

# *HIGHLAND PONY SOCIETY*

## **Complaints and Disciplinary Procedure**

The HPS expects Members to abide by the letter of the rules and, more importantly, the spirit in which they are intended. Any member not doing so or acting in any way that the Council, in their opinion, considers to be detrimental to the HPS or acting in any way that brings the HPS into disrepute may be subject to disciplinary proceedings. No Member shall behave in an offensive or abusive or unpleasant manner to any person or any pony at any Show or any event.

### **Objections and Complaints**

Any objection or complaint about a matter affecting the Society should be made in writing to the HPS Office within 10 working days of the date of the event.

The letter should be sent by recorded or special delivery and an acknowledgement will be returned within 10 working days.

Any objection or complaint relating to the rules of a particular Show affiliated to this Society should be made to that Show Secretary in accordance with the procedure set out in such rules, except a complaint relating to a JMB Certificate.

### **Initial Investigation**

Any complaint so submitted shall be investigated by the Chairman or Vice-Chairman and another Council member. The person complained about, or the owner of the pony complained about shall have the opportunity to reply to the allegation within a further period of 21 days. This letter should also be sent by recorded or special delivery and will be acknowledged within 10 working days.

If, after investigation, a complaint is unsubstantiated the matter will be closed at this point. If the complaint is substantiated, the complaint shall be reported to the Disciplinary Committee with full details of the investigation and all relevant documents.

### **Disciplinary Committee**

The Disciplinary Committee shall consist of the Chairman or Vice-Chairman together with a minimum of two or other Council members, none of whom were involved in the initial investigation.

The Disciplinary Committee has the right to call upon other Council Members, witnesses and/or technical advisors.

The Disciplinary Committee shall consider written evidence only and conduct their business by whatever means and may adopt such procedures as they feel appropriate to the nature of the complaint, provided that the person against whom the allegations are made has been given a reasonable opportunity of answering these.

### **Penalties**

If the complaint is upheld, the Disciplinary Committee has the power to impose any combination of the following penalties:

1. Take no further action
2. Give a written reprimand
3. Order the forfeit of prizes
4. Suspend from membership for any period as decided by the Disciplinary Committee
5. Suspend from entering or exhibiting at HPS Shows
6. If a pony is concerned, that pony also be banned from HPS shows whilst under the same ownership. Proof must be provided for change of ownership
7. Terminate the membership permanently

**In addition, in the case of a Judge:**

- Recommend to the Council demotion off the Judges' panel
- Recommend to the Council not to re-elect the Judge to the Judges' panel for any specified period.

The secretary or other officer designated by the Council will within 21 days of the decision of the Disciplinary Committee notify the parties to the complaint, in writing, of the findings of the Disciplinary Committee and of any penalties imposed.

**Appeal**

Any person against whom a penalty is imposed by the Disciplinary Committee may by notice in writing given to the Secretary within 21 days of being notified of the Committee's decision appeal against that decision PROVIDED that they deposit with the Secretary the sum of £100. If, after investigation, the Appeal Committee shall decide in their absolute discretion that the appeal is frivolous or vexatious the deposit shall be forfeited to the HPS funds.

Any appeal will be heard by at least 3 individuals from a pool of respected individuals who are not on Council and have no relationship to anyone on the Council. This pool of individuals will be identified at the Council meeting preceding the AGM.

Before a hearing of the Appeal Committee is held, the Secretary of the HPS shall give the person concerned (i.e. the person against whom the complaint is made) reasonable notice of the date, time and place of the hearing.

At a hearing of the Appeal Committee a person is entitled to be heard, to call oral evidence and may be accompanied by an observer/supporter, who may take notes. The observer/supporter may not be a legal professional and may not speak. Expenses will not be paid. If he or she decides not to attend then, (in the absolute discretion of the Appeal Committee) a written statement may be sent by him or her to the Appeal Committee and the matter will be dealt with in his or her absence.

**Referrals**

Any complaint concerning a Council member will be submitted to the Referrals Committee, which shall consist of 3 individuals from a pool of respected individuals who are not on Council and have no relationship to anyone on Council. This pool of individuals will be identified at the Council meeting preceding the AGM. The Referrals Committee has the right to call upon Council Members, witnesses and/or technical advisors.

The Referrals Committee shall consider written evidence only and conduct their business by whatever means and may adopt such procedures as they feel appropriate to the nature of the complaint, provided that the person against whom the allegations are made has been given a reasonable opportunity of answering these.

**Penalties**

If the complaint is upheld the Referrals Committee have the power to:

1. Take no action
2. Give a reprimand
3. Order the forfeit of prizes
4. Suspend from membership for any period as decided by the Disciplinary Committee
5. Suspend from entering or exhibiting at the HPS Shows
6. If a pony is concerned, that pony may also be banned from HPS shows whilst under the same ownership. Proof must be provided for change of ownership
7. Terminate the membership permanently

**In addition, in case of a Judge**

- Recommend to the Council not to re-elect the Judge to the Judges' Panel for any period
- Recommend removal from Council for a specified period

The Secretary or other officer designated by the Council will within 21 days of the decision of the Referrals Committee notify the parties to the complaint, in writing, of the findings of the Referrals Committee and of any penalties imposed.

**Appeals by Council Members**

Any Council member against whom a penalty is imposed by the Referrals Committee may by notice in writing given to the Secretary within 21 days of being notified of the Committee's decision appeal that decision PROVIDED that they deposit with the Secretary the sum of £100. If after investigation the Appeal Committee shall decided in their absolute discretion that the appeal is frivolous or vexatious the deposit shall be forfeited to the HPS funds.

Any appeal will be heard by at least 3 individuals from the previously identified pool of respected individuals who have not participated in the original decision.

Before a hearing of the Appeal Committee is held, the Secretary of the HPS shall give the person concerned (i.e. the person against whom the complaint is made) reasonable notice of the date, time and place of the hearing.

At a hearing of the Appeal Committee a Council member is entitled to be heard, to call oral evidence and may be accompanied by an observer/supporter, who may take notes. The observer/supporter may not be a legal professional and may not speak. Expenses will not be paid. If he or she decided not to attend then, (in the absolute discretion of the Appeal Committee) a written statement may be sent by him or her to the Appeal Committee and the matter will be dealt with in his or her absence.

The results of all Disciplinary procedures will be reported in a Society publication.

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