Guiding Principles for all Stage 1 Disputes

It is vitally important that those involved in all local disputes are informed and reminded at the outset by the Group Leader, County or Provincial Commissioner (or their respective replacements) that **they are Scouts, and as Scouts, they should be acting in a "scout like manner" at all times in adherence with the Scout Law, Promise and Principles and in keeping with Scouting Ireland's Code of Good Practice (SID 39-05 refers).**

They should also be reminded that the primary role of "Adults in Scouting" is to place the needs and wellbeing of our "Youth Members" first and foremost, as generally, disputes consume and waste a lot of volunteer hours and can therefore defer attention away from Scouting Ireland's youth centred approach.

NB: Any matter that is raised by an adult member of Scouting Ireland that in any way concerns safeguarding/child protection or sexual abuse issues should be referred immediately to the Child Protection Officer or Designated Person in National Office by the recipient of the initial dispute or the Disputes Resolution and Appeals Panel.

Stage 2 Official Disputes

The Hearing Pool:

In order for the Disputes Resolution and Appeals Panel to effectively manage Scouting Ireland's Disputes Process they will require the assistance of a number of other Scouters from time to time.

Following consultation with the National Secretary, the Disputes Resolution and Appeals Panel will appoint a Hearing Pool, which will consist of up to twenty Scouters with the requisite personal/scouting experience in the field of Human Resources and/or dispute/conflict management and resolution.

As far as possible, the Hearing Pool will reflect the geographical spread of the six Scout Provinces and the recruitment process will be managed and run by the Disputes Resolution and Appeals Panel by way of an open call and selection interviews (if required).

No individual that is appointed to the Hearing Pool will be permitted to sit on a Hearing Panel/Committee until they have first been briefed on the individual case that they have been assigned by way of a Case Briefing Meeting, which will be conducted by the Disputes Resolution and Appeals Panel. Each member on every Hearing Panel/Committee that is convened will also receive a Terms of Reference document (a copy of this will also be issued to all parties to the dispute) at the Case Briefing Meeting and this will clearly outline the roles and responsibilities of the Hearing Panel/Committee for each particular case.

Tier 1 Official Disputes – Procedures

Instigating an Official Dispute:

In order for an Official Dispute to be lodged, in accordance with Rule 30 of Scouting Ireland's Rules, the dispute **must** be made in writing on the official form (SIF-DPF1). The electronic version of this form is available for download via the Scouting Ireland website (www.scouts.ie) or a hard copy can be obtained by post from Scouting Ireland's National Office.

The Scouting Ireland Disputes Process will only be instigated once the signed form has been received in National Office.

National Office Procedures:

Upon receipt of the SIF-DPF1 National Office will record and number the dispute and will then also acknowledge receipt of the SIF-DPF1 to the instigator of the dispute.

National Office should then pass the SIF-DPF1 to the Disputes Resolution and Appeals Panel who will then consider the case before issuing an instruction to National Office regarding what correspondence should be issued and to whom it should be issued.

The period allowed for return of any SIF-DPF2 (Right of Reply Form) that is issued will be two weeks from the date the form was issued by National Office.

A copy of any returned SIF-DPF2 will be forwarded to the person who instigated the dispute and then all the documentation received pertaining to the dispute will be passed to the Disputes Resolution and Appeals Panel.

Disputes Resolution and Appeals Panel Procedures:

When the Disputes Resolution and Appeals Panel receive an "Official Dispute" they will firstly consider the content of all the documentation that is presented to them to ensure that Stage 1 of the Disputes Process has been followed correctly. If it appears to the Disputes Resolution and Appeals Panel that the Stage 1 procedures have either not been followed or not been followed correctly then the case will be referred back to the appropriate level of Scouting Ireland (Group/County/Province/National) for it to be dealt with accordingly.

When the Disputes Resolution and Appeals Panel are satisfied that all the documentation is in order and that Stage 1 of this process has been exhausted they will then continue with the case under Stage 2 of this process.

In the absence of a returned SIF-DPF2, it should be noted, that the Disputes Resolution and Appeals Panel will consider the SIF-DPF1 (and any associated evidence provided with same) alone before deciding how to proceed.

When necessary, the Disputes Resolution and Appeals Panel will appoint a Dispute Hearing Panel, comprising of three members of the Hearing Pool who are not party to the dispute, in an attempt to resolve the matter.

Dispute Hearing Panel Procedures:

All Dispute Hearing Panels will be convened in accordance with the terms laid out in “**The Hearing Pool**” section of this document.

Once a Dispute Hearing Panel has been convened, and briefed by way of the Case Briefing Meeting, they will then proceed to conduct a hearing of the case in accordance with their Terms of Reference.

It should be noted that any party to the dispute will **only** be permitted to be accompanied and supported at the hearing by **a fellow Scouter** and this should be notified to them by way of the Terms of Reference document.

The record of all Dispute Hearing Panel proceedings must be in writing (although an audio record may be taken in the first instance before a written transcript is produced) , agreed as an accurate record of the proceedings by all parties to the hearing and be recorded on an official form SIF-DPF3.

For all Dispute Hearing Panels that are convened they will reserve the right to speak with any adult member of Scouting Ireland during the course of that hearing, that they deem has relevant information that will assist the outcome of the dispute, this is regardless of whether the person(s) is/are an actual party to the dispute.

When the hearing is complete the Dispute Hearing Panel will record their findings and, if any, recommendations on an official form (SIF-DPF4) and forward this (along with all the oral and documentary evidence pertaining to the dispute that was presented both before the hearing and during the record of proceedings) to the Disputes Resolution and Appeals Panel.

Post Hearing Procedures:

When the Disputes Resolution and Appeals Panel have been presented with the findings of any Dispute Hearing Panel they will consider these findings, and any recommendations, and review the process followed by the Dispute Hearing Panel to ensure that the proceedings have been conducted properly.

Should any flaw in the process be identified the case will be referred back to the Dispute Hearing Panel to rectify the matter.

When the Disputes Resolution and Appeals Panel is satisfied that all matters pertaining to the dispute are in order and have been dealt with in the proper manner, the findings and/or recommendations of the Dispute Hearing Panel will then become the decision of the Dispute Hearing Panel and be notified to all parties to the dispute, the National Management Committee (via the National Secretary), National Office and, only where appropriate, to one or any combination of the Group Leader/County Commissioner/Provincial Commissioner.

This will then conclude Tier 1 of the Scouting Ireland Disputes Process and all parties involved in the dispute will then have the right of an appeal against any decision reached under Tier 1 by way of Tier 2 of the Scouting Ireland Disputes Process.

Tier 2 Official Disputes – Access

Access to Tier 2 of the Scouting Ireland Disputes Process will only be permitted where the applicant can either:

- (a) Provide new evidence that the Dispute Hearing Panel handling the Tier 1 dispute were not made aware of,
- (b) Provide clear evidence to show that the Tier 1 process was flawed,
- (c) Provide clear evidence to show that the decision reached at the end of the Tier 1 process was perverse,
- (d) Provide clear evidence to show that any of the findings made by the Dispute Hearing Panel were clearly at variance with the evidence that was presented to the Dispute Hearing Panel, or
- (e) Provide clear evidence to show that any recommendation or decision made by the Dispute Hearing Panel was inherently unfair.

Given that any Appeal Hearing will come at a cost to Scouting Ireland each application for appeal should be accompanied by a payment of €50 which will only be refunded in the event that the appeal is successful.

In order to instigate an appeal, the appropriate official form (SIF-DPF5) **must** be completed and forwarded to National Office with the accompanying fee.

Tier 2 Official Disputes – Procedures

National Office Procedures:

Upon receipt of the SIF-DPF5 and appropriate fee, National Office will record and number the appeal. National Office will then also acknowledge receipt of the SIF-DPF5 and provide a receipt for the fee.

This payment can also be made by way of a card payment by ringing National Office direct and quoting the dispute reference number.

National Office will then pass all the documentation received, pertaining to both the initial dispute and the appeal, to the Disputes Resolution and Appeals Panel.

Disputes Resolution and Appeals Panel Procedures:

When the Disputes Resolution and Appeals Panel receive an appeal they will consider the appeal request to establish if there are grounds for the appeal (as outlined in the “**Tier 2 Disputes – Access**” section of this document) to proceed.

If the Disputes Resolution and Appeals Panel is satisfied that there are grounds for proceeding they will then appoint a Dispute Appeal Hearing Panel. This Panel will comprise of one member of the Disputes Resolution and Appeals Panel and two members of the Hearing Pool, none of whom are party to the appeal nor had any involvement in the initial Dispute Hearing Panel.

The Disputes Resolution and Appeals Panel will then also advise National Office to inform the parties to the initial dispute that an appeal against the initial dispute decision has been accepted and that it will now proceed accordingly under the provisions of the Scouting Ireland Disputes Process. A copy of the SIF-DPF5 should also be issued to the relevant parties.

Should the Disputes Resolution and Appeals Panel refuse leave to appeal, on the basis that grounds for appeal have not been established, then the appellant will be notified by way of an official letter (SIF-DPF6) and this will then conclude this part of the Scouting Ireland Disputes Process.

Dispute Appeal Hearing Panel Procedures:

All Dispute Appeal Hearing Panels will be convened in accordance with the terms laid out in “**The Hearing Pool**” section of this document.

Once a Dispute Appeal Hearing Panel has been convened, and briefed by way of the Case Briefing Meeting, they will then proceed to conduct the appeal in accordance with their Terms of Reference.

The Dispute Appeal Hearing Panel will re-examine all the evidence already recorded on the case, in conjunction with the grounds for appeal. If it is deemed appropriate, the Dispute Appeal Hearing Panel may then also convene an appeal hearing and call any party to the appeal that they deem necessary to provide further evidence. It should be noted that any party to the appeal will **only** be permitted to be accompanied and supported at the hearing by **a fellow Scouter** and this should be notified to them by way of the Terms of Reference document. Where any such hearing is arranged the record of these proceedings must be in writing, agreed by all parties to the hearing and be recorded on an official form (SIF-DPF7).

For all Dispute Appeal Hearing Panels that are convened they will reserve the right to speak with any adult member of Scouting Ireland during the course of that appeal hearing, that they deem has relevant information that will assist the outcome of the appeal, this is regardless of whether the person(s) is/are an actual party to the appeal.

When the appeal hearing is complete the Dispute Appeal Hearing Panel will record their findings and, if any, recommendations on an official form (SIF-DPF8) and forward this (along with all the evidence pertaining to the appeal that was presented both at the initial dispute hearing and during the record of the appeal proceedings) to the Disputes Resolution and Appeals Panel.

Post Appeal Hearing Procedures:

When the Disputes Resolution and Appeals Panel have been presented with the findings of the Dispute Appeal Hearing Panel and are satisfied that the proceedings have been conducted properly, they will then notify the decision of the Dispute Appeal Hearing Panel in writing to the National Management Committee (via the National Secretary) who will then make the final decision on each case.

The decision of the National Management Committee will then be issued in writing to all parties to the appeal, National Office and, only where appropriate, to one or any combination of the Group Leader/County Commissioner/Provincial Commissioner.

This will then conclude Tier 2 of the Scouting Ireland Disputes Process.

National Management Committee Decisions and Involvement in the Process

If following the conclusion of either Tier 1 or Tier 2 of the Scouting Ireland Disputes Process, the Disputes Resolution and Appeals Panel recommends to the National Management Committee (via the National Secretary) that **any** member of Scouting Ireland should have his/her **membership, appointment or position terminated, cancelled, withdrawn or suspended**, said member shall be informed of this recommendation, in writing by the National Secretary. The member will then be afforded the opportunity to submit mitigating circumstances, within 21 days of the date of notification, as to why the recommendation should not be acted upon by the National Management Committee.

The National Management Committee will then consider any mitigating circumstances put forward by any member before making their final decision on whether to accept, modify or reject the recommendation as proffered by the Disputes Resolution and Appeals Panel.

It should also be noted that, as the final arbiter in the Scouting Ireland Disputes Process, no member of the National Management Committee will be permitted to play any part in this element of the process if they have already been engaged in any part of Tier 1 or Tier 2 of this process.

Therefore, should any member of the National Management Committee be required to give evidence at a Tier 1 or Tier 2 hearing, and/or have played a part in any element of Stage 1 of this process, then this will automatically exclude them from playing any role during the National Management Committee decision-making process in this matter.

Additional Matters Relating to this Policy

Disputes Involving Professional Staff Members:

Any dispute raised by any volunteer against any member of Scouting Ireland's Professional Staff, other than the Chief Executive Officer, will be dealt with directly by Scouting Ireland's Chief Executive Officer under the appropriate procedures (and in accordance with the Employee Handbook) and will play no part in the Scouting Ireland Disputes Process.

However, any volunteer who instigates such a dispute will be informed, by the Chief Executive Officer, of the outcome of the proceedings following any subsequent investigation and/or decision.

This will also apply whereby any member of Scouting Ireland's Professional Staff raises a dispute against a fellow staff member.

In the case of a dispute being raised against the Chief Executive Officer by any volunteer, this dispute must be raised with the National Secretary who will then forward the dispute details to the Disputes Resolution and Appeals Panel for the dispute to be dealt with in accordance with the procedures as laid down in Tier 1 and Tier 2 of this process.

In the case of a dispute being raised against the Chief Executive Officer by any staff member, this dispute must also be raised with the National Secretary but in this instance it will be dealt with by the National Secretary under the staff grievance procedures and in accordance with the Employee Handbook.

Any dispute raised by any member of Scouting Ireland's Professional Staff against any volunteer must be raised with the Chief Executive Officer who will then forward the dispute details to the Disputes Resolution and Appeals Panel for the dispute to be dealt with in accordance with the procedures as laid down in Tier 1 and Tier 2 of this process.

Timeframes:

The timeframe for registering an Official Dispute/Appeal will be as follows:

Tier 1: One calendar month from the date that the Group/County/Province/National level notified all parties to the dispute that they have been unable to reach an amicable conclusion to the dispute.

Tier 2: One calendar month from the date that the Tier 1 decision was notified to all parties.

Official Disputes/Appeals received outside the parameters of these timescales must be accompanied with an explanation for the delay and in all such cases the Disputes Resolution and Appeals Panel will consider if the explanation amounts to good cause for allowing the Official Dispute/Appeal to proceed in the first instance.

SECTION B – DISCIPLINARY MATTERS

Scope of Section B

The part of the Disputes Process, as outlined in this Section, is designed to cover any dispute relating to a breach of discipline pertaining to Scouting Ireland's Constitution, Rules and/or Policies.

Referral for an Alleged Breach of Discipline

NB: Any matter that concerns safeguarding/child protection issues should be referred immediately to the Child Protection Officer or Designated Person in National Office in accordance with the Reporting Procedures.

A specified officer within Scouting Ireland may make a complaint concerning a member of Scouting Ireland to the Disciplinary Officer on one or more of the following grounds:

- (a) The member has committed an act of misconduct;
- (b) The member has acted not in accordance with the Scout Promise;
- (c) The member is in breach of any terms or conditions attaching to membership of Scouting Ireland;
- (d) The member, being the holder of the Appointment or Position, has failed to render satisfactory service to Scouting Ireland; or
- (e) The member is or has become unfit to have charge of Youth Members.

Definitions

For the purposes of the previous sub-section the following definitions shall apply:

Misconduct - means conduct of any member, whether within or outside of his or her capacity as a member (or holder of an Appointment or Position) of Scouting Ireland, which is such as to be injurious to the character, reputation or interests of Scouting Ireland or to bring Scouting or Scouting Ireland into disrepute;

Disciplinary Officer - is the person appointed to that role by the National Management Committee on the recommendation of the Disputes Resolution and Appeals Panel. The Disciplinary Officer is appointed for a term of three years which may be renewed upon expiry.

Specified Officer - is a person holding any of the following Appointments within Scouting Ireland for the time being/at the time of making of the complaint:

- (a) Group Leader
- (b) County Commissioner
- (c) Provincial Commissioner
- (d) Chief Commissioner
- (e) A member of the Disputes Resolution and Appeals Panel
- (f) The Chief Executive Officer

Initial Procedures

All such complaints must be submitted in writing on the prescribed form (SIF-DPF9) and directed to the Disciplinary Officer, and upon receipt of same, the Disciplinary Officer shall, as soon as is practicable investigate the complaint, including without prejudice to the generality of the same:

- (a) notify the member subject to the investigation informing him/her of the complaint that has been made against him or her, providing him/her with a copy of the written complaint and giving him or her an opportunity to respond to the complaint and admit or deny the complaint (SIF-DPF10);
- (b) consider whether there is sufficient cause to warrant a full investigation; and if there is sufficient cause, fully investigate the complaint and take account of any matters arising from such investigation as he/she considers appropriate.

The Disciplinary Officer has all the powers necessary for, and incidental to, the exercise of his or her functions and may determine the procedures for investigating any complaint referred to him/her. The Disciplinary Officer may request the member subject to investigation to voluntarily step aside from all or specified Scouting activities pending investigation of the complaint. In certain circumstances, and with the approval of the National Secretary, the Disciplinary Officer may suspend the member from activity pending the investigation.

The Disciplinary Officer may nominate individuals to the Disputes Resolution and Appeals Panel for appointment as Deputy Disciplinary Officers to assist in the discharge of his or her duties herein to include the making of reports to him in relation to any particular complaint.

Following any investigation, the Disciplinary Officer shall prepare a report (SIF-DPF11) of the investigation in relation to the complaint, which report shall include his or her opinion as to whether any allegations were proven, his/her findings and any recommendations arising from the investigation of the matter (including recommendation as to sanction pursuant to the sub-section on "sanctions" below). The report shall be furnished to the member the subject of the investigation and the Disputes Resolution and Appeals Panel.

Appeal Procedures

Where a member of Scouting Ireland is the subject of an adverse report by the Disciplinary Officer pursuant to the previous paragraph, the member may not later than twenty one days after receipt of the report lodge an appeal against any findings or recommendation by the Disciplinary Officer.

Where no appeal is lodged the sanction(s) recommended by the Disciplinary Officer is/are imposed on the member against whom adverse findings have been made. The report and the sanctions imposed are then filed with the National Secretary for action.

The Disputes Resolution and Appeals Panel may, in its absolute discretion, extend the time within which an appeal may be lodged.

Appeals shall be made in writing on the approved form (SIF-DPF12) and directed to the National Secretary and shall set out the grounds of appeal relied upon.

Where an appeal is made in accordance with this part of the Disputes Process, the National Secretary shall, refer the matter to an Appeals Committee comprising three members of Scouting Ireland, nominated by the Dispute Resolution and Appeals Panel in accordance with the Hearing Pool procedures, referred to earlier in this document.

The Appeals Committee has the power to hear and determine all issues arising from any appeal which is referred to it pursuant to this part of the Disputes Process and in particular, shall determine whether or not the appeal ought to be upheld.

The Appeals Committee has all the powers necessary for, and incidental to, the exercise of its functions and may determine the procedures for determining any appeal referred to it.

Without prejudice to the generality of the foregoing, the Appeals Committee may decide the manner and form in which the appeal shall be conducted and, as to what may be received as evidence in the appeal and the manner in which it is to be presented.

The Appeals Committee shall report (SIF-DPF13) its determination as to whether the appeal ought to be upheld and present its findings to the appellant and the Disciplinary Officer. The Appeals Committee shall invite the appellant and the Disciplinary Officer to make submissions before it rules on any sanctions to be imposed or on any recommendations to be made pursuant to its findings. The final report shall be furnished to the appellant, the Disciplinary Officer, the Disputes Resolution and Appeals Panel and to the National Secretary for action.

Sanctions

The sanctions in respect of the member the subject matter of the complaint may take any of the following forms:

- (a) Recommend the cancellation, withdrawal and or suspension of any Appointment and/or Position of the member within Scouting Ireland to the relevant Commissioner and to the National Management Committee;
- (b) Request the member to resign;
- (c) Suspend the member from membership of Scouting Ireland for a specified period of time;
- (d) Expel the member from membership of Scouting Ireland;
- (e) Any other sanction which the Disciplinary Officer or the Appeals Committee deems appropriate in any particular case.