



## Swinton FC – DISCIPLINARY PROCEDURE

### Purpose and scope

This procedure is designed to help and encourage all members of Swinton Football Club (hereinafter the Club) to achieve and maintain standards of behaviour as detailed within the club's Code of Conduct. The emphasis of Disciplinary Procedure is, in the first instance, on the improvement of the member's behaviour by working in partnership with them and their parent/guardian rather than just on imposing sanctions. The Club will impose sanctions in the most serious cases or where improvement in the member's behaviour has not been forthcoming. Our aim is to ensure consistent and fair treatment for all members.

### Principles

The Disciplinary Committee will consist of the Club Welfare Officer and a minimum of two more members of the Club Committee.

A meeting will be convened within 14 days of the alleged breach of the Code of Conduct and the member will be notified in writing of the nature of their failure to maintain the standards detailed in Code.

On the day of the incident giving rise to the breach of the Code of Conduct, the matter should be reported to the Club Secretary, or Vice Chairman in their absence, by the team coach/manager. If the Club Secretary considers that a potential breach of the Code of Conduct has occurred, the matter will be passed to the Welfare Officer who will coordinate the investigation and institute the disciplinary procedure.

Members will be notified of the time, date and venue of the meeting by letter and will be required to confirm attendance no later than 24 hours prior to the date of the meeting. The member will be required to attend with their parent/guardian, if they are under 18, who may make a representation on their behalf. The member and or their representative will be given an opportunity to state their case prior to any decision being made by the Disciplinary Committee.

No disciplinary action will be taken against a member until a full investigation as to the circumstances of the incident have been conducted by the club.

At all stages of the investigation the member will be required to be accompanied by their parent/guardian, if they are under 18, who may make representations on their behalf and confirm that the member fully understands the potential breach of the code, the procedure taking place and the sanction, if any, imposed by the Disciplinary Committee. All aspects of the investigation will remain confidential.

No member will be dismissed from the Club for a first breach of the Code of Conduct except in cases where there has been a Gross Misconduct as detailed under section 4. In those circumstances a specific procedure will be followed.

A member will have the right to appeal against any disciplinary action imposed. An appeal should be addressed to the Club Secretary and submitted within seven days from the date that the Disciplinary Committee's decision is communicated to the member.

## **Procedure**

### ***Stage1 Verbal Warning***

If the conduct is deemed to be in breach of the standards laid down in the Code of Conduct, a member will in the first instance be given a verbal warning. The member and their parent/guardian will be advised of the reason for the warning and notified that this is the first stage of the Disciplinary Procedure. He or she will be notified that they have a right to appeal, the timescale upon which the appeal should be submitted to the Club Secretary for the Club's further consideration. A note of the verbal warning will be kept by the Club Secretary, but will be discarded after 12 months or in line with the present requirements of the Data Protection Act. Where a follow up review is necessary, the member will be advised of this and the timescales for review. In those circumstances, an action plan will be mutually agreed with the member or parent/guardian if under 18, and a mentor appointed by the Club.

### ***Stage2 Written Warning***

If the matter is more serious or there is a further breach of the Code of Conduct, then a written warning will be given to the member. This will explain the reason for the warning, the improvement in conduct required and the timescale. Further, if there is no improvement that action detailed in Stage 3 may be considered. The right of appeal against this decision will be advised and explained to the member. An action plan will be mutually agreed with the member or parent/guardian if under 18, and a mentor appointed by the Club. A copy of the written warning will be kept by the Club Secretary, but will be discarded for disciplinary purposes after 12 months subject to satisfactory conduct

### ***Stage3–Final Written Warning***

If there is still a failure to improve and conduct is still unsatisfactory, or if the matter is sufficiently serious to warrant only one written warning but insufficiently serious to justify dismissal from the club, a final written warning will be given by the Committee. This will explain the reason for the warning, the improvement required and the timescale. An action plan will be mutually agreed with the member or parent/guardian if under 18, and a mentor appointed by the Club. It will also warn that dismissal from the Club will result if there is no improvement and will advise the right of appeal. The Club Secretary will hold a copy of the final written warning, but it will be disregarded for disciplinary purposes after 12 months subject to satisfactory conduct.

### ***Stage4–Dismissal from the Club***

If the conduct is still unsatisfactory and the member still fails to reach the required standards or the conduct is regarded as serious gross misconduct then dismissal from the club will usually result. Only the Club Committee of at least four can take the decision to dismiss the member. The member will be provided, as soon as practicable, a written explanation for dismissal, the date upon which membership will terminate and the right of appeal.

## **Gross Misconduct**

The following list gives examples of behaviour that are normally regarded as gross misconduct:

1. 1. Fighting
2. 2. Assault on another person
3. 3. Deliberate damage to Club property
4. 4. Bringing the Club into disrepute by actions or words
5. 5. Serious negligence or disregard of the Club Rules that causes, or could have caused, unacceptable loss, damage or injury.
6. 6. Serious act of insubordination, including the failure to follow or observe reasonable instructions of the team coach/manager.

## **Procedure**

In the event that a member of the Club is alleged of gross misconduct by a match referee or other authority, the member shall be automatically suspended; pending investigation/disciplinary hearing according to the Club's policy or when superceded by County FA Policies and procedures.

1. 1. In the case of players, the individual will not play in a match nor be allowed to train until an emergency meeting of the Club Committee has been convened.
2. 2. An emergency meeting of the Club Disciplinary Committee will be convened within 2 weeks of the incident. Comprising the Welfare Officer, Club Chairman and or Vice Chairman and other Committee members to constitute a quorum of five. The committee members will be mutually agreed by the Welfare Officer and Club Chairman.
3. 3. The individual involved will be asked to attend the meeting and in the case of a player, will be accompanied by a parent/guardian or other representative.
4. 4. The individual will be asked to recall the incident, to confirm that they understand the charges, explain their actions and to answer questions regarding the incident with the agreement of their parent/guardian or representative. Witnesses may be called by members/players charged with serious/gross misconduct. The Club also reserves the right to call witnesses if deemed appropriate.
5. 5. At the end of the hearing once all the evidence has been heard the individual and or their representative will be entitled to make a closing submission to the Disciplinary Committee.
6. 6. After the closing submissions, all other persons shall withdraw whilst the Committee considers the evidence and submissions. It will determine whether the breach has been proved or not, and what actions are to be taken as a result.
7. 7. The individuals will be recalled to the meeting and notified of the Committee's decision which will be confirmed in writing.
8. 8. Should a person charged with serious/gross misconduct not attend the Disciplinary Meeting then a decision will be made in their absence and the decision of the Committee will be confirmed in writing to the address noted on their registration document.

The Committee have the authority to take whatever action is appropriate within the club rules and constitution. In the most serious of cases this could lead to dismissal from the club. Individuals/parents will be expected to pay any fines imposed by the League or County FA in relation to such an incident.

## **Appeals**

A member who wishes to appeal against any disciplinary decision should inform the Club Secretary within seven days. At the appeal any disciplinary action proposed will be reviewed by the Club Secretary and another member of the Committee not involved in the original hearing or investigation, this will usually be dealt with by the Club Chairman. The member's parent/guardian or representative, if they are a player, will accompany them to the appeal hearing. The member will be notified of the outcome of the appeal in writing within seven days of the hearing.