

**Edgbaston Archery & Lawn
Tennis Society**

Disciplinary Policy and Procedure



Members of Edgbaston Archery & Lawn Tennis Society (EA<S) agree to abide by the club's policies including the Code of Conduct when they join the club. The policies have been established to create a safe, friendly and inclusive environment for everyone.

Breach of the club policies may result in disciplinary action.

Reporting a concern

Any concern or complaint that a member may have breached a club policy and/or behaved in an unacceptable way must be raised in the first instance with the Welfare Officer, or in their absence, the Chair of the club. This should be done as soon as possible after the concern arises.

Following discussion on the matter between the Welfare Officer and the Chair, a decision will be made as to whether the concern can be addressed informally. In the event that there is any possible conflict of interest with either the Welfare Officer and/or the Chair, another officer of the club will be involved in decision making at this stage.

Any concerns about possible harm to a child or vulnerable adult must be followed up in line with the safeguarding policy.

Informal procedure

The club will always seek to resolve concerns informally wherever possible. This will involve discussing the concerns with the person making the complaint, and with the member concerned, hearing their views and seeking re-assurances, where necessary, about future conduct.

Where the informal route is not possible, or not appropriate in light of the seriousness of the concern, or repeat concerns, the matter will be followed up formally.

Formal procedure

The person reporting the concern or complaint will be asked to put their concern in writing to the Welfare Officer and the Chair of the club.

The individual concerned will be notified in writing that a complaint has been received and provided with a summary of the issues raised. They will also be advised that a Disciplinary Panel will be convened to consider the concern or complaint.

The matter will then be investigated by the club's Disciplinary Panel.

The Disciplinary Panel will consist of a Chair and three members from a pool of club members. The Chair of the Panel and the three Panel members will be elected by the club's Committee as and when required. They do not have to be Committee Members.

With the exception of the Chair of the Disciplinary Panel, the names of the Panel members will remain confidential.

The procedure for a Disciplinary hearing will be flexible and shall be at the discretion of the Chair of the Disciplinary Panel, who may make decisions as necessary to ensure the effective conduct of the hearing, subject to the overriding requirement of fairness. They will decide if it is necessary for any individual directly involved in the concern or complaint to attend a meeting with or make written representations to the Disciplinary Panel.

The Disciplinary Panel will meet as soon as is practical and consider the relevant information together with any information of relevant previous formal complaints and the outcomes. They will then make a finding, on the balance of probabilities, about whether the member has breached club policy or behaved in an unacceptable way, and what action should be taken.

The Chair of the club will notify the member concerned in writing of the Disciplinary Panel's decision. That member will also be notified of their right to appeal against the decision within 14 days (see below for Appeal procedures).

The Chair of the club will notify the person raising the concern or complaint in writing of the Disciplinary Panel's decision within 10 days of being notified by the member concerned about that they do not want to appeal against the Disciplinary Panel's decision or, in the event that an appeal takes place, within 10 days of the appeal decision being communicated to the appellant.

Possible sanctions may include:

Verbal Caution

This would normally be appropriate for a first time and one- off incident e.g. use of offensive language in front of others (particularly around/in earshot of children)

Written Caution

This would normally be appropriate for repeat incidents e.g. use of offensive language in front of others (particularly around/in earshot of children), repeated incidents of treating others at the club with disrespect, dangerous behaviour

Suspension of Membership

This would normally be appropriate for very serious incidents e.g. repeated use of offensive language in front of others (particularly around/in earshot of children), repeated incidents of treating others at the club with disrespect, dangerous behaviour, harassment or bullying.

A temporary suspension may sometimes be appropriate when a concern or complaint against an individual(s) is being investigated, and/or if the individual's presence at the club would prejudice the proper consideration of the complaint.

In extreme circumstances, a life ban from the club may be an appropriate sanction.

Appeal procedure

Should an individual wish to appeal a decision of the Disciplinary Panel, the individual must submit their notice of appeal to the Chair of the club in writing and within 14 days of the Disciplinary Panel's decision being issued to them.

The notice of appeal must set out the grounds upon which it is submitted the Disciplinary Panel misdirected itself or otherwise reached an erroneous decision.

The Club will establish an Appeal Panel consisting of three members, of which one will act as the Chair of the Appeal Panel.

No member of the Appeal Panel will have any interest or any previous involvement in the disciplinary matter to be considered by the Appeal Panel nor be a member of the Disciplinary Panel.

If the Chair of the Appeal Panel deems it appropriate, they may request an independent person to act as adviser to the Appeal Panel.

The Appeal Panel shall have jurisdiction to conduct appeal hearings and have the power to:

- dismiss the appeal;
- overturn any finding and any sanction imposed by the Disciplinary Panel;
- remit the matter for a re-hearing by the Disciplinary Panel;
- substitute an alternative finding;
- reduce or increase the original sanction; and/or
- make such further order as it considers appropriate.

The Appeal Panel may hear an appeal by way of oral hearing or consider the appeal on the basis of written submissions as appropriate. The Appeal Panel will have the discretion to decide whether an appeal of a Disciplinary Panel decision shall be by way of review only or a full re-hearing of all the evidence presented to the Disciplinary Panel.

The procedure for an Appeal Hearing shall be flexible and shall be at the discretion of the Chair of the Appeal Panel, who may make such decisions as necessary to ensure the effective conduct of the hearing, subject to the overriding requirement of fairness. The Chair of the Appeal Panel will then outline the basic procedure of the Hearing.

The standard of proof in all cases before the Appeal Panel is the balance of probabilities.

The Appeal Panel will either communicate its decision to the appellant at the end of a hearing or it shall be notified in writing no later than 28 days from the date of the hearing.

The decision of the Appeal Panel is final.

Concerns or complaints about non-members

Where a concern or complaint arises about the behaviour of an individual who is not a member of the club, the same approach will be taken i.e. seek to resolve the matter informally where possible.

In the event that the matter is considered by the Disciplinary Panel, they will decide what action as is deemed appropriate in the circumstances. Non-members can expect to be banned from the premises in circumstances that ordinarily may not result in similar sanction for members. Members should understand that they have a responsibility to ensure that their guests behave appropriately, and that the Disciplinary Panel will have discretion in determining how those who are non-members are dealt with.