



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 alleged breaches of the Club's By Laws.

2. Scope

- 2.1 This Policy applies to ALL members of Port Sunlight Angling Club including Honorary members, and the members of the Committee.
- 2.3 Members are responsible for their guests when visiting Club waters (for example through Let's Fish or Bring A Friend Fishing) and therefore will be subject to the procedures contained in this Policy in relation to their conduct and behaviour.
- 2.3 The Disciplinary Policy consists of two procedures, an informal procedure and formal disciplinary procedure.
- 2.4 Informal Disciplinary Procedure: for the purpose of dealing with misdemeanours which have been reported to the Committee.
- 2.5 Formal Disciplinary Procedure: to cover receipt of the following
- (i) Formal complaints from members or associates, such as landowners, affiliates, third parties etc. as to the behaviour of Club member(s).
 - (II) Misconduct reported that is deemed too serious for immediate address by the Committee.
 - (III) A breach of the Club's By Laws that is considered by the Committee outside the scope of Clause 2.2

3. Informal Disciplinary Procedure

- 3.1 Should a member of the Committee or other Officer of the Club (including Bailiffs) witness a breach of the By Laws they may elect to deliver a Verbal Warning to the member concerned.
- 3.2 The member must be advised at the time the nature of the breach and that they have been issued with Verbal Warning.
- 3.3 The Secretary will write to the Member recording the incident and confirming the issue of the Verbal Warning
- 3.4 A record will be kept by the Secretary for a period of 12 months from the date of issue of the Verbal Warning.
- 3.5 If member chooses to dispute the circumstances or refuse to accept the Verbal Warning, he must notify the Secretary within 14 days from receipt of confirmation of issue.
- 3.6 In the event of 3.5 the matter must be dealt with under the Formal Disciplinary Procedure.
- 3.7 This procedure is only available to those described in 2.1 Club Officials and only for incidents witnessed by themselves, complaints from members about other members must be dealt with under the Formal Disciplinary Procedure.
- 3.8 Any member receiving two (or more) Verbal Warnings in any 12-month period may be required to attend a hearing held by The Committee to explain their conduct in accordance with the Formal Disciplinary Procedure.

4. Formal Disciplinary Procedure

- 4.1 Should the Committee decide that a reported breach of By Laws should be dealt with in accordance with Clause 2.3, 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.
- 4.2 The Chairman shall notify the member(s) concerned that they are the subject of an Investigation and shall provide them with information regarding the nature of the investigation and advise as to the procedure to be followed
- 4.3 Should the Chairman be the subject of the investigation, then his duties under this Procedure shall be taken by another Committee member appointed by a vote.
- 4.4 The Investigating Team shall gather all information possible and report to the Committee, at its next scheduled meeting or at a future meeting as decided at the commencement of their investigation.
- 4.5 The Investigating Team shall issue their report and the Committee will decide by vote the necessary course of action as follows
 - 4.5.1 No further action to be taken: In this instance the Committee will deem the matter closed and no further action is required. The Chairman will notify all relevant parties of the Committee's decision.
 - 4.5.2 Proceed to a Disciplinary Hearing: Should the Committee find evidence of misconduct by a member(s) under Clause 2.3 and that further action then the Chairman will inform the member(s) in question of the following:
 - (i) The decision of the Committee and the reasons for it including the Investigation Team's report.
 - (ii) Issue an invitation to a Disciplinary Hearing where the member(s) will be invited to provide any mitigation or evidence that is contrary to the findings of the Investigation Team
- 4.6 The Disciplinary Hearing should take place at the next scheduled Committee meeting or at a future meeting decided when the Committee made its decision.
- 4.7 The Committee will not make its decision on further action until completion of the Disciplinary Hearing and inform all relevant parties of that action within 5 days of the date of the Hearing.
- 4.7 Should the member(s) fail to respond to the notification issued under Clause 4.5.1 within 14 days then it will be deemed as acceptance of the Committee's decision and acceptance of any sanction that may be issued by the Committee.
- 4.8 The Committee will not issue any sanction in relation to the findings of the Investigation Team until completion of the Procedure set out in Clause 4.1 to 4.7. However, the Committee reserves the right to suspend member(s) whilst the Formal Disciplinary Procedure is completed.
- 4.9 The Committee's decision resulting from completion of the Formal Disciplinary Procedure is final and not subject to appeal

5. Investigation Team

- 5.1 The investigation team shall comprise of no less than two Committee members selected by the Chairman.
- 5.2 The Chairman shall inform the subject(s) the identity of the Investigation Team
- 5.3 The Investigating Team will carry out all enquiries, which should include speaking to complainant(s), any other witnesses and the member(s) under investigation.
- 5.4 The Investigating Team's report to Committee should include but not be limited to the following
 - (i) Names, addresses and membership numbers of the member or members under investigation

- (ii) The identity of the complainant and any other relevant information
- (iii) Names of any witnesses or those who have provided statements etc.
- (iv) A report into the reported incident including dates and times (if available) and relevant statements from the relevant parties.
- (v) A timeline of events leading up to and during the investigation.
- (vi) A conclusion on the evidence gathered.

- 5.5 The actions of and the information gathered by the Investigation Team will be confidential and not for circulation outside the Committee and any relevant parties involved in the Disciplinary Process.
- 5.6 The identity of the complainant(s) will not be disclosed to the member or members under investigation.
- 5.7 The information gathered by the Investigation Team will be passed to the Secretary who will keep it in a secure file either in hard or electronic format (as his discretion).
- 5.8 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.

6. Disciplinary Hearing

- 6.1 Following the Committee's decision under Clause 4.5.2 the member or members subject to the Formal Disciplinary Procedure will be invited to attend a Disciplinary Hearing.
- 6.2 Members invited to a Disciplinary Hearing may be accompanied by another Club member.
- 6.3 The Committee will have issued its conclusions and the Investigation Team's report and findings to the subject(s) of the Disciplinary Procedure. Therefore, the objective of the Hearing is to provide the opportunity for those under investigation to offer evidence in mitigation or contrary to that included in the Investigation Team's report and as such there will be no cross examination.
- 6.4 Any questions from the Committee during the hearing will be from the Chairman.
- 6.5 The Committee will decide on any further action on completion of the Disciplinary Hearing and all relevant parties notified in accordance with Clause 4.7.

7. Suspension

- 7.1 A member subject to investigation under the Formal Disciplinary Procedure may be suspended from using Port Sunlight Angling Club facilities pending the outcome of the investigation. Suspension should occur where 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.

8 Formal Complaint

- 8.1 Should a member wish to submit a formal complaint under the circumstances described in Clause 2.3 then they must do so in writing (letter or email) to the Secretary within 14 days of the incident occurring.
- 8.2 The complaint should include but not be limited to the following details of the incident, subject to availability
 - (i) Date and time,
 - (ii) Location
 - (iii) Name(s) of members involved in the incident
 - (iv) Names of any witnesses
 - (v) Details of the incident in question (including photos or video if available)

9. **Outcomes of Formal Disciplinary Hearing.**

- 9.1 No Further Action: The Committee, reviewed the evidence included in the Investigation Team's report and following the Disciplinary Hearing decide that the case was not proven to the required standard. The member or members concerned will be notified in writing by the Secretary within 5 days of the Committee's decision.
- 9.2 Disciplinary Action: The Committee, having reviewed the evidence included in the Investigation Team's report and following the Disciplinary Hearing, decide that a disciplinary sanction should be imposed. The member or members concerned will be notified in writing within 5 days of the Committee's decision of the following:
- (i) The precise nature of the offence and a summary of the evidence offered.
 - (ii) The penalty being imposed and its duration.
 - (iii) The likely consequence of further offences.

A copy of the letter will be kept by the Club Secretary for the duration of the penalty.

- 9.3 The Secretary will notify all relevant parties of the Committee's findings and decision.

10. **Sanctions**

- 10.1 Written Warning: As a result of a Disciplinary Hearing brought about by a series of Verbal Warnings the Committee may issue a Written Warning. The Written Warning must make clear the behavioural standards and expected and the consequences of failure to reach those standards will result in 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 sanction was imposed.
- 10.2 Final Written Warning: A Final Written Warning may be issued in circumstances of repeated offences for which the person has already received a written warning, 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 sanction was imposed.
- 10.3 Suspension: A member may be suspended for a fixed period if in the opinion of the Committee the sanctions in accordance with Clauses 10.1 and 10.2 are deemed insufficient. The period of suspension imposed is entirely at the discretion of the Committee but shall last no longer than 12 months from the date that sanctions was imposed
- 10.3 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, that member shall forfeit any subscription monies already paid.

11. **Serious Misconduct**

- 11.1 The Committee may, upon receipt of a formal complaint and/or based on a report from the Investigation Team consider that the incident in question be classed as Serious Misconduct. Examples of Serious Misconduct are listed below, but not limited, to the following:
- (i) An incident serious enough to jeopardise the mutual trust between the Members of the Committee and a member.
 - (ii) Assault of or threatening behaviour towards another member or member of the public
 - (iii) Falsification of documents or records submitted to the Club.
 - (iv) Wilful and persistent failure to adhere to Club rules. A
 - (v) Any deliberate action, or failure to act, which seriously jeopardises the health or safety of fellow Club Members or members of the public.