**Swim Ireland Disciplinary and Complaints Committee**

**Terms of Reference**

This document describes how the Swim Ireland Disciplinary & Complaints Committee is constituted within Swim Ireland and the roles and responsibilities of the Committee. It also details some operational procedures as to how the Committee should conduct its business.

Review Dates:

November 2017

December 2020

January 2022March 2023

Next Review Date:

January 2024

Swim Ireland

Irish Sport

HQ

National Sports

Campus

Blanchardstown

Dublin 15

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**Terms of Reference**

**Swim Ireland Disciplinary and Complaints Committee**

The following terms of reference may be subject to alteration or amendment at any time by resolution of the Swim Ireland Board.

1. **Composition of the Committee**

The Disciplinary and Complaints Committee shall consist of a minimum of nine (9) persons, eight (8) of whom shall be appointed by the Regional Management Committees, two from each Region. All nominees shall have the requisite qualifications as determined by the Board from time to time and shall be appointed in accordance with the provisions set out in Article 121. The Board shall appoint a chairperson to the Committee, who for the avoidance of doubt does not have to be a Member of the Company. The Board may appoint up to two additional independent members to the Committee. The Board shall appoint a Chairperson to the Committee. The term of each Swim Ireland Disciplinary and Complaints Committee member shall be deemed to start at the conclusion of the next Company AGM after which they were appointed and to end at the conclusion of the Company AGM held in or about two Years after they were appointed

Where the Committee does not ordinarily achieve a minimum gender balance of 70/30, the Committee shall co-opt additional members in order to achieve that balance.

1. **Quorum**

The quorum for the transaction of the business of the Committee shall be the number of members present in person and entitled to vote which equals 50% plus one of the total numbers of Committee members. Accordingly, for a Committee of nine appointed persons the quorum is five.

1. **Communication & Authority Structure**

The Committee is a sub-committee of Swim Ireland. The Committee reports directly to the Board of Swim Ireland through the Complaints and Disciplinary Officer (CDO) and/or the Chair of the Committee. Matters discussed at meetings will remain confidential unless otherwise agreed.

1. **Role**

The Committee shall review and adjudicate on matters referred to it by the Complaints & Disciplinary Officer in accordance with Swim Ireland Complaints & Disciplinary Rules and Procedures.

The Committee shall have jurisdiction to impose any sanctions as set out in the Swim Ireland Complaints and Disciplinary Rules and Procedures.

1. **Specific Responsibilities**

The Disciplinary & Complaints Committee shall:

* Act as the appellate body to decisions of the club or regional complaints and disciplinary Committee decisions.
* Act in the first instance for First Instance Matters
* Hear complaints and disciplinary actions in the First instance at club/region level where an application has been made to Swim Ireland by any party and consent is given by the Complaints & Disciplinary Officer of Swim Ireland to such an expedited hearing

1. **Operational Matters**

The Committee shall convene as required in accordance with the Swim Ireland Complaints and Disciplinary Rules & Procedures document.

* The administration of the Committee shall be supported by a Swim Ireland Staff member who will be responsible for meeting arrangements, maintaining a written record of all meetings and decisions made and for corresponding on behalf of the Committee
* The Committee shall at all times adhere to the rules and procedures laid down in the Swim Ireland Complaints & Disciplinary Rules & Procedures document
* A summary report of all meetings which respects the confidential nature of the proceedings shall be furnished to the board of Swim Ireland through the offices of the CEO

1. **Resources**

The Committee members including ex officio members shall be entitled to claim mileage and subsistence expenses during their time in office pursuant to standard Swim Ireland Board policy on expenses. Accommodation expenses must be approved in advance through the Swim Ireland office who will handle all bookings.

**End.**

March 2023