

# **Northern Counties Pony Association**

**Registered Charity 264796**



# **Complaints And Disciplinary Procedures**

## **Good Conduct and Discipline**

The attention of Members and other persons is drawn to the disciplinary provisions of the NCPA whereby the NCPA has powers to discipline Members and other persons connected to the member, in the event of failure to observe any provisions of these Rules or any other regulations, rules and bylaws made by the NCPA. The Rules are intended to ensure that Members compete against each other in NCPA competitions under the fairest possible conditions. Inevitably circumstances will arise which are not precisely covered. In such circumstances wherever possible the spirit of the Rules will be upheld; to produce the fairest result for Members.

All Members of the NCPA. are bound by the following:-

- a) The charitable objects of the NCPA
- b) NCPA general rules and procedures
- c) NCPA complaints and disciplinary procedures

Members shall be deemed to have consented to all of the provisions thereof by reason of all or any of the following:-

- (a) Submission of a membership application form followed by acceptance of membership. (Which includes both Life, family, single and judges)
- (b) Submission of a request for annual renewal of membership followed by acceptance of such renewal. (Which includes both Life, family, single and judges)
- (c) Registration of an animal.

- 1) Neither the NCPA main Branch nor any of its Branches or Judges accept any financial responsibility for its or their decisions.
- 2) No Member of the NCPA shall conduct himself/herself in a manner, or be guilty of behaviour which is derogatory to the character or prejudicial to the interests of the NCPA and in particular no Member shall behave in an offensive or abusive or unpleasant manner to any person at any show, event or venue associated with the NCPA, whether in person, or by using some other media to ascertain unpleasantness.
- 3) It is the duty of every Member to assist the officers of the NCPA in their investigations of breaches of the Rules and an unreasonable failure or refusal to assist any such officer in such investigation will itself constitute a breach of the Rules.
- 4) Members shall not ill-treat a pony at any time whether by misuse or excessive use of a whip or bit or any item of saddlery or in any other way whatsoever, which includes neglect, to basic welfare needs and cruelty.

5) Members are responsible for the actions of any non-members employed by them or assisting or representing them or otherwise acting on their behalf and any action or conduct of such non-member which would be a breach of the Rules, where he/she isn't a Member shall constitute a breach of the Rules by the Member responsible for him/her.

6) Failure to observe any of the rules may result in disqualification of a members animal from any class that he/she has competed in. In the event of disqualification of an animal after a cup, rosette or prize money has been awarded, such cup, rosette or prize money must be returned forthwith to the Show or NCPA where appropriate.

### **Objections and Complaints Procedure**

Members wishing to register an objection or complaint should write to the NCPA Office and the said letter must be received within fourteen days of the date of the event giving rise to the objection or complaint.

THE LETTER MUST BE SENT BY RECORDED DELIVERY. The matter will then be dealt with in accordance with the procedure laid down by the NCPA.

A Judge, Course Builder, Steward, Show secretary or Official acting on behalf of the NCPA, wishing to register an objection or complaint against a member, should write to the NCPA Office.

THE LETTER MUST BE SENT BY RECORDED DELIVERY and must be received within fourteen days of the date of the event giving rise to the objection or complaint.

The matter will then be dealt with in accordance with the procedure laid down by the NCPA.

Any complaint so submitted shall forthwith be investigated by the Chairman, Vice Chairman or the Secretary of the NCPA as appropriate and if he/she can settle the complaint satisfactorily to the person making the complaint and to the person against whom the complaint is made he/she shall do so and there upon the matter shall be considered at an end. Any complaint so settled shall be recorded by the officer investigating the same and brought to the attention of the Council.

If any complaint cannot be disposed of by the Chairman, the Vice Chairman or the Secretary as appropriate he shall report the complaint to the Disciplinary Committee and shall forward full details of the investigation together with all documents connected therewith.

The Disciplinary Committee shall consist of the Chairman, the Vice Chairman and delegated Members of Council. The quorum necessary for the transaction of the business of the Disciplinary Committee shall be three.

The Disciplinary Committee shall proceed by way of written submissions only and no party shall be entitled to attend in person or be represented.

### **Powers of the Disciplinary Committee Against Members**

If the objection or complaint is upheld it must be without reasonable doubt, then the Disciplinary Committee has the power, delegated by Council, to:

1. Take no action and dismiss the complaint.
2. Give a reprimand.
3. Forfeit prizes.
4. Suspend from membership for any period as decided by the Disciplinary Committee.
5. Terminate the membership permanently.
6. Suspend from entering or exhibiting at the NCPA Main Branch Shows and events.
7. Suspend from attending any other NCPA event or Branch show.
8. Report to any other governing bodies concerned.
9. In the case of a judge, remove from the panel of NCPA judges.
10. Recommend to Council that the judge should not officiate at any NCPA shows for a period of time laid down.

Members of the Disciplinary Committee shall be responsible for upholding the high standards and good reputation of the NCPA. As such they shall operate fairly and objectively, making their decisions only on the basis of the evidence before them.

Members of the Disciplinary Committee must declare any conflict of interest and shall not serve at any stage of the complaints procedure where they have a conflict of interest. Conflicts of interest include financial or non-financial interests and personal relationships and connections.

All proceedings of the complaints and disciplinary processes shall be kept strictly confidential.

The Society shall notify in writing, the decision of the Disciplinary committee to all parties to the complaint, and details of any penalties imposed, within fourteen days.

### **Appeals Procedure**

Any person against whom a penalty is imposed may appeal by giving notice in writing (within fourteen days of the Society notifying the decisions of Disciplinary Committee to them) to the Society and shall deposit with the Society a sum not less than £200 (such sum to be increased from time to time by Council).

The appeal shall be considered by an Appeal Committee of three members of Council who were not members of the Disciplinary Committee and who were not present at that time.

Appeals shall be held as soon as possible and in any event within twenty eight days of the appellant giving notice of appeal

If on consideration the Appeal committee shall consider that the appeal is frivolous or without merit or vexatious the deposit shall be forfeited to the Society.