



## Disciplinary Policy

### 1. Purpose

- 1.1 This document sets out the procedures for handling allegations of misconduct, within Port Sunlight Angling Club, and details the investigative processes to be used to provide a fair and consistent method of dealing with suspected failures to observe the rules of the Club.

### 2. Scope

- 2.1 This process applies to ALL members of Port Sunlight Angling Club including Honorary members, and the members and officers of the Committee.

- 2.2 The disciplinary process consists of two procedures.

An informal procedure, which is intended to deal with minor misdemeanours, identified by committee members, immediately through coaching and advice. Members accruing multiple misdemeanours may progress into the formal procedure for address. As per 3.

A formal procedure which will cover complaints from members or associates, such as landowners, affiliates, 3<sup>rd</sup> parties etc. Or for misconduct that is deemed too serious for immediate address by the committee member who identifies it. As per 4.

### 3. Informal Disciplinary Procedure (Verbal Warning)

Where a member of the Committee or other Officer of the Club witnesses an infraction of the rules which is minor in nature, but more than merely trivial, he may elect to deliver a Verbal Warning to the member concerned. The member must be advised at the time that a record will be kept by the Secretary for a period of 12 months from the date of the warning. Should the member choose to dispute the circumstances or refuse to accept the conditions, the Officer must progress the issue as a Formal Procedure. Only Club Officials may use this system, and only for incidents witnessed by themselves - complaints from members about other members must result in a Formal Procedure. Any member receiving two (or more) Verbal Warnings in any 12-month period may be required to attend a formal Disciplinary Hearing (which has power to impose a penalty) to explain their conduct.

### 4. Formal Disciplinary Procedure

- 4.1 In the event of this procedure being invoked the Chairman shall be responsible for appointing two members of the Committee as an Investigating Team. Should any members of the Committee have special expertise in the alleged offence they should be preferentially considered for inclusion in the team. The Chairman shall formally (in writing) notify the member(s) concerned that they are the subject of an Investigation and shall provide them with information regarding the procedure as required. If the Chairman should be the subject of the investigation, then his duties shall be taken by another member of the Committee. The Investigating Team shall gather all information possible and report to the Committee, at its next scheduled meeting if possible but, at the latest, at its next- but one. The Committee shall hear the report from the Investigating Team and thereupon decide, by vote if necessary, whether it is required to proceed to a Disciplinary Hearing. If the Committee decide that a full Disciplinary Hearing is required, the Chairman shall schedule such a hearing for the next routine Committee Meeting and issue a written invitation to the alleged offender to attend.

- 4.2 Any person against whom an allegation has been raised will be made aware at the earliest opportunity of the nature of the complaint against them; they will be informed that they may be accompanied and advised by another Club member at any formal interview or hearing and will be kept updated with the progress of the investigation, should they request that information. Records of investigations, interviews and hearings must be clear and succinct; summaries will be securely kept by the Club Secretary. Records of any incident of misconduct, and of any consequent discussion and/or actions taken will be retained in compliance with the Data Protection Act 2018 and may be considered in any subsequent disciplinary proceedings.
- 4.3 The Chairman, on receipt of the complaint, shall appoint two members of the Committee, to be the Investigating Team for that complaint. These Investigating Officers will carry out all preliminary enquiries, which should include speaking to the Complainant, any other witnesses and the subject of the complaint, to obtain the clearest picture possible before reporting their findings to the Committee. The Chairman will notify the alleged offender(s) in writing that they are the subject of an investigation and provide the names of the members of the Investigating Team.
- 4.4 **Suspension**
- The person involved in the allegation may be suspended from using Port Sunlight Angling Club facilities pending the outcome of the investigation. Suspension should occur where the Officers of the Committee consider that the continued presence of the member concerned could put at risk the member's own safety or the Club's reputation or could prejudice the investigation. This form of suspension does not imply that any decision has been reached in the case and is not a penalty.
- 4.5 **Preliminary Hearing**
- The Investigating Officers will present their findings for consideration at the first scheduled Committee Meeting after they have completed their investigation. The Committee will consider whether there is sufficient evidence to require a formal Disciplinary Hearing. Should they decide there is not, the proceeding will be discontinued, and all parties informed.
- 4.5.1 Instances of alleged misconduct on the bank need to be dealt with discreetly. If a member has a complaint about another member it should be submitted in writing, accompanied by photographs if appropriate, to the Club Secretary. A complaint occurring during a match may be referred to the Match Secretary (or Match Co-ordinator if the Secretary is not present) who will deal with the situation appropriately pro tempore and later forward details to the Club Secretary if necessary.
5. **Formal Disciplinary Procedure (Written Complaint)**
- 5.1 **Initial Process**
- The complainant shall submit details of the complaint (day, date, time, place, name/description of wrongdoer, names/descriptions of other witnesses, brief details of incident, photographs if available) in writing or by email to the Club Secretary as soon as possible after the event but, in any case, within fourteen days. Should the Committee decide that there is a case to answer, the Chairman will inform, in writing, the person(s) concerned, stating a date for the formal hearing to take place. This will normally be the next scheduled Committee meeting, subject to the proviso that the quorum for a disciplinary hearing shall be seven, including the Chair. The letter must include the names of any persons to be called as witness and copies of any written statements to be considered in evidence. Should the proposed date be inconvenient an alternative may be set by mutual agreement (normally that of the next Committee meeting). Unless there are extreme extenuating circumstances the hearing will take place on that day, if necessary, in the absence of the accused person. At this hearing, any witness may be called if considered appropriate and may be questioned by both sides. The person who has committed the alleged offence will have opportunity to state their case and there will be time for general questioning and discussion. The standard of proof will be that required in British Civil courts (i.e., balance of probability) rather than those required in Criminal Courts (certainly beyond reasonable doubt). The Committee will retire to consider their decision after the hearing; all persons concerned in the case will be notified of the outcome within five working days.

## **6. Outcomes of Formal Disciplinary Hearing.**

### **6.1 No Further Action**

The Committee, having heard all the evidence, decided that the case was not proven to the required standard.

### **6.2 Disciplinary Action**

The Committee, having heard all the evidence, decided that a disciplinary penalty should be imposed. The person concerned will be notified in writing of the following: The precise nature of the offence and a summary of the evidence offered. The penalty being imposed and its duration. The likely consequence of further offences. A copy of the letter will be kept by the Club Secretary for the duration of the penalty.

## **7. Penalties**

### **7.1 Written Warning**

As a result of a Disciplinary Hearing brought about by a series of informal warnings or a more serious behavioural failing, the Committee may issue a Written Warning. The Written Warning must make clear what the behavioural standards and expectations are and that the consequences of failure to reach those standards will be further action in accordance with the Disciplinary Procedure. A copy of a Written Warning shall be kept by the Club Secretary for a period of eighteen months from the date on which the penalty was imposed.

### **7.2 Final written Warning**

A Final Written Warning may be issued in the following circumstances.

Repeated, or several different types of minor offences over a period of time for which the person has already received a written warning, or serious misconduct.

The Final Written Warning must make it clear that the consequences of a failure to reach and sustain acceptable standards will result in dismissal from Port Sunlight Angling Club. A copy of the Final Written Warning will be kept by the Club Secretary for a period of 24 months from the date on which the penalty was imposed.

### **7.3 Dismissal**

Dismissal from the Club would normally be the outcome of receipt of a second Final Warning, or of a finding of Serious Misconduct. The decision of a Committee Meeting is required to dismiss a member, if a member is dismissed for misconduct, that member shall forfeit any subscription monies already paid.

## **8. Serious Misconduct**

8.1 An event/occurrence may be classed as Serious Misconduct if it is serious enough to jeopardise the mutual trust between the Club Officers/Members of the Committee and the person concerned and makes any further relationship untenable. It is impractical to provide an exhaustive list of offences which would be considered to constitute Serious Misconduct. However, examples of behaviour which might lead to dismissal for Serious Misconduct include.

Assault on, or Threatening Behaviour towards another Club Member or member of the public. Falsification of documents or records leading to gain to the individual or loss to another. Wilful and persistent failure to adhere to Club rules. Any deliberate action, or failure to act, which seriously jeopardises the health or safety of fellow Club Members or members of the public.

**The decision of the Committee is final.**

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