

BLOXHAM FOOTBALL CLUB

DISCIPLINARY AND GRIEVANCE



This procedure has been produced in three parts: -

- Part 1 -DISCIPLINARY AND APPEAL PROCEDURE
- Part 2- PROCEDURE FOR SETTLEMENT OF GRIEVANCES
- Part 3- GUIDANCE FOR INVESTIGATION COMMITTEE

Part 1 -DISCIPLINARY AND APPEAL PROCEDURE

The purposes of this procedure are:

- To ensure consistent and fair treatment of disciplinary and performance issues;
- To help and encourage members to achieve and maintain appropriate standards of conduct and performance.

General Principles

1. The purpose of this document is to set out the Club's current procedure for the handling of disciplinary matters.

2. The procedure applies to all members.

3. The Management Committee may deal with minor instances of misconduct and initial unsatisfactory

levels of performance informally, by way of counselling or informal caution.

If a problem continues or the management committee judges it to be sufficiently serious, this procedure will apply.

4. The Club will not remove any member for a first offence, unless the offence amounts to gross misconduct (see below) in which case the member expelled from membership

5. The Club will not take any formal action under this procedure without investigation and without giving the member an opportunity to put his or her case in respect of the allegations made.

6. Members have the right to appeal against any formal action taken against them under the procedure.

7. Depending on the seriousness of the misconduct or poor performance or the member's disciplinary record taken as a whole, the written warning stage of the procedure may be omitted.

8. This procedure may be amended to include particular provisions in other Club policies.

9. Suspension from the club as a result of this procedure will only be a temporary status imposed on a member normally to enable investigations to be carried out. Suspension means; not attending normal club functions, including practice/training sessions, matches, and other club functions that may be organised from time to time.

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Conduct Of Meetings Under The Procedure

1. In any proceedings under the procedure, a member has the right to be represented by a fellow member of his or her choice.
2. A member who is requested to attend a meeting under this procedure will be informed whether the meeting is investigatory or disciplinary by the investigation committee. Where the meeting is disciplinary, the nature of the allegation will be explained to the member in writing by the investigation committee and the member will be given time to prepare his or her case, together with any representative (see 1 above)
3. Meetings will be conducted by the investigation committee (see below).
4. The member will have the opportunity to put his/her case, personally or via his/her representative, and normally to call and question any witness.
5. Any disciplinary meeting may be adjourned to enable further investigation of matters arising to be carried out.

Gross Misconduct

The following are examples of conduct falling within the definition of gross misconduct and which entitles the Club to summarily expel the member: -

- Refusal to accept and act on reasonable instructions from the committee
- Serious negligence that could or does result in unacceptable loss, damage or injury
- Fighting, assault or threatening behaviour.
- Theft, fraud, falsification of Club records or any dishonesty involving the Club, it's members, officials or attempts to commit such offences.
- Deliberate or reckless damage to the property of the Club, its members, or officials.
- Being under the influence of illegal drugs whilst on club functions, events, matches or training sessions.
- Being under the influence of Alcohol whilst responsible for or supervising junior members of the club at any club event, function, match or training session.
- Unauthorised disclosure of confidential information.

The above list is not exhaustive but illustrates the type of transgression that normally merits expulsion for a first offence. Other types of offence, such as harassment, may be treated as gross misconduct, depending on the seriousness of the particular facts.

If a member is accused of gross misconduct, he or she may be suspended to enable investigations to take place.

If the Club is satisfied, following investigation and a disciplinary hearing, that the member has committed gross misconduct, the Club will normally summarily expel the member.

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Other Misconduct Or Poor Performance

In other cases coming within the remit of this procedure, there will be no expulsion for a first offence. Instead, the Club may issue a formal warning to a member.

Written Warning

If conduct or performance does not meet the Club's standards the member may receive a written warning, normally from the investigation committee. Where, following the disciplinary meeting, the investigation committee decides to issue such a warning, they will inform the member of the following:-

- the reason for the warning,
- that it is the first stage of the Club's disciplinary procedure,
- the action or improvement (if any) which he or she requires of the member .if appropriate, the timescale for implementing any such action,
- the consequences for the member of not implementing required action or of further misconduct
- When the warning will cease to have effect. This will normally be after 6 months but a longer period may be stated in exceptional cases.
- the right of appeal.

All of these matters will be confirmed to the member in writing by the investigation committee.

Expulsion

The Club may expel a member where: -

- the required improvement is not achieved within the timescale stated in a written warning: or
- further misconduct takes place following a written warning -whether or not involving a repetition of conduct which was the subject of a previous warning; or
- it is reasonably believed that he or she has committed an act of gross misconduct.

If where, at the conclusion of the disciplinary meeting, Investigation Committee determines to dismiss the member, they will briefly state the reason, the date on which the dismissal takes effect and inform the member of his or her right to appeal. These matters will be confirmed in writing.

Appeal

For both written warning and expulsion, the member may appeal to a disciplinary decision by writing to the chairman within 7 days. The full management committee will hear all appeals and such decision will be final.

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Part 2- PROCEDURE FOR SETTLEMENT OF GRIEVANCES

- The purpose of this procedure is to ensure that you have an opportunity to raise formally with the club any grievances relating to the club or complaints regarding the Club or any member of the Club. The Club's aim is to ensure that your grievance or complaint is dealt with promptly and fairly by the appropriate level of the Club's management. The procedure does not confer any contractual rights-
- At each stage of the procedure, a fellow member may accompany or represent you.
- Where the grievance relates to a disciplinary decision, you should use the Club's disciplinary appeals procedure.

Stage I – Investigation Committee

If you wish to raise a formal grievance you should, in the first instance, raise it, orally or in writing, with your committee member. Where a matter affects a group of members, a spokesperson from amongst the group should raise the matter with a committee member. The investigation committee will normally respond within 7 days.

Stage 2 – Full Management Committee

If the matter is not resolved at stage 1 or within 7 days, you or the spokesperson of a group may refer it in writing within 3 days to the Chairman who will refer it to the full management committee. You or the spokesperson should set out the grounds for the complaint and the reasons for the dissatisfaction with the Stage 1 response. A meeting will normally take place to consider the matter within 7 days of the request being made.

Stage 3 – Oxfordshire Football Association

If the matter is not resolved at stage 2 or within 7 days, you or the spokesperson may refer it in writing within 3 days to the Oxfordshire Football Association. You or the spokesperson should set out the grounds for the complaint and the reasons for dissatisfaction with the stage 2 response. Details of the OFA complaints policy can be found on the FA's web site.

PART 3 - GUIDANCE FOR INVESTIGATION COMMITTEE

The club has an obligation to set and maintain satisfactory standards of conduct and performance in the administration and participation of football. Members need to be clear what standards are expected of them and what will happen if the required standards are not met. Disciplinary arrangements are therefore an important part of the Club's overall responsibility. The Disciplinary and Grievance Procedure has been incorporated into the Constitution and it is mandatory that such procedures are adhered to. Misconduct alleged may also amount to a criminal offence. All the circumstances should, however, be considered in the light of the nature of the offence committed.

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The commission of an offence unconnected with the Club business may be regarded as misconduct and dealt with through the Disciplinary Procedure. Once again, there will be a wide variation in the circumstances. On the one hand it may be possible to take no action (assuming that the member is not in custody) until the trial and it may then be considered, on the basis of the evidence given and the outcome, whether or not to take action. The necessity of taking action will depend on the nature and severity of the offence, the position in which the member was occupying in the club and all the other factors, which would be taken into account. The committee must consider whether and if so how, the fact of the member being convicted for the particular offence will affect the club, the members or officials.

NOTE: Records may be in the form of any type of media such as hard copy or electronic media, where electronic media is used, ensure there is adequate provision for backup and recovery. Any stated record retention times are minimum retention times only. All records within the required retention period should be EASILY recoverable.

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