



Dual registration policy

Approval

Approved by	Owner	Dept	Date
Governance Committee	Head of Operations	Operations	Sept 2024
Board			Sept 2024``

Document History

Version	Summary of Changes	Document Status	Date
v0.1	First Draft	Draft	Sept 2023
v0.2	Addition of 2024 rules, applicable from 1 August 2024 Timescale refers to calendar days Clarification on board process (section 12) Addition of initial factors for assessment (section 10.2) Inclusion of the Scottish Gymnastics RCAT (section 11.2) Addition of the Scottish Gymnastics RCAT terms of reference (annex 1)	Live	Sept 2024
v0.3	Addition of communications and marketing manager role to the SG RCAT membership (Annex 1, 2.1.10) Updated membership rules (section 1.7.2) and minimum operating requirements (section 1.7.3) replaced		Sept 2025

Review History

Reviewed by	Head of operations
Date of last review	September 2025
Date of next review	September 2026

1. Background

- 1.1. As the national governing body for gymnastics in Scotland, Scottish Gymnastics provides an over-arching framework for the network of registered clubs across the country who wish to deliver, administer, and promote the sport of gymnastics.
- 1.2. It is through the over-arching framework administered by Scottish Gymnastics that, amongst other things, the registered clubs receive a range of benefits from the organisation including:
 - 1.2.1. Access to competitions, festivals and events organised, operated, or sanctioned by Scottish Gymnastics and British Gymnastics.
 - 1.2.2. Access to support across a range of areas including, but not limited to, club operations, governance, wellbeing and safe sport, performance sport, facility development, learning & development, and education.
 - 1.2.3. Access and cover from a portfolio of insurance products specifically designed for gymnastics clubs, their coaches, staff, and members.
 - 1.2.4. Access to the Rise Gymnastics programme and award scheme.
- 1.3. Any club that has as its primary interest the delivery of and participation in gymnastics in Scotland, is eligible to apply for registration with Scottish Gymnastics.
- 1.4. It is a condition of registration with Scottish Gymnastics that the relevant club meets the minimum operating requirements, policies, rules, and regulations associated with registration with Scottish Gymnastics, and continues to abide by such policies, rules, regulations, and requirements throughout their registration with Scottish Gymnastics.
- 1.5. The Scottish Gymnastics Membership Rules set out the generic and specific rules, requirements, and benefits of registration.
- 1.6. Where there is any inconsistency between this policy and the Scottish Gymnastics Articles of Association, the provisions of the Articles shall prevail.
- 1.7. For reference the governance documents listed in this policy can be accessed here:
 - 1.7.1. [Scottish Gymnastics Articles of Association 2021.pdf](#)
 - 1.7.2. [Scottish-Gymnastics-membership-rules.pdf](#)
 - 1.7.3. [Scottish-Gymnastics-minimum-operating-requirements.pdf](#)
- 1.7.4. Any and all applicable regulations, policies and guidelines associated with membership and published by Scottish Gymnastics from time to time on its website, and any conditions applicable to their registration or class of membership.

2. Purpose

- 2.1. Although each registered club will be an independent entity, their governance and structure must be compatible with the governance and structure of Scottish Gymnastics for the club to be able to effectively work with Scottish Gymnastics to adopt, deliver, and promote best practice and services for the benefit of their members and the gymnastics community as a whole.
- 2.2. In that context the provision of insurance cover for registered clubs and their members is of critical importance and each Scottish Gymnastics registered club has a responsibility to ensure that neither the club or any of its members are at any time affiliated or registered with any other organisation relating to the delivery of gymnastics or take any other actions that could invalidate the terms of insurance provided by Scottish Gymnastics to registered clubs and their members.
- 2.3. Scottish Gymnastics believes that, as a membership organisation, it is also essential that all registered clubs make a fair contribution towards the running of the national governing body and the administration and promotion of the sport, recognising the benefits that the gymnastics community derives from Scottish Gymnastics.
- 2.4. The purpose of this policy is to set out how Scottish Gymnastics will address dual registration by registered clubs, to ensure that all clubs make a fair contribution to the Association and to address risks associated with dual insurance.
- 2.5. The policy sets out Scottish Gymnastics' approach dealing with dual registration concerns and the complaints and disciplinary procedures which aim to ensure Scottish Gymnastics can take timely action to ensure compliance with membership registration requirements.

3. Scope

- 3.1. All clubs that have registered with Scottish Gymnastics through the club registration process defined in articles 8.1.1 and 8.2 of the Scottish Gymnastics Articles of Association and section 2 of the Scottish Gymnastics membership rules shall be, for the purposes of this policy, considered to be a registered club and this policy shall apply to them.
- 3.2. This policy covers all clubs registered to Scottish Gymnastics at present and in the future irrespective of any club's legal or management structure.

4. Policy Statements

- 4.1. Scottish Gymnastics has a responsibility to ensure all registered clubs comply with the terms of this policy to ensure fairness, parity, and protection to the gymnastics community as a whole.
- 4.2. Scottish Gymnastics requires that every member of a registered club, including officers, deliverers and participants, registers with Scottish Gymnastics within the appropriate category of membership.

4.3. Other than with the prior written consent of Scottish Gymnastics, a club that is registered with Scottish Gymnastics must not at any time be (and must ensure that its members are not) directly or indirectly affiliated, associated or registered with any other organisation relating to the delivery of gymnastics. For the purpose of this section 4.3 affiliation includes without limitation:

- 4.3.1 shared ownership or control by one or more persons of the registered club and another organisation or entity (that is not a registered club) that is engaged in the delivery of any aspect of gymnastics; and
- 4.3.2 any arrangement with another organisation or entity (that is not a registered club) that is engaged in the delivery of any aspect of gymnastics involving the sharing of assets, facilities, or other resources (including human resources).

4.4. Scottish Gymnastics requires each registered club to use all reasonable endeavours to ensure that every member of the registered club and every person associated with the registered club that requires membership, complies with any and all conditions of insurance imposed from time to time on them by the insurers of Scottish Gymnastics.

4.5. Without prejudice to section 4.4, it is a continuing obligation on each registered club that it shall not, and each registered club shall use all reasonable endeavours to ensure that every member of the registered club and every person associated with the registered club that requires membership shall not:

- 4.5.1 do anything that prejudices the ability of Scottish Gymnastics or any other person to successfully claim and recover under any insurance policies taken out by Scottish Gymnastics from time to time; or
- 4.5.2 take out or hold dual insurance (that being the taking out and or holding more than one insurance policy that covers all or any of the risks covered by any insurance policies taken out by Scottish Gymnastics for the benefit of the registered clubs relating to the delivery of and participation in gymnastics).

4.6. Scottish Gymnastics requires that all registered clubs adhere to Scottish Gymnastics rules regarding the structuring and or restructuring of activities and operations, including and without prejudice to the foregoing that registered clubs must not be directly or indirectly engaged in;

- 4.6.1. The separation of the club into two or more business operations or separate business entities both delivering gymnastics, where only part of that operation or entity is registered with Scottish Gymnastics.
- 4.6.2. The creation of two or more business operations or separate business entities with the express intention of registering one or more of those operations or business entities with an alternative organisation relating to the delivery of gymnastics.
- 4.6.3. The creation of two or more business operations or separate business entities with the express intention of registering one or more of those operations or business entities with an alternative provider of insurance relating to the delivery of gymnastics.

- 4.6.4. The creation of two or more business operations or separate business entities with the express intention of separating the recreational and competitive elements of the club to only register part of such gymnastics delivery with Scottish Gymnastics.
- 4.6.5. The operation of more than one gymnastics delivery operation or entity within the same physical location where the operational administrators, gymnastics deliverers or gymnastics participants that are Scottish Gymnastics members are delivering or participating in gymnastics at the same time as non-Scottish Gymnastics members, or where the deliverers or participants may be delivering or participating within both delivery operations at different times whilst being a member of Scottish Gymnastics.
- 4.6.6. The operation at more than one physical location with the intention of not registering all of those locations with Scottish Gymnastics.
- 4.6.7. Any activity that constitutes a breach of section 4.3.

- 4.7. Without prejudice to section 4.8 the prohibited activities listed in sections 4.5 and 4.6 shall hereby be collectively referred to as **Dual Registration**.
- 4.8. The list of prohibited activities set out in section 4.6 is not intended to be exhaustive, but indicative of the ways a club may separate their operation or organisation with the intent of creating any form of Dual Registration.
- 4.9. The Scottish Gymnastics board (or any such committee it delegates this power) reserves the right to fully investigate any suspected or reported breaches pertaining to Dual Registration as shown in this policy.
- 4.10. The Scottish Gymnastics board (or any such committee it delegates this power) reserves the right to apply sanctions or additional requirements to remedy any breach of this policy or other associated regulation, policy or procedure related to Dual Registration within a timescale prescribed by the Scottish Gymnastics board or any person or committee it delegates this power to.
- 4.11. The Scottish Gymnastics board (or any such committee it delegates this power) reserves the right to revoke the registration of a registered club if it reasonably believes the club has breached the terms, or intent of such terms, of registration or any of the requirements listed within this policy and has failed to remedy any such breach or comply with any sanctions applied within the relevant prescribed timescale pursuant to section 4.10.

5. Roles and Responsibilities

5.1. Compliance, Monitoring & Review

5.1.1. The Scottish Gymnastics head of operations is responsible for ensuring this policy is monitored, up to date and reflective of day-to-day practice.

5.1.2. This policy will be reviewed in line with the Scottish Gymnastics procedure for policies or at times when relevant changes occur.

5.2. Reporting & Communications

The Scottish Gymnastics head of operations is responsible for the communication of this policy to internal Scottish Gymnastics staff and the registered club community.

6. Interdependencies and Related Policies

6.1. This policy is related to a number of constitutional documents and policies including the Articles of Association, the Membership Rules, and the Minimum Operating Requirements for registered clubs. All related constitutional documents and policies should be reviewed when any changes are made to this or any other interdependent constitutional document or policy.

7. Impact Assessments

7.1. There is no specific effect resulting from this policy on groups with protected characteristics, so an equality impact assessment has not been undertaken.

8. Procedures

8.1. The procedures set out in this policy shall apply when:

8.1.1. It is reasonably believed by Scottish Gymnastics that a registered club has breached any of the requirements of this policy related to the prevention of Dual Registration.

8.1.2. A report is received from a club member, other member of the community or other affiliated association that a club is suspected to have breached any of the requirements related to the prevention of Dual Registration as set out in this policy.

8.2. These procedures do not apply to suspected, alleged, or proven breaches of Scottish Gymnastics governance, policies, or procedures by registered clubs outside of those related to Dual Registration.

8.3. These procedures describe:

8.3.1. The process by which a suspected or alleged breach of the requirements to prevent Dual Registration will be assessed and investigated and what course of action may be determined at a preliminary stage.

8.3.2. The actions that may be followed by Scottish Gymnastics before, or in place of, formal disciplinary action under this policy.

- 8.3.3. The expectations of the actions of the registered club in working with Scottish Gymnastics to remedy the suspected or alleged breach of this policy.
- 8.3.4. The actions, sanctions or disciplinary action that may be taken by Scottish Gymnastics in the event that it is reasonably determined that a registered club are operating Dual Registration and the registered club have:
 - 8.3.4.1. failed to engage with Scottish Gymnastics; or
 - 8.3.4.2. failed to reach an agreed remedial action plan for the breach; or
 - 8.3.4.3. failed to action or abide by the agreed remedial action plan or the associated timescales.

9. Parties involved in the Dual Registration procedure

- 9.1. The following have the authority duly delegated by the Scottish Gymnastics board to act with regard to Dual Registration:
 - 9.1.1. The head of operations is the first point of contact for suspected or alleged Dual Registration.
 - 9.1.2. The Scottish Gymnastics Registered Club Assessment Team (RCAT) are a cross-departmental group of Scottish Gymnastics representatives with responsibility for assessing information provided by lead manager development and experience and making determinations, in accordance with the RCAT Terms of Reference set out in Annex 1:
 - 9.1.2.1. Whether it is likely this policy is still being breached;
 - 9.1.2.2. What sanctions should be applied in the event that the breach is not remedied by the registered club as detailed in section 8.3.4.

10. Procedure for suspected or alleged Dual Registration by a club

- 10.1. Any registered club that is suspected of, or it has been alleged that it is operating any form of Dual Registration will be referred to the development and experience department to make an initial assessment.
- 10.2. Within 30 calendar days of receiving such referral, the development and experience department will allocate an individual to lead on the initial assessment based on a number of factors including but not restricted to:
 - 10.2.1. Comparative Scottish Gymnastics membership numbers over time with primary links to the registered club;
 - 10.2.2. Number of Scottish Gymnastics registered coaches with an active link to the registered club;
 - 10.2.3. Proportion of registered recreational members to competitive members with primary and secondary links to the registered club;

- 10.2.4. Size of and/or number of venues the registered club is operating from compared to total number of Scottish Gymnastics registered coaches and members with a primary or secondary link to the registered club;
- 10.2.5. Assessment of the registered club's public-facing social media and website information or other publicly available information;
- 10.2.6. Financial sustainability of the registered club as a stand-alone entity;
- 10.2.7. Assessment of the persons with significant control over the registered club and their position in other organisation that are believed to be linked to the registered club but not registered in their own right or as part of the registered club;
- 10.2.8. Information provided by British Gymnastics;
- 10.2.9. Information provided by competition organisers at any level;
- 10.2.10. Information received from other Scottish or British Gymnastics registered clubs in the same geography or within the same discipline;

10.3. The allocated lead will document the assessment information and produce a report outlining their findings for the head of operations within that thirty calendar days.

10.4. Upon receipt of the report, the head of operations may:

- 10.4.1. Dismiss the suspected or alleged Dual Registration as unfounded.
- 10.4.2. Confirm that this policy has been breached and determine the next steps.

10.5. In the event it is believed that this policy is being breached by the registered club;

- 10.5.1. Scottish Gymnastics will, within fourteen calendar days, contact the registered club where the policy breach is believed to be occurring to arrange an initial meeting to discuss the breach with the intention of supporting the club to ensure if there is a breach that they move to become fully complaint or understand potential consequences of this. Any such meeting should be conducted within thirty calendar days of the request to meet made by Scottish Gymnastics. The intent of Scottish Gymnastics is for the meeting to be mutually open, honest, and constructive, and aim to;
 - 10.5.1.1. Share the details of the suspected or alleged Dual Registration with the registered club;
 - 10.5.1.2. Identify the cause of and reasons for the Dual Registration;
 - 10.5.1.3. Create absolute clarity on the expectations of Scottish Gymnastics with regard to registered clubs and Dual Registration;

10.5.1.4. Identify solutions for the club to resolve the suspected breach.

10.5.2. Within 14 calendar days of any such meeting, Scottish Gymnastics will confirm in writing the outcome, any requirements and agreed actions, along with the associated monitoring points, measures, and timescales for completion.

10.5.3. The registered club shall, within 14 calendar days, confirm receipt of the meeting outcome details or provide proposed corrections or amendments to the information provided.

10.5.4. Scottish Gymnastics will endeavour to support the registered club throughout the implementation of the agreed action plan and will work with the registered club to ensure a successful outcome.

10.5.5. Any costs associated with meeting the requirements and agreed actions will be at the expense of the registered club in their entirety.

10.5.6. In the event that a club attends a meeting and subsequently declines or confirms their inability to implement the required actions, the matter shall be referred to the SG RCAT for a decision, as outlined in section 11.1, and that referral notified to the registered club at that time.

10.6. In the event the registered club does not engage with Scottish Gymnastics or does not agree to attend a meeting to discuss the Dual Registration within 14 calendar days of request:

10.6.1. Scottish Gymnastics shall be entitled to make a determination of the suspicion or allegation based upon the information in its possession.

10.6.2. Scottish Gymnastics will, where possible and to the extent permitted by law, provide written confirmation of the information they hold, the registration requirements of registered clubs within the terms of this policy and the policies identified in section 6.1, and the timescales for the requirements to be met by the registered club.

10.6.3. If the registered club does not respond to the written communication in the required timescale or continues to refuse to engage or attend a meeting to discuss the suspected Dual Registration, the matter shall be referred to the SG RCAT for a decision, as outlined in section 11.1.

10.7. In the event the registered club, further to the meetings and outcomes outlined in section 10.5 subsequently, despite its best efforts, falls short of the monitoring points, measures or timescales, Scottish Gymnastics will engage with the registered club to:

10.7.1. Evaluate the effort and progress made to that point;

10.7.2. Assess the remaining actions to be completed;

10.7.3. Assess the time remaining for completion;

10.7.4. Identify any barriers to any of the requirements or actions.

10.8. Subject to the findings of the assessment outlined in section 10.7, Scottish Gymnastics may:

10.8.1. Provide additional support to the registered club to ensure successful completion of agreed actions;

10.8.2. Extend the timescales for successful completion of agreed actions;

10.8.3. Amend the agreed actions in consultation with the registered club.

10.9. In the event the registered club, further to the meetings and outcomes outlined in section 10.5 subsequently fails to respond to, or make sufficient progress on the agreed actions, the monitoring points, measures, or timescales;

10.9.1. Scottish Gymnastics will re-confirm in writing the requirements and agreed actions, along with the associated monitoring points, measures and timescales for completion, and further request immediate evidence of any progress made towards the requirements and agreed actions.

10.9.2. If the registered club do not respond to the written communication within 14 calendar days or continue to fall short of requirements and agreed actions, the matter shall be referred to the SG RCAT for a decision, as outlined in section 11.1.

10.10. In the event the registered club initially complies with the requirements confirmed by Scottish Gymnastics and completes the agreed actions, including monitoring and timescales, and then subsequently is suspected of, or alleged to be, dual registering in the same or different way as defined in section 4, the suspected breach will be referred to the lead manager development and experience to make a further assessment as outlined in section 10.2. and a written report of the findings provided to the head of operations, who shall;

10.10.1. Dismiss the suspected or alleged Dual Registration as unfounded;

10.10.2. Direct further investigations; or

10.10.3. Confirm that this policy has been breached and refer it to the SG RCAT for a decision as outlined in section 11.1 and notify the registered club of the referral at that time.

11. Referral to Scottish Gymnastics Registered Club Assessment Team (RCAT)

11.1. The British Gymnastics RCAT will review any information, reports or evidence provided by the head of operations and will provide their recommendation based on previous referrals managed by British Gymnastics to ensure consistency across the club community within the UK.

11.2. The Scottish Gymnastics RCAT (SG RCAT) will review any information, reports or evidence provided by the head of operations, along with the recommendation from the British Gymnastics RCAT, and may take one or more of the following actions:

11.2.1. Request that further investigation is carried out and define a timeline for such investigation to be completed;

11.2.2. Recommend that no further action be taken;

11.2.3. Request appropriate representatives of the registered club to attend a SG RCAT meeting to provide further detail to assist the team in the decision-making process;

11.2.4. Impose limited sanctions including, but not limited to:

11.2.4.1. Temporary restriction and or suspension of eligibility to access all or any benefits of being a registered club including:

11.2.4.1.1. eligibility to deliver Scottish Gymnastics programmes or activities;

11.2.4.1.2. eligibility to access Scottish and/ or British Gymnastics events and competitions;

11.2.4.1.3. eligibility to host Scottish and/ or British Gymnastics courses, competitions, or events;

11.2.4.1.4. eligibility to access Scottish and/ or British Gymnastics club support, including any digital or online resources, courses, learning or training;

11.2.4.1.5. eligibility to access gymnastics-related funding or financial support

11.2.4.1.6. eligibility to exercise its rights to attend and vote at general meetings of Scottish Gymnastics.

11.3. In addition, the SG RCAT may also:

11.3.1. Impose a first formal warning to the registered club confirming the decision made by SG RCAT, the expectations of Scottish Gymnastics regarding registration, and the implications of a future repeat of the breach of this policy;

11.3.2. Impose a final formal warning to the registered club confirming the decision made by SG RCAT, the expectations of Scottish Gymnastics regarding registration, and the implications of a future repeat of the breach of this policy;

11.3.3. Impose any other action the SG RCAT thinks is appropriate, up to but not including revocation or refusal of club registration with Scottish Gymnastics.

11.4. Once the SG RCAT has reached a determination, it shall advise the registered club, within 14 calendar days of the decision, the reason for the decision and any sanctions or requirements determined and the date from which any sanctions or requirements shall be deemed to be enforced.

- 11.5. The decision shall be communicated to the registered club in writing, by email and also by recorded delivery post, and will be deemed to have been served upon the registered club two days from the date of the letter (hereafter 'the date of service').
- 11.6. The registered club may appeal any sanction imposed by the SG RCAT, within 14 calendar days from the date of service, by providing a full written submission outlining the reason for the appeal together with any evidence it wishes to rely upon. Any such appeal must be made in writing by the registered club to the chief executive officer (CEO) of Scottish Gymnastics.
- 11.7. Any appeal shall be deemed to have been received by Scottish Gymnastics two days from the date of posting by recorded delivery and Scottish Gymnastics will confirm receipt to the registered club.
- 11.8. Any submissions by Scottish Gymnastics in reply to an appeal shall be served upon the registered club and lodged with the board or such committee as may hear the appeal within 14 calendar days of receipt of notice of an appeal.
- 11.9. The parties agree that such appeals will be considered by a panel consisting of not less than three members of the board of Scottish Gymnastics, or any committee comprised of at least three people with duly delegated authority from the board not involved in any capacity with the original decision.
- 11.10. Any appeal will be a review of the decision and sanctions made by SG RCAT rather than a re-investigation or rehearing of the information, reports or evidence provided by the SG RCAT. In the event that an appeal submission by the registered club does not meet the requirements for the appeal to be heard, as defined in section 11.11, the CEO will confirm that in writing within seven calendar days of the appeal being considered, including the reasons for the appeal being declined.
- 11.11. The appeal panel shall convene a hearing of the appeal as soon as reasonably practicable, which may be held virtually, at which the registered club and Scottish Gymnastics may make representations. Either party may be legally represented.
- 11.12. The decision and sanctions may be reviewed provided the reason for appeal relates directly to:
 - 11.12.1. New information being available that would likely change the decision made by SG RCAT;
 - 11.12.2. The decision made is manifestly unfair (it is believed the same decision would not be made by another panel); or
 - 11.12.3. The process has not been followed by Scottish Gymnastics, and the decision of the appeal panel shall be binding upon the parties and shall be communicated to both parties in writing within seven calendar days of the appeal decision being made.

12. Referral to the Board of Scottish Gymnastics

- 12.1 In cases where the registered club is in serious breach of this policy, or the breach has occurred on more than one occasion, or the breach has occurred subsequent to the imposition of a formal warning, or the registered club has refused to engage with Scottish Gymnastics in a meaningful way to remedy the breach of this policy, the SG RCAT may also recommend to the Scottish Gymnastics board (hereafter 'the Board') or any committee with duly delegated authority:
 - Immediate revocation of existing club registration; and/or
 - Future refusal of application for club registration with Scottish Gymnastics.
- 12.2 The SG RCAT shall provide to the Board all information, reports or evidence, including any information or submissions provided by the registered club, provided by the head of operations to the SG RCAT, to enable the Board to determine whether it is likely a significant breach of this policy has occurred or is still occurring and whether the recommendation from SG RCAT for the immediate revocation of existing club registration and/or future refusal of application for club registration with Scottish Gymnastics should be upheld.
- 12.3 The Board may uphold the recommendation for revocation or impose any other sanction or action the Board, in its absolute discretion, is appropriate.
- 12.4 Once the Board has reached a determination, it shall advise the SG RCAT, who shall, in turn, advise the registered club within fourteen calendar days of the decision, the outcome of the decision and the reason for the decision (hereafter 'the Decision').
- 12.5 The Decision shall be communicated to the registered club in writing, by email and also by recorded delivery post, and will be deemed to have been served upon the registered club two days from the date of the letter (hereafter 'the Date of Service').
- 12.6 Where the Decision by the Board is to uphold the recommendation for revocation of existing club registration and/or future refusal of application for club registration with Scottish Gymnastics, the written confirmation to the registered club shall also confirm the date from which the revocation of existing club registration shall be deemed effective (hereafter 'the Revocation Date').
- 12.7 The Revocation Date shall be no later than thirty calendar days from the Date of Service of the Decision to the Registered Club.

12.8 The registered club has a fourteen-calendar-day period from the Date of Service to appeal the Decision of the Board. Any such appeal must be made in writing by the registered club and must contain a full written submission outlining the reason for the appeal together with any evidence it wishes to rely upon. Any such appeal must be made in writing by the registered club to the chief executive officer (CEO) of Scottish Gymnastics.

12.9 Any appeal shall be deemed to have been received by Scottish Gymnastics two days from the date of posting by recorded delivery, and Scottish Gymnastics will confirm receipt to the registered club.

12.10 Any submissions by Scottish Gymnastics in reply to an appeal shall be served upon the registered club and lodged with the Board and the committee that may hear the appeal within fourteen calendar days of receipt of notice of an appeal.

12.11 Any appeal will be a review of the decision made by the Board, rather than a re-investigation or rehearing of the information, reports or evidence provided by the SG RCAT.

12.12 The parties agree that such appeals will be considered by a panel consisting of not less than three members, independent of the Board and not involved in any capacity with the original decision by SG RCAT or the subsequent decision by the Board (hereafter 'the Appeal Panel').

12.12 The Decision of the Board may be reviewed provided the reason for the appeal relates directly to:

- New information being available that would likely change the decision made by the Board;
- The decision made is manifestly unfair (it is believed the same decision would not be made by another panel); or

The process has not been followed by Scottish Gymnastics.

12.13 The Appeal Panel shall convene a hearing of the appeal as soon as reasonably practicable, which may be held virtually, at which the registered club and Scottish Gymnastics may make representations. Either party may be legally represented

12.14 The decision of the appeal panel shall be binding upon the parties and shall be communicated to both parties in writing. The final and binding decision of the appeal panel shall be communicated to the registered club in writing, by email and also by recorded delivery post, within seven calendar days, and will be deemed to have been served upon the registered clubs two days from the date of the letter.

13. Revocation of Scottish Gymnastics Club Registration

- 13.1. Where the SG RCAT has recommended revocation of existing club registration and/or refusal of any future application to Scottish Gymnastics for club registration to the board and the board, or any committee with duly delegated authority, have determined the recommendation to be acted upon, the club registration shall be revoked with effect from the Revocation Date.
- 13.2. If a registered club ceases to be a registered club for this reason, no part of the annual registration fee will be refundable.
- 13.3. If a registered club ceases to be a registered club for this reason, it shall as soon as reasonably practicable and in any event, no later than the Revocation Date:
 - 13.3.1. notify all members of the registered club and those associated with the registered club, (including for this purpose the parents or guardians of each such person who is under the age of 16 years) that it has ceased or will cease to be a registered club, and that;
 - 13.3.2. any members of the registered club or those associated with the registered club who are at that time members of Scottish Gymnastics will in future need to renew such membership directly with Scottish Gymnastics; and
 - 13.3.3. provide the contact details of the four nearest Scottish Gymnastics registered clubs (by geographical location);
- 13.4. On and from the date that the registered club ceases to be a registered club:
 - 12.4.1 it shall discontinue all use of Scottish Gymnastics branded materials either in physical or electronic form, including any use of any Scottish Gymnastics owned logo, branding, intellectual property, copyrights, trademarks, wordmarks, or kite marks, including the immediate removal of any such branding from social media, websites or any other digital platform operated by the registered club; and
 - 12.4.2 it shall not represent itself to any person as being a registered club or otherwise having any association with accreditation by or validation through Scottish Gymnastics.
- 13.5. A club which ceases to be a registered club shall immediately cease to be a Scottish Gymnastics recognised environment and any activity carried out by that club shall immediately cease to be a Scottish Gymnastics recognised activity and, as such, that club will not be entitled to the benefit of any present or future insurance policies to which it may have been entitled as a result of being a registered club, including insurance provided directly to members of Scottish Gymnastics by virtue of their membership whilst taking part in a Scottish or British Gymnastics recognised activity in a Scottish or British Gymnastics recognised environment.

Annex 1 – RCAT terms of reference

Scottish Gymnastics Registered Club Assessment Team (SG RCAT)

Terms of Reference

1. Purpose

- 1.1. The Registered Club Assessment Team (RCAT) are a cross departmental group of Scottish Gymnastics (SG) representatives whose function is to assess the investigation and decision-making approach, review investigation information and make decisions in relation to all relevant suspected or alleged breaches by registered club of club registration policies including;
 - 1.1.1. Scottish Gymnastics Articles of Association
 - 1.1.2. Minimum Operating Requirements
 - 1.1.3. Membership Rules
 - 1.1.4. Dual Registration Policy
 - 1.1.5. Any and all applicable regulations, policies and guidelines published by Scottish Gymnastics from time to time on its website and any conditions applicable to Registered Clubs.
- 1.2. This includes, but is not limited to, the following areas;
 - 1.2.1. Compliance with conditions of registration
 - 1.2.2. Compliance with all conditions of SG insurance
 - 1.2.3. Health and Safety compliance
 - 1.2.4. Dual registration including dual insurance
- 1.3. In the interests of fairness and consistency across the wider UK gymnastics community the SG RCAT may request support and/or advice from the British Gymnastics (BG) RCAT on matters related to those listed in clause 1.2 within Scotland.
 - 1.3.1. Where such support and /or advice is requested the SG RCAT will provide the BG RCAT the details of the club which the matter pertains, an overview of the matter to be discussed and any evidence or investigation information which has been gathered prior to the BG RCAT meeting being convened;
 - 1.3.2. The SG RCAT will provide a suitably knowledgeable representative to make an oral representation to the BG RCAT, including:
 - 1.3.2.1. A summary of the concerns
 - 1.3.2.2. A summary of any investigation outcome
 - 1.3.2.3. A summary of any relevant differences in the Association's governance, policies or procedures that may impact any support or advice;
 - 1.3.2.4. Where applicable, a summary of proposed outcome or decision by the Association; and
 - 1.3.2.5. Direction to the RCAT panel on what support is required and/or what advice is sought.
 - 1.3.3. The BG RCAT panel will, where appropriate, provide support and/or advice to the SG RCAT in an advisory capacity only. The BG RCAT will have no jurisdiction over the final decision made by the SG RCAT, or any sanctions applied by the SG RCAT.

2. Membership

- 2.1. The SG RCAT shall comprise a quorate team from the following roles within Scottish Gymnastics:
 - 2.1.1. Chief Executive Officer
 - 2.1.2. Head of Operations
 - 2.1.3. Head of Sport
 - 2.1.4. Head of Wellbeing & Safe Sport
 - 2.1.5. Head of Finance
 - 2.1.6. Lead Manager Development and Experience
 - 2.1.7. Lead Manager Performance and Pathways
 - 2.1.8. Lead Manager Learning and Development
 - 2.1.9. Lead Manager Facilities and Events
 - 2.1.10. Communications and Marketing Manager
- 2.2. In addition, the RCAT chair may invite any other department manager to contribute to RCAT meetings for report discussions that relate to their area of responsibility or expertise, and also to participate in quarterly review meetings.

3. Terms of Reference

- 3.1. The SG RCAT shall receive and consider reports on suspected or alleged breaches of club registration policies as detailed in 1.1.
- 3.2. The SG RCAT will review any information, reports or evidence provided by the development & experience team/head of operations to determine whether it is likely relevant policies are being breached and may take one or more of the following actions:
 - 3.2.1. Request that further investigation is carried out;
 - 3.2.2. Recommend that no further action be taken;
 - 3.2.3. Request appropriate representatives of the registered club to attend an SG RCAT meeting to provide further detail to assist the team in the decision-making process;
 - 3.2.3.1. Impose limited sanctions including, but not limited to:
 - 3.2.3.2. Temporary restriction of eligibility to access benefits of club registration including:
 - 3.2.3.2.1. eligibility to deliver Scottish/British Gymnastics programmes or activities;
 - 3.2.3.2.2. eligibility to access Scottish/British Gymnastics events and competitions;
 - 3.2.3.2.3. eligibility to host Scottish/British Gymnastics courses, competitions, or events;
 - 3.2.3.2.4. eligibility to access Scottish/British Gymnastics club support, including any digital or online resources, courses, learning or training;
 - 3.2.3.2.5. eligibility to access gymnastics-related funding or financial support.
- 3.3. In addition, the RCAT may also:
 - 3.3.1. Impose a First Formal Warning to the registered club;

- 3.3.2. Impose a Final Formal Warning to the registered club;
- 3.3.3. Impose any other action the SG RCAT thinks is appropriate, up to but not including revocation or refusal of club registration with Scottish Gymnastics.
- 3.4. In cases where the registered club is in serious breach of a policy, or the breach has occurred on more than one occasion, or the registered club has refused to engage with Scottish Gymnastics in a meaningful way to remedy the breach, the SG RCAT may also recommend to the Scottish Gymnastics board or any committee with duly delegated authority:
 - 3.4.1. Immediate revocation of existing club registration
 - 3.4.2. Future refusal of application for club registration with Scottish Gymnastics.

4. Meetings

- 4.1. The SG RCAT will meet as required when there are reports of suspected or alleged breaches by registered clubs of club registration policies to be considered.
- 4.2. The team may meet in person or by telephone or video conference.
- 4.3. To be quorate, in addition to the head of operations, at least three members of the SG RCAT must participate in report assessment and decision making.
- 4.4. The head of operations will co-ordinate and chair the meetings and will ensure that appropriate additional members are present where required.
- 4.5. A monthly meeting will usually be held to review all active reports to review progress against directions or decisions from the SG RCAT.
- 4.6. Key points, actions, and decisions from the meetings, along with any conflicts, will be recorded and retained for a period of at least three years from the date that the report is closed.

5. Responsibilities

- 5.1. Members of the SG RCAT must declare immediately (to the Chair) any significant prior or current relationship, connection or interest that could affect their objectivity in a report assessment and must not participate in any discussion or decision making relating to that report.
- 5.2. Where a decision has been made which has not had unanimous support by all voting members of the team, the decision will be made by majority vote. In the event of a tied vote, the Chair will have a casting vote.
- 5.3. All case information is regarded as highly confidential and should only be disclosed outside the SG RCAT meetings on a strict 'need-to-know' basis.
- 5.4. The head of operations will provide a quarterly summary of all reports, decisions, and progress to the Board.

6. Amendment to Terms of Reference

- 6.1. The board (or a committee with delegated authority) may amend the terms of reference from time to time.