

# **Boldmere Swimming Club**

## **Disciplinary Procedure**

### **Introduction**

The Boldmere Swimming Club Code of Discipline provides guidelines for disciplining members of the club who contravene the Code of Conduct.

This policy is set out to guide the management committee and inform members of the club and their parents/carers of the discipline process.

The primary objective is to encourage members to comply with the code of conduct.

### **General principles**

Boldmere Swimming club disciplinary procedures are based on the following principles:

- The disciplinary rules and procedures are designed to be non-discriminatory and are to be applied irrespective of sex, racial group, sexual orientation, disability, religion, age, or any other bias.
- All matters will be dealt with in accordance with the club constitution
- It is expected that most matters will be dealt with on poolside or at the point of incidence informally at the time of the event.
- Any behaviour that is considered to be unacceptable by coaching staff or instructors may lead to a behaviour ticket being issued
- All matters relating to disciplinary action will be handled as speedily as possible.
- A person wishing to make a complaint about inappropriate conduct should normally do so within 30 days of the incident
- Persistent or serious breaches of conduct will be reported to the club chairman preferably in writing
- No member will be dismissed or suspended from the club for a first breach of conduct except in the case of gross misconduct.
- Club members will have a right of appeal against any formal disciplinary decision.

## **PROCESS**

On receipt of a complaint the Club Chairman will decide what action to take, if the Chairman decides the matter should be handled formally and a disciplinary investigation is necessary, the Chairman will either investigate the incident or refer it to the disciplinary sub committee to investigate

### **Investigations**

Serious misconduct will be subject to investigation. The purpose of an investigation is to establish the facts of a case and to record them,

The level of investigation into a complaint or incident must be decided by either the Club Chairman or the chairman of the disciplinary sub committee, and must be based on a judgment of its nature, seriousness and how much is known about the circumstances of the misconduct. It is important to remember that it is the purpose of any subsequent disciplinary hearing to make a judgment on the facts presented. So the investigation must focus on relevant facts. In the event that the investigation reveals further incidents, these may be subject to investigation by the disciplinary sub committee (DSC)

### **Timing**

Investigations that may lead to disciplinary action must take place as soon as possible after any misconduct is alleged.

Investigations should be conducted as early as possible and within 28-days of a complaint being received unless there are justifiable reasons for extending the time frame. Any extension to the time limit must be fully documented by the DSC and agreed in writing by the chairman.

The DSC must inform the member or parent/carer of the member under investigation in writing of the extension and the reason for it.

### **Arrangements**

Members of Boldmere swimming club who do not respond, without good reason, to a statement of alleged misconduct and/or do not attend a disciplinary hearing must be made aware that they may have their case decided in their absence.

## **Range of Outcomes following a disciplinary hearing**

- No Action
- Written Warning: This will remain in place for 6 months with conditions attached.
- Behaviour contract
- Final Written Warning
- Temporary suspension
- Permanent dismissal
- Matter referred to Police/ASA

## **Recording the Outcome**

The member must be notified in writing of the details of any disciplinary outcome and the reasons for the outcome using the 'outcome of disciplinary hearing' letter. This must be sent to the member/parent/carer within 5 days of the conclusion of the disciplinary hearing unless there are good reasons for an extension to the time frame.

## **Following a disciplinary hearing**

Disciplinary outcomes should remain in force for no longer than 6 months except in the case of permanent dismissal

## **Dismissal**

This outcome should only be used in cases where either a continued pattern of misconduct or an individual act has meant dismissal is the only option.

## **Rights of Appeal**

- **First right of appeal is to the Club Chairman. The appeal must be received within 14 days unless there is good reason to extend the time frame.**
- **The club chairman will organise an independent assessment of the case and report within 28 days unless there is good reason to extend the time frame.**
- **A final right of appeal is possible under the ASA Judicial Laws.**