

Brill United Youth FC Disciplinary Policy and Procedure

Introduction

Brill United Youth FC's (BUYFC) disciplinary policy and procedure aims to ensure that all Members (including players, parents, team secretaries and volunteers, coaches and committee officers) are treated in a fair and equitable manner in relation to unsatisfactory standards of performance, conduct and for breach of any of the codes of conduct, responsibilities and expectations outlined within the club handbook. It also aims to ensure that, where practical, matters are dealt with quickly and members are given every opportunity to improve.

General Points

- No disciplinary action will be taken against a Club Member until the case has been fully investigated and the facts established having taken into account the statements from any available witnesses and the Club Member themselves.
- At all levels within the disciplinary procedure, the Club Member will be advised, in writing, of the nature of the complaint against them and informed that they will be given the opportunity to state their case and / or discuss disciplinary action before any decision is made. They will be informed of arrangements for the disciplinary meeting at this point.
- Disciplinary meetings may be adjourned at any point if appropriate for the members involved and reconvened in due course.
- When determining the disciplinary action to be taken, the club Central Committee will take all circumstances into consideration.
- If appropriate the Member will also be advised how long they have to reach the required level of conduct or performance, how BUYFC Football Club will assist them to correct their behaviour and what will happen if the required standard is not achieved i.e. further disciplinary action or even dismissal.
- The Club Member will have the right to be accompanied by a representative / friend of their choice at every stage of the disciplinary procedure. Where the member is a 'junior' (under 16 years of age) this person must be their parent / guardian. The Club Member (and parent / guardian where appropriate) will be advised of this right in advance of the meeting.
- The accompanying person has the right to speak at the disciplinary hearing but not to answer questions on behalf of the Club Member.
- If the Club Member is unable to attend a disciplinary hearing due to sickness or injury or other legitimate reason, the meeting will normally be postponed but in cases of long-term absence alternative arrangements may need to be made.

- A Club Member will have the right to appeal against any disciplinary penalty imposed.
- The procedure may be implemented at any level if the Club Member's alleged conduct or performance warrants such action – it is not always necessary or appropriate to initiate level 1, followed by level 2 and then level 3.
- After a disciplinary meeting the member will be asked to leave, the committee will discuss the case and reach a decision which will be confirmed to the Club Member in writing.
- BUYFC Football Club reserves the right to suspend a Club Member from any club involvement when inappropriate behaviour occurs. Team secretaries, coaches, welfare officers and committee members may require the person / people involved to leave the premises as a temporary suspension. This must be referred to the Central Committee immediately for the suspension to be ratified.
- Suspension during investigation is not a disciplinary sanction but may be used in circumstances where management believes it is in the interest of the BUYFC Football Club or the Club Member. This means that the Club Member will be advised not to attend the club facilities, including training, games and club events. The Club Member will be provided with a letter of confirmation advising them that they are not to attend or visit Club premises or canvas other Club Members concerning the disciplinary matter (except their designated representative / friend) until the investigation is completed. Club Members may be asked to sign their name to acknowledge receipt of any disciplinary notification including details of the complaint, the outcome of enquiries and Central Committee decisions. If this request is refused a witness may be asked to verify that the notification has been sent / received. Failure to acknowledge receipt does not, however, invalidate the warning.

Levels of Disciplinary Action

All club members are required to sign appropriate forms (registration forms signed by players and parents / guardians or Staff & Volunteer Application and Information Form) agreeing to abide by the FA and club's codes of conduct, responsibilities, constitution and discipline policy and procedure documents. Where any of these are breached by members, disciplinary action, as considered appropriate by the Central Committee, may be taken following the procedures laid out in this document.

The disciplinary action taken will be based on the seriousness of the offence, the circumstances, relevant history and available evidence. The entire disciplinary process at all levels will be recorded in writing and retained by the club in a secure environment.

Level 1 - Minor Issues

Where a member is not achieving or maintaining the required or expected standards as detailed in the constitution, disciplinary policy and procedure document, and the codes of conduct and responsibilities document, the Central Committee will discuss the issues and elect two representatives of the committee who will discuss with the member the issue(s) / complaints, the club expectations, what the club will do support the member, timescale and agree a date to review their standards and progress.

Level 2

Where Level 1 has been unsuccessful and the member has failed to improve based on the support and advice given, or the member appears to have ignored the advice, Level 2 procedures will be followed. In some circumstances, where an initial issue / issues brought to the attention of the Central Committee are considered more serious than minor issues in Level 1, Level 2 procedures may be followed without the need to have instigated Level 1. Following initial discussion within the Central Committee, a disciplinary meeting will be arranged and the member will be invited to attend. This meeting will determine the requirements by the club and the club member, how these will be achieved within a set timescale including a review date and, importantly, that dismissal may be considered if this is not achieved.

Level 3 – Dismissal

If conduct or performance is still unsatisfactory and the Club Member still fails to reach the prescribed standards, dismissal will normally result. Only the Central Committee can make the decision to dismiss a club member. The Central Committee must hold a meeting to consider all the circumstances and review the failure to meet the requirements agreed in Level 2 before dismissal is effected. The club member should be invited to attend this meeting and provided with an opportunity to present any information or mitigating circumstances explaining why they were unable to achieve the required standards and why they believe they should not be dismissed. The Club Member should be provided, as soon as reasonably practical, with the Central Committee's decision in writing and, where appropriate, the date on which involvement with BUYFC Football Club will terminate. This letter should also confirm their right of appeal.

Gross Misconduct

Certain types of misconduct are regarded as so serious as to warrant 'summary dismissal', regardless of previous record or service. Summary dismissal means dismissal without notice – the disciplinary procedures required for levels 1, 2 and 3 will be dis-applied, and the club member would be dismissed following discussion based on the evidence and agreement within the Central Committee that this was a necessary action. The member would be notified in writing of this decision. The member would still have the right of appeal. Examples of offences which may be classified as gross misconduct can be found in Appendix 2

Offences during or outside BUYFC Football Club which may lead to prosecution

BUYFC Football Club reserves the right to suspend any Club Member, pending the outcome of any criminal proceedings, or may take action before a hearing takes place, depending on the circumstances of the matter. If a Club Member's arrest results in a prolonged absence from contact BUYFC Football Club Discipline Policy and Procedure 4 (e.g. where the Club Member is remanded in custody) BUYFC Football Club may treat this as gross misconduct.

Appeal

Any Club Member who wishes to appeal against a disciplinary decision must notify the Central Committee in writing within seven calendar days of the date on their disciplinary letter. Their appeal request must include why the member believes the decision should be reviewed; the basis of their appeal would normally be on one or more of the following grounds:

- the penalty applied is too harsh,
- there is new evidence to be considered,
- the procedure has been carried out unfairly.

The following criteria should be followed by BUYFC Football Club Central Committee:

- The appeal will be held as soon as is practicable after the request has been received
- Three members of the Central Committee who have not previously been involved in the disciplinary procedure will hear the appeal. In the event of one appeal committee member not being available, one of the remaining committee members will act as chairman and be given a casting vote
- All paperwork (notes / minutes) from concerning the disciplinary case will be made available to the Appeals Committee
- The appeal will be treated as an unprejudiced hearing, with the aim of investigating inconsistencies in all parties' views and giving fair consideration to all available facts
- Once all of the evidence has been presented, the hearing will be concluded and the Club Member will be informed of the decision of the appeal in writing as soon as possible and where practicable no more than seven working days from the date of appeal
- There is no further right of appeal within BUYFC Football Club.

The attendees should be:

- The Appeal Committee members
- A representative of BUYFC Football Club Central Committee
- The member subject to disciplinary action
- Members are advised to bring a relevant representative for support. If the appeal concerns a player under the age of 16, their parent / guardian must be present.
- Additional attendees may be invited, at the discretion of the Central Committee e.g. Officers

Conducting an Appeal Hearing

- The meeting should be held in a room without disturbance
 - It is led by BUYFC Football Club Appeals Committee Chairman
 - Introductions should be made
 - Full notes / minutes must be taken
 - A brief outline of the original issue and disciplinary decision should be confirmed by a representative of BUYFC Football Central Committee. It should be highlighted that the outcome of the appeal may either reduce or increase the action (It is recommended that this fact be brought to the attention of anyone considering making an appeal prior to them requesting an appeal)
 - The individual should highlight the grounds for the appeal explaining why they believe the disciplinary decision should be reviewed
 - After full and open discussions, the club member should be asked to leave and told they will be informed in writing of the outcome
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- The Appeals Committee will make a final decision
 - The outcome of the meeting should be confirmed in writing outlining the reasons for the final decision.

There must be no reproach towards the members of the Appeals Committee concerning their Decision

Failure to comply with Disciplinary Procedures

Failure of BUYFC Football Club to comply fully with the disciplinary and dismissal procedures could render a termination of membership automatically unfair. If the Club Member wins a claim before a Berks and Bucks Football Association Committee and BUYFC Football Club has not complied with any of its obligations under the procedures, this may result in the decision of BUYFC Football Club being over-turned

Appendix 2: Examples of offences which may be classified as Gross Misconduct:

- Dishonesty, whether with BUYFC Football Club or not, including the theft or attempted theft of cash, products or services from the club, its sponsors or other Club Members
- Serious breach of BUYFC Football Club Policies, Procedures, Codes of Conduct, Responsibilities or Constitution
- Actions or performance which leads to BUYFC Football Club loss of trust and confidence in the Club Member's ability to do their job or which endanger BUYFC Football Club's reputation with its associates or the public, including, but not limited to, conviction of a criminal offence subject to a review of the circumstances of each case
- Unauthorised use of, or wilful or reckless damage to, BUYFC Football Club's premises or property
- Unauthorised possession of BUYFC Football Club's property or the property of a fellow Club Member
- Fraud or deliberate falsification of records
- Serious negligence or reckless behaviour
- Serious breach of health and/or safety regulations

- Harassment or discrimination (e.g. on grounds of sex, race, disability or sectarianism, but also including 'bullying')
 - Any act of physical violence, or threatening behaviour, during the course of duties or connected with the BUYFC Football Club in any way
 - Serious acts of insubordination
 - Breach of confidentiality
 - Serious or unacceptable incapability through alcohol or use of illegal substances
- Possession of illegal drugs or illegal substances
- Use of offensive or abusive language
 - Breach of security
 - Prolonged or unauthorised absence
 - Horseplay or practical joking, which results in injury or exposes other Club Members to risk
 - Unauthorised copying or misuse of computer software (including e-mail or the internet)
 - Where membership of a professional body is an essential qualification, failure to maintain membership after reminders or being struck off for professional misconduct.

The following information is not part of the above disciplinary procedure.

Dealing with Grievances

BUYFC Football Club aims to resolve an individual's grievance informally in the first instance, and always fairly, promptly and at the earliest possible opportunity whilst maintaining constructive working relationships. BUYFC Football Club always aims to prevent grievances or disputes arising by encouraging a relationship between Club Committee, Managers and Club Members that allows the full discussion of any problem the moment it arises.

Where a formal procedure is required, the following steps will be taken:

Step One – the Club Member should set out their grievance in writing to the BUYFC Football Club Central Committee

Step Two - The Club Member will be invited to attend a meeting to discuss the matter, accompanied by a colleague or friend, if the Club Member wishes. Following the meeting, the Club Member will be informed of the decision in writing, and the letter should also inform them of their right of appeal.

Step Three - appeal. Club Members must submit their appeal in writing within 7 days of the date on the letter informing them of the committee's decision. A further meeting must be held with the Club Member, conducted by two Central Committee members. These should be committee members who were not involved in the earlier stages of this procedure. The final decision must be communicated to the Club Member in writing