



## Murieston United Community Football Club Disciplinary Process

### Introduction

The purpose of the disciplinary process is to ensure that any concerns over volunteers' conduct are handled in a fair, consistent and timely manner with the intention of bringing about an improvement, and to protect the proper operation of the Community Football Club and the health and safety of its members.

This process may be reviewed and updated from time to time. Any amendments will be notified to club members following consultation and/or notice where appropriate.

### Rules and Application

The following are some examples of types of conduct that will normally be addressed through implementation of the charity's disciplinary procedure:

- Breach of Club rules;
- Breaches of Club Code of Conduct;
- Inappropriate behaviour (e.g. fighting, drunkenness, etc.);
- Bullying, harassment or victimisation;
- Serious or repeated failure to follow reasonable requests or instructions;
- Abuse, misuse or neglect of Community Club property or facilities.

Where time limits are referred to in this procedure, they may be shortened or extended by mutual consent.

Disciplinary matters will be handled with as high a degree of confidentiality as is practicable, particularly when the issue is of a sensitive nature.

Confidential records of disciplinary matters will be kept by the Club Secretary in accordance with Data Protection legislation. Copies of meeting notes will be provided to the volunteer, although the Community Club reserves the right to withhold certain information (e.g. to protect a witness).

The Community Club reserves the right to suspend a volunteer while a disciplinary offence is investigated.

Minor disciplinary offences and general issues of poor conduct will be handled informally in the first instance, through discussion/counselling and informal warning(s). Where an informal approach fails to bring about the desired improvement, or where the offence is more serious, the formal disciplinary process will be followed.

### Formal Disciplinary Procedure

There will be a thorough investigation of any alleged offence before disciplinary action is taken against a volunteer. If the Community Club concludes that there are reasonable grounds to believe that the volunteer may have committed an act of misconduct, he/she will be asked to attend a disciplinary hearing. Disciplinary hearings will usually be undertaken only where informal approaches have failed to produce a satisfactory improvement. The hearing will be attended by :-

- One out of the Club Chairperson or Vice Chairperson or Secretary;
- The Executive Committee representative for the section involved in the incident (i.e. Development or Youth up to U16 or Youth from U17 / Adult or Girls / Ladies);
- No more than two other members of the Club Committee (i.e. Honorary President, Club Treasurer, Minutes Secretary, Coaching Coordinator etc);
- The Club Child Protection Officer where child protection issues form part of the alleged offence;

Any member of the Club Committees having a personal involvement with the incident / individual / team under investigation will be prohibited from sitting on the hearing. In this event an alternative club Committee member will act in the prohibited individuals' stead.

In the event of a disciplinary hearing, the Community Club will:

- give the volunteer a minimum of 48 hours advance notice of the meeting in writing;
- make it clear that the meeting is being held under the Community Clubs formal disciplinary process and detailing the alleged misconduct;
- remind the volunteer of their right to be accompanied at the meeting by a friend;
- give the volunteer, at the meeting, a full explanation of the case against them;
- give the volunteer, at the meeting, every opportunity to discuss / challenge allegations against them, state their case, provide the names of any relevant witnesses and put forward an explanation of their conduct and any mitigating factors;
- take all relevant factors into account before reaching decisions about any disciplinary action;
- confirm the outcome of the disciplinary hearing in writing within five working days of the investigation concluding, specifying the reason for any disciplinary action, the standards of conduct, any objectives and timescales agreed, the consequence of failing to achieve acceptable improvements, and the period after which any warning will be disregarded for disciplinary purposes;
- remind the volunteer of their right to appeal against any disciplinary action;
- maintain appropriate records.

The stages of the formal disciplinary procedure shall be as follows:

- Stage 1 - formal verbal warning
- Stage 2 – formal written warning
- Stage 3 - dismissal (or other penalty)

If a warning does not bring about the desired level of improvement in the volunteers conduct, or for repeated minor offences, then the volunteer will normally progress to the next stage of the formal procedure. The Community Club reserves the right to implement the process at any stage, taking into account the nature and severity of the disciplinary offence. For example, where conduct is sufficiently serious to justify only a single written warning but insufficiently serious to justify dismissal, a volunteer may be given a final written warning for a first offence. Volunteers' will not be dismissed for a first disciplinary offence (except for gross misconduct).

Where appropriate, the Community Club reserves the right to impose disciplinary penalties as an alternative to dismissal. Such penalties may include, for example: suspension for up to 6 months.

Decisions to dismiss or impose penalties must be approved by the executive Committee before being communicated to the volunteer.

### **Gross Misconduct**

In the event that a volunteer commits an act of gross misconduct (including but not restricted to the offences listed below) the Community Club is entitled to dismiss the Volunteer.

- Theft, fraud, dishonesty or deliberate falsification of records;
- Fighting, assault or other violent behaviour;
- Deliberate damage to, or misuse of, Community Club property;
- Possession, custody or control of illegal drugs on Community Club premises;
- Serious breach of the Community Club rules, policies and procedures;
- Serious negligence which causes loss, damage or injury;
- Conduct likely to bring the Community Club name into disrepute;
- Bullying, harassment, victimisation or discrimination;
- Serious acts of insubordination.
- Discrimination against any individual for reasons of age, race, creed, color, handicap (disability), marital status, sex, national origin, ancestry, sexual orientation, religion, gender, political affiliation.

### **Appeal**

Volunteers, have the right to appeal against any formal disciplinary action. An appeal should be made in writing to the club secretary within five working days of receipt of the outcome letter. An appeal meeting will be arranged and the appeal heard by :-

- One out of the Club Chairperson **or** Vice Chairperson **or** Secretary who was not involved in the original disciplinary hearing;
- An Executive Committee representative for a section not involved in the incident (i.e. Development **or** Youth up to U16 **or** Youth from U17 / Adult **or** Girls / Ladies);
- No more than two other members of the Club Committee (i.e. Honorary President, Club Treasurer, Minutes Secretary, Coaching Coordinator etc) who were not involved in the original disciplinary hearing.

The outcome of the appeal will be confirmed in writing within five working days of the meeting. Decisions made at this stage will be final

## **Murieston United Community Football Club Executive Committee**

