BTSC Disciplinary Policy & Procedure

This document tells you how Burton Tennis & Squash Club, (BTSC) with handle any alleged incidents where it is deemed appropriate to investigate using our established Disciplinary Procedure.

BTSC strives to provide a safe and enjoyable environment for members, guests, officials, visitors and volunteers. A complaints policy exists such that members may raise concerns for awareness or investigation as appropriate to the BTSC Committee.

Formal Complaints

A formal complaint will be reviewed by members of the Committee who will determine whether it can be resolved informally. An informal resolution may be brought about following a private and confidential meeting with the individual or individuals concerned, to highlight the problem, to understand why it has arisen and to agree what actions, if any, are needed to resolve the complaint. The Committee will retain a record of the conversation in a secure electronic form.

If the complaint reaches a suitable conclusion, any warning made verbally will subsequently be confirmed in writing. The written confirmation will clarify that the warning is informal but also set out what is expected in terms of future conduct.

If an informal resolution is not possible, or where the alleged incident is of a serious nature, a formal investigation will be carried out. This could lead to formal disciplinary proceedings being instigated.

Formal Investigations

BTSC will designate an individual as an Investigations Officer, usually a Committee member who has the skills and experience required to undertake the task by gathering any relevant information and/or evidence. They will investigate to ensure that the details of the allegation/s made against an individual or individuals are clear so that allegations can be put together in a suitable manner. This investigation will be conducted as quickly as possible and without unreasonable delay.

The Investigations Officer will speak to witnesses and take notes of details of events to prevent time delays blurring memories; they will also interview witnesses privately and emphasise the need for confidentiality. Where possible, they will make notes of the statement or information provided by the witness and, if possible, ask the witness to sign the statement to confirm that the version of events noted by the interviewer are correct. They will also consider any requests for anonymity, the reason for the request and explore any motives as to why anonymity is required. If anonymity is deemed warranted, all statements and records will be checked to ensure the anonymised party cannot be identified. There is also the consideration of any physical evidence being required.

Once the Investigations Officer has completed these initial actions, a recommendation will be made to the Committee who must decide if a disciplinary hearing is required.

Convening a Hearing & Actions Prior to the Hearing

If required, The Chair will write to the individual/s to confirm the outcome of the investigation and invite them to attend a disciplinary hearing, giving them enough information about the nature of the concerns and all supporting evidence plus a copy of the Complaints Procedure, details of the members of the Disciplinary Committee and inform the individuals of their right to be accompanied by a companion, but not a legal representative. The name of the companion must be notified to The Chair prior to them attending the hearing.

- Prior to a disciplinary hearing, The Chair of BTSC will appoint a Disciplinary Panel and advise the individual under investigation who will take part at the hearing
- The disciplinary invitation letter will also set out the arrangements for the hearing and will be convened at a suitable time and location
- If the matter is of a particularly sensitive or confidential nature the meeting will take place at a neutral venue
- Copies of documents or evidence will be made available
- Sufficient time will be allowed to consider any allegations and to read any written statements and other investigation materials
- The individual will be asked if there are any documents or other evidence, they may wish to rely on that have not yet been disclosed
- The individual or individuals will need may have to have adjustments to, for example, venue, timing or facilities due to any disabilities
- The individual will be given sufficient time to consider allegations and to read witness statements and other investigation material before the hearing
- The individual must be asked if there are any documents or other evidence that they wish to rely on that have not already been disclosed
- The individual will have the right to be accompanied by a third party but not by legal representation

The Hearing

- At the start of the Hearing the Chair of the Disciplinary Panel will introduce those present and, if appropriate, remind the individual of their right to be accompanied but not legal representation.
- The Chair will ensure that the individual is comfortable, has read the procedure and has received copies of any documentation they may have been sent. Any minute or note taking arrangements should be discussed and confirmed and the hearing will be reminded that covert recordings of the hearing are not permitted.
- The Disciplinary Panel should remain polite, calm and thoughtful throughout this process. They will be mindful that the subject of the investigation may find the process stressful and should take short breaks if required.
- A final check should be made as to whether any reasonable adjustments need to be made if the individual under investigation has any specific requirements.
- The Chair should lead the hearing and clearly set out details of the allegation/s made against the individual. Any evidence supporting the allegations should be presented.
- The individual should be invited to ask questions as necessary.
- The individual should then be given a reasonable opportunity to respond to the allegations, present their version of events and produce any supporting evidence.
- Once the individual has presented their case, the Chair should summarise the information put forward by both parties and any clarification from the induvial should be requested.
- Once both parties have asked their final questions and made all their representations, the hearing should be concluded; any follow-on actions due to issues raised or due to witness evidence will be noted.
- Once the meeting is closed the individual under investigation should be advised that the decision will be communicated in writing once the Full BTSC Committee have reached their decision based on all the evidence and facts.

The Committee's Decision

- The Chair of the Disciplinary Panel will present their findings to the Full BTSC Committee once the hearing and any subsequent follow-on actions have been taken.
- The Committee will vote on the recommendations made by the Chair of the Disciplinary Panel
- The BTSC Chair will inform the individual under investigation as to the outcome of the process in writing by Royal Mail Registered Post
- The letter will detail the nature of any sanctions, whether they be permanent expulsion, temporary expulsion, letters of apology, fines for damages etc.

Appeals

- In cases of Gross Misconduct, no appeal will be granted.
- In other cases, an individual may appeal the decision of the BTSC Committee within one week (7 days) of receiving the initial outcome letter only if there is new evidence or further witnesses have come forward to support their case.
- Records of Disciplinary and Appeals Panels wills include details of the allegation/s and the sanctions imposed, details of the investigation carried out and evidence which came to light, copies of correspondence sent to individuals with enclosures, so far as possible, the rationale for decisions taken at various stage and notes form the Disciplinary Hearing and any Appeal hearing.