

Circle Tennis Club

Disciplinary Policy and Procedure



Members of The Circle Tennis Club (CTC) agree to abide by the Club's policies including the Code of Conduct when they join the Club. The policies have been established to create a safe, friendly and inclusive environment for everyone.

Breach of the Club policies may result in disciplinary action.

Reporting a concern

Any concern or complaint that a member may have breached a Club policy and/or behaved in an unacceptable way must be raised in the first instance within 14 days of the concern arising. This can be done by way of:

1. Verbally speaking to the Honorary Secretary, Welfare Officer, or a Committee Member or
2. In writing, by email to the Honorary Secretary and Welfare Officer

This will be passed to the Disciplinary Panel (consisting of 3 members, one of which will act as Chair), who will review, and speak as necessary to gather more information to clarify, before deciding if it can be handled informally, formally, or if no further action is required.

Where the Club becomes aware that a member is being investigated by an external Agency, such as the Police or Social Services, the Disciplinary Panel can suspend that member without a complaint having been made, if it is felt necessary in order to safeguard the interests of the Club, its members, juniors and volunteers. The Panel should inform the member of the reason for suspension, and will keep the situation under active review.

In the event that there is any possible conflict of interest, at any point during the process (including Appeal), with either the Secretary, the Chair of the Disciplinary Panel and/or the Welfare Officer, another officer of the Club will be asked to take charge.

Any concerns about possible harm to a child or vulnerable adult must be followed up in line with the safeguarding policy.

Informal procedure

The club will always seek to resolve concerns informally wherever possible. The Chairman of the Disciplinary Panel may wish the Honorary Secretary and/or Welfare Officer to deal directly with the person(s) concerned, i.e. discussing the concerns, hearing their views, and seeking reassurances, where necessary, about future conduct. Where the informal route is not possible, or not appropriate in light of the seriousness of the concern, or repeat concerns, the matter will be followed up formally.

Formal procedure

The individual(s) concerned will be notified by the Honorary Secretary in writing that a complaint has been received and provided with a summary of the issues raised. They will also be advised that a Disciplinary Panel will be convened to consider the concern or complaint. The individual named in the complaint will be entitled to present their case at this hearing.

The matter will then be investigated by the club's Disciplinary Panel, by gathering information, and contacting those involved.

The procedure for a Disciplinary hearing will be flexible and shall be at the discretion of the Chair of the Disciplinary Panel, who may make decisions as necessary, to ensure the effective conduct of the hearing, subject to the overriding requirement of fairness to all parties. They may have sufficient information to make a decision at this time, without the need for a formal hearing. If the Disciplinary Panel deems it appropriate, they may, at their discretion, request an independent person to act as adviser to the Panel.

All meetings, including for the Appeal Process, may be held in person or held virtually, at the discretion of the Chair of the Disciplinary Panel, but all parties shall be notified in advance of such meetings.

The Disciplinary Panel will meet as soon as is practical, and will be provided with all historical relevant information on previous disciplinary issues, regarding the member(s) concerned. They will then deliberate and make a finding, on the balance of probabilities, about whether the member has breached Club policy or behaved in an unacceptable way, and what action should be taken.

The Disciplinary Panel Chair will inform the Honorary Secretary of their decision, and the Honorary Secretary will notify the member(s) concerned and complainant in writing. Both parties will be kept informed at regular intervals throughout the process.

The member will also be notified at this time of their right to Appeal against the decision within 14 days (see below for Appeal procedures).

With the exception of the Chair of the Disciplinary Panel, the names of the Panel members will remain anonymous until the time of the hearing.

Possible outcomes from the Disciplinary Panel hearing may include:

a) Verbal Caution

This would normally be appropriate for a first time and one- off incident e.g. use of offensive language in front of others (particularly around/in earshot of children)

b) Written Caution

This would normally be appropriate for repeat incidents e.g. repeated use of offensive language in front of others (particularly around/in earshot of children), repeated incidents of treating others at the Club with disrespect, or dangerous behaviour

c) Suspension of Membership

This would normally be appropriate for very serious incidents e.g. repeated use of offensive language in front of others (particularly around/in earshot of children), repeated incidents of treating others at the Club with disrespect, dangerous behaviour, harassment or bullying.

A temporary suspension may sometimes be appropriate when a concern or complaint against an individual(s) is being investigated, and/or if the individual's presence at the Club would prejudice the proper consideration of the complaint.

In extreme circumstances, a life ban from the Club may be an appropriate sanction. This may occur for instances of gross misconduct, e.g. violent behaviour towards a member or non-member, participating in an illegal activity on Club premises, or theft of the Club's property. It may also occur

where the Committee has serious concerns that the individual's continued membership is no longer in the best interests of the Club.

Sanctions will be implemented with effect from the notification of the Disciplinary Panel's decision to the member, but if an Appeal is requested, will not be put in place until the conclusion of the Appeal process.

Complaints regarding actions off the Club's premises would normally be the same as for actions on Club premises, when such actions bring the Society into disrepute. An example would be when a member of a team representing the Club in an away match commits actions which breach the LTA Code of Conduct or otherwise behaves inappropriately.

Concerns or complaints about non-members

Where a concern or complaint arises about the behaviour of an individual who is not a member of the club, the same approach will be taken i.e. seek to resolve the matter informally where possible.

In the event that the matter is considered by the Disciplinary Panel, they will decide what action as is deemed appropriate in the circumstances. Non-members can expect to be banned from the premises in circumstances that ordinarily may not result in similar sanction for members. Members should understand that they have a responsibility to ensure that their guests behave appropriately, and that the Disciplinary Panel will have discretion in determining how those who are non-members are dealt with.

Appeal procedure

Should a member wish to appeal a decision of the Disciplinary Panel, the individual must submit their Notice of Appeal to the Honorary Secretary in writing within 14 days of the Disciplinary Panel's decision being issued to them.

The Appeal will not be a rehearing of the original allegation. The Notice of Appeal must therefore set out the grounds upon which it is submitted, based on either of the following:

- a) The outline procedure was not correctly followed or
- b) A thorough investigation of the allegation was not conducted adequately

The Club will establish an Appeal Panel consisting of three members, of which one will act as the Chair of the Appeal Panel.

No member of the Appeal Panel shall have any interest or any previous involvement in the disciplinary matter to be considered by the Appeal Panel, nor be a member of the Disciplinary Panel of the original hearing.

If the Appeal Panel deems it appropriate, they may, at their discretion, request an independent person to act as adviser to the Panel.

The Appeal Panel shall have jurisdiction to conduct appeal hearings and have the power to:

- dismiss the appeal;
- overturn any finding and any sanction imposed by the Disciplinary Panel;
- substitute an alternative finding;

- reduce or increase the original sanction; and/or make such further order as it considers appropriate.

The Appeal Panel may hear an Appeal by way of oral hearing or consider the Appeal on the basis of written submissions as appropriate.

The procedure for an Appeal Hearing shall be flexible and shall be at the discretion of the Chair of the Appeal Panel, who may make such decisions as necessary to ensure the orderly and effective conduct of the hearing, subject to the overriding requirement of fairness to all parties. The Chair of the Appeal Panel will then outline the basic procedure of the Hearing.

The standard of proof in all cases before the Appeal Panel is the balance of probabilities.

The Appeal Panel will either communicate its decision to the Appellant at the end of a hearing, or it shall be notified in writing no later than 14 days from the date of the hearing.

The Appeal Panel shall also communicate its decision to the complainant, if appropriate.

The decision of the Appeal Panel is final.

Due consideration must always be given to all parties throughout, in relation to issues of Data Protection and confidentiality. All parties involved in or appearing in disciplinary proceedings should keep confidential what is said at any hearing or appeal, all documents, papers, statements etc. should be kept confidential, and the substance or content of these should not be discussed with or disclosed to any other party.

Any referrals to the Disciplinary Panel and its subsequent process and adjudication will remain in the Club's records indefinitely, or as deemed appropriate, and sanctions recorded in the Club's Disciplinary Records Schedule. All papers arising out of the Panel's disciplinary referral will also be retained by the Club.