



HORLEY CRICKET & HOCKEY CLUB



Disciplinary Code

General Background Information

Disciplinary issues, applying to all matters of Horley Cricket & Hockey Club (the Club), will in the first instance be dealt with by the Club's Disciplinary Panel, the officers being drawn from the elected members of the Management Committee of the Club.

All parties when either renewing their membership or when joining, agree to fully comply with the Club's Code of Conduct and specific Codes of Conduct covering their role, and in so doing equally agree to be bound by this Code's terms as detailed below. Members are responsible for the behaviour of their family and their guests when on club premises.

Disciplinary action against Club members, including expulsion without notice, may be taken for offences of misconduct or breach of club's rules. However it is recognised and accepted that every member has:

- The right to expect fair and consistent treatment
- The right to appeal against decisions notified by the Club Secretary or the Disciplinary Panel.
- The right to representation

All disciplinary actions taken by Horley Cricket & Hockey Club will be duly recorded and placed on file for reference at a future date.

Offences Leading to Disciplinary Action

The Code covers three levels of misdemeanour as assessed or interpreted by the Executive Officers of the Management Committee. Examples of such actions are scheduled below but these are not to be considered as fully inclusive or covering all possible offences.

(1) "Misconduct" is the carrying out of an offence considered by the Management Committee to be of a minor nature. In such instances this will normally result in a written warning being issued by the Club Secretary together with a demand for full and appropriate corrective action. Examples of offences that may be considered to come under the heading of "Misconduct" include: -

- Discourteous, crude or offensive behaviour.
- Total disregard for equipment or property.
- Refusal to carry out reasonable instructions issued by club officials or organisers
- Failure to comply with the Club's Code of Conduct or adhere to the relevant Code relative to their position within the club

Repetition of the above offences or failure to comply with any demands made in writing by the Club Secretary may result in further action culminating in a hearing convened by the Disciplinary Panel.

(2) “Serious Misconduct” is the carrying out of an offence of such gravity that in the opinion of the Club’s Management Committee it warrants a disciplinary hearing. Whilst not an exhaustive list, examples of offences, which may be considered as serious misconduct include: -

- Deliberate or consistent breaches of club rules
- Any attempt to achieve gains or advantage over others by unfair or unscrupulous means
- Theft or misappropriation
- Use of threatening or abusive behaviour
- Substance /drug abuse by a member..
- Malicious interference with equipment or club property
- Disregard for one’s own or other people’s safety

Any other action, which in the opinion of the Elected Officers, may bring the Club’s name into disrepute.

(3) “Gross Misconduct” is action of such seriousness that the Elected Officers of the Management Committee will require the immediate expulsion of the offender from the Club. The Elected Officers may by means of an executive decision summarily expel such an offender without invoking a disciplinary hearing. The expelled member will have the right to a disciplinary hearing as soon as this can be arranged but will remain expelled until and unless such a hearing overturns the Executive decision.

Examples of gross misconduct would include:-

- Physical violence of assault towards other persons at the Club, including serious threatening, intimidating or forceful behaviour
- Substance /drug abuse found passing or trading in such substances.
- Reckless disregard of safety and basic safety rules
- Being convicted of criminal offences involving physical violence or abuse

Other acts that the Elected Officers consider to be of such serious nature perpetrated against the Club, its members or any other party.

If the matter relates to a child protection issue then the incident must immediately be referred to the Club’s Welfare Officer who will investigate and report back to the Club’s Management Committee, always adhering to the guidelines detailed in the Club’s Safe Hands Policy Paper.

Regardless of the level of misdemeanour should the behaviour of a member be deemed offensive or to be in breach of the Club’s Code of Conduct then the Club’s Senior Bar Staff are empowered to immediately suspend that members membership .In taking such action the incident must be fully reported in writing to the Disciplinary Panel within 24 hours.

Pending the conclusion of their investigation a member may be suspended by the Disciplinary Panel. Suspension itself is not deemed a penalty but rather a way in which an investigation can be carried out in a controlled and calm manner.

Disciplinary Procedure

On receipt of a written complaint the Disciplinary Panel will decide whether the complaint falls within the scope of this disciplinary code. If in their opinion it does, then the decision will be made as to the level of offence as outlined above.

If the offence is considered to be one of simple misconduct, the Disciplinary Panel may instruct the Club Secretary to write to the offender with a formal written warning including the demand for an apology or other corrective action that may be deemed appropriate.

The members of the Disciplinary Panel will also attempt to obtain approval for their action from the complainant.

A disciplinary file will be opened by the Club Secretary in which will be placed copies and records of the original complaint, together with the written warning and any other correspondence.

The action outlined above will normally finalise the process unless any of the parties involved object strongly to the decision made in which case they may lodge an appeal with the Club Secretary asking that the matter be further reviewed by an Appeals Committee. For this purpose an Appeals Committee will be comprised of a minimum of three elected members of the Management Committee or alternatively if it is felt that the appeal may compromise the position of certain members of the Management Committee then at the Management Committee's discretion the Appeals Committee can be comprised of three senior members of the club. The Appeal Committee shall have power to amend or revoke any decision made, their decision being final and binding on all parties.

The Appeals Committee's judgment will be communicated to the Club Secretary who will convey the decision in writing to all parties concerned.

Should the complaint be considered by the Disciplinary Panel to be one of serious misconduct, then the following procedure will be implemented: -

An immediate full investigation will be undertaken by the Disciplinary Panel which will include interviewing witnesses and thereafter securing from them signed witness statements. In addition the Panel will interview the parties subject to the complaint and secure their signed statements. Having gathered the information, a detailed report will be compiled which will conclude with the Panel's recommendation as to the action that should be taken including their view as to the level of punishment if so appropriate..

The Panel's report will be reviewed by the Club's Management Committee and thereafter the complainant will be advised in writing by the Club's Secretary as to the decision made..

In certain instances it may prove possible for the Disciplinary Panel to resolve the dispute amicably and to the mutual satisfaction of the parties concerned, however whatever the outcome a full report will be submitted to the Management Committee a copy of which being held on the member's file if so warranted..

Where the Disciplinary Panel consider the behaviour to be viewed as Gross Misconduct, then they may immediately suspend or expel an offender pending a final review being heard by the Management Committee.

The expelled member will have the right to appeal the decision, which will be heard by the Appeals Committee but will remain suspended until and unless such a hearing overturns the Management's decision.

Disciplinary Hearing

A disciplinary Panel will be appointed which will consist of: -

Three Executive Officers of the Management Committee, their tenure being for a minimum of one year or until such time as the constituent parties are changed at a Management Meeting. In the event that it is viewed by the Management Committee that a member or members of the Panel's position be compromised, then at their discretion the Panel may be comprised of senior members of the club for that particular case..

All witnesses will be interviewed and will be asked to complete a written statement which will be subsequently reviewed by the Panel..

Within 6 days of the complaint being lodged the Disciplinary Panel are expected to have concluded their investigation and to have submitted their findings to the Management Committee however this is a guideline as they may adjourn their investigation to allow further evidence to be referred to if deemed necessary.

As a general rule, within 5 working days of the written report being issued, a full meeting of the Management Committee will be convened to read through the recommendations and thereafter arrive at a decision as to the appropriate level of penalty, which may include temporary or permanent expulsion of the offender from the club. Immediately thereafter the Club Secretary will notify the offender/s of the penalties imposed which will be effective from the date of the decision.

Penalties

The penalties imposed will have immediate effect, notwithstanding the possibility of an appeal. The club will in all cases comply with the requirements of the governing Sports body and Child Protection policies as detailed in the club's Safe Hands Policy paper.

Appeals

If an appeal of the decision or penalty is to be made, then written notice of appeal by way of 1st class post to the Club Secretary must be given by the offender/s, within 28 days of being notified of the decision. No appeal will be valid or considered after that period has elapsed. It will not be sufficient to state "I wish to appeal", the offender must give full written grounds for the appeal, stating exactly what is being appealed against and the reasons for this.

An appeal hearing will be convened as soon as practicable being no later than 10 days after the appeal has been lodged. The Appeal Committee will consist of 3 members of the Executive Committee who did not take part in the Disciplinary hearing and they will elect their own Chairperson (who will have the casting vote). In the event that it proves difficult to identify 3 qualifying members of the Management Committee the Secretary will approach three senior members of the Club asking that they hear the appeal.

The Appeal Committee shall have power to amend or revoke any decision made at the previous disciplinary hearing.

The decision of the Appeal Committee is final and binding on the parties and not subject to further appeal.

End

Time schedule of actions taken re the three levels of Misconduct are scheduled below. This is a guideline which for the most part should be adhered, although it is recognised that in some circumstances delays can arise. However for the sake of expediency the time schedule has to be the target.

Disciplinary Code Timetable re Simple Misconduct

Action	By whom	By when
Letter of complaint received and acknowledged	Club Secretary	By return of post.
Disciplinary Panel sits to hear evidence.	Club Secretary notifies the Disciplinary Panel of the reported misdemeanour meeting Investigation chaired by one of the 3 Panel members who will generally be senior members of the Club	Panel should have started its investigation within 3 days of the complaint letter being acknowledged.
Panel to have concluded its investigation and decided on appropriate level of misdemeanour. Informing the Club Secretary as to their decision	Elected Chair of that particular Disciplinary Panel	Within 6 working days of the complaint letter being acknowledged.
Formal written warning issued and copy filed*	Club Secretary	Immediately on receipt of Panels decision.
*If written objection to decision received by Club Secretary from either offender or complainant matter referred to Appeals Committee	Club Secretary will liaise with Club Chairman who will appoint 3 suitable people onto the Appeals Committee	Appeal Committee formulated within 5 days of objection being received.
*Investigation undertaken by Appeals Committee and decision made and minuted. Decision together with Minutes of Meeting conveyed to Club Secretary	Appeals Committee	Appeal to be heard within 10 working days of objection being received with result conveyed to Club Secretary
*Appeal Committee decision discussed by Management with written notification sent to both offender and complainant	Club Secretary to convene Management Meeting and write letters.	Management Meeting to be held within 5 days of Appeals Committee's decision and appropriate letters sent.

Disciplinary Code Timetable re Serious Misconduct

Action	By whom	By when
Letter of complaint received and acknowledged	Club Secretary	By return of post
Disciplinary Panel sits to hear and review evidence	Club Secretary notifies members of Disciplinary Panel of reported misdemeanour.	Disciplinary Panel commence investigation with 3 working days of complaint letter being acknowledged.
Witness statement taken and other evidence collated. Written report submitted to Management Comm.	Disciplinary Panel	Report to be submitted within 3 working days of appointment of Disciplinary Panel.
Management Meeting held to hear report and consider the recommendations of the Disciplinary Panel. S	Club Secretary to convene Management Meeting upon notification of conclusion of investigation.	Meeting held within 5 days of Secretary receiving report from Disciplinary Panel
Complainant advised as to decision made by Management and of proposed action with copy held in members file.	Club Secretary	Letter detailing Management Committee decision sent within 1 day of f Management Meeting. Copy of letter and overall findings held on file..
If written objection to decision received by Club Secretary from either offender or complainant matter referred to Appeals Committee	Club Secretary will liaise with Club Chairman who will appoint 3 suitable people onto the Appeals Committee	Appeal Committee formulated within 5 days of objection being received.
Investigation undertaken by Appeals Committee and decision made and minuted. Decision together with Minutes of Meeting conveyed to Club Secretary	Appeals Committee	Appeal to be heard within 10 days of objection being received with result conveyed to Club Secretary
*Appeal Committee decision discussed by Management with written notification sent to both offender and complainant	Club Secretary to convene Management Meeting and write letters.	Management Meeting to be held within 5 days of Appeals Committee's decision and appropriate letters sent.

Disciplinary Code Timetable re Gross Misconduct

Action	By whom	By when
Letter of complaint received and acknowledged	Club Secretary	By return post
Disciplinary Panel sits to investigate the complaint	Club Secretary notifies the members of the Disciplinary Panel of complaint made	Investigation to commence within 3 working days of the acknowledgement of the complaint .
Club Secretary advised by Disciplinary Panel as to whether an immediate suspension is required pending investigation. In such cases Club Secretary issues letter to alleged offender. If suspended or expelled there is no right of return until outcome of the Investigation	Decision conveyed by Chair of Disciplinary Panel letter issued by Club Secretary	Within 24 hours of acknowledgement of complainants letter
Investigation is concluded with witness statement taken and other evidence collated. Written report to Management Comm.	Chair of Disciplinary Panel	Report to be submitted within 3 working days of opening of investigation.
Management Meeting held to hear report.	Club Secretary to convene Management Meeting	Meeting to be held within 5 days of report being received from the Disciplinary Panel.
Complainant advised in writing as to decision made by Management Committee and of proposed action.	Club Secretary	Within 24 hours of decision being made by Management Committee
Formal written warning issued advising of term of punishment or invitation to resign membership depending on outcome.	Club Secretary	Within 24 hours of Management decision
If written objection (from offender or complainant) to decision is received by Club Secretary within 28 days of decision matter referred to Appeals Comm. But punishment remains valid	Club Chairman will appoint 3 people from Management to form Appeals Committee, (Alternatively three senior club members) The 3 will appoint a chairman who has the casting vote	Appeal Committee formulated within 5 days of objection being received.
Investigation undertaken by Appeals Committee and decision made and minuted. Decision together with Minutes of Meeting conveyed to Club Secretary	Appeals Committee	Appeal to be heard within 5 days of objection being received with written recommendations conveyed to Club Secretary..
Appeal Committee decision discussed by Management with written notification sent to both offender and complainant	Club Secretary to convene Management Meeting and write letters.	Management Meeting to be held within 5 days of Appeals Committee's decision and appropriate letters sent with 24 hours of decision being made..