

Bengeo Tigers Disciplinary and Grievance Procedure

Introduction

Whilst every effort is made to ensure that your youth football experience with Bengeo Tigers is trouble free and enjoyable, there may be times when problems do occur.

This is why we need to have both informal and formal procedures to facilitate problem solving in the club environment.

Grievance Procedure

The grievance procedure applies to all club members, officials and players as soon as they join the Bengeo Tigers football club and forms part of your Code of Conduct.

At any meeting under the procedure, you may be accompanied by another club member, a club official or a supporting person. Similarly Bengeo Tigers FC may have another person present.

If your problem is not personal or urgent, but may have wider application, you may wish instead to raise your problem with a Bengeo Tigers team or club official. Alternatively personal complaints and grievances are sometimes best resolved informally with your respective team manager and you may wish to try this before initiating a formal grievance.

Raising a Grievance

You should, in the first instance, approach your respective team manager (or or a club official if the grievance is against the manager) and notify them that you are raising a grievance. You must give to your team manager or club official (normally the club secretary) a written statement (either hard copy or email) explaining your grievance and the basis of it.

All relevant points should be clarified in the statement. You will normally then be invited within 14 days of presenting the grievance to attend a meeting to discuss it. You must take all reasonable steps to attend the meeting. Unless further investigation is required following the meeting, you will be advised in writing of the outcome within 14 days or as soon as practicable after that.

Appeal

You normally **do not** have the right to Appeal with regard to the outcome of your grievance and normally the outcome of the hearing is final. Should you

wish to appeal, please submit your reasons for your appeal in writing to the club secretary or the absence of the club secretary the person in charge of the process outcome. If it is felt that your reasons for appeal are justified you may be invited within 14 days of notification of your appeal to attend an appeal meeting and you must take all reasonable steps to attend that meeting.

Unless further investigation is required following the meeting, you will be advised in writing of the outcome within 14 days of the meeting or as soon as practicable after that. The outcome of this appeal is **final**.

The grievance procedure may not normally be used for the purpose of appealing against a disciplinary decision.

Your grievance outcome and right to the grievance process will terminate upon the conclusion of your association with Bengo Tigers FC.

Aims of the Bengo Tigers FC Disciplinary Procedure

The policy aims:

To provide a mechanism for dealing with disciplinary and capability issues which may arise in a way which is fair, consistent, without discrimination and with the minimum delay

To provide an orderly means of correcting inadequate standards of conduct or behaviour.

To ensure that club officials, team managers, coaches, players, representatives and parents are aware of their rights and obligations within the disciplinary and appeals process

Disciplinary Procedure

The disciplinary procedure is to encourage all club members, officials, players and parents to achieve and maintain satisfactory standards of conduct, attendance and behaviour. You are advised to familiarise yourself with this Procedure.

No disciplinary action will be taken against an individual without an investigation of the facts. This investigation will normally be undertaken by the Club Secretary at Stages One and Two.

However, in the case of a Stage Three or Stage Four conduct investigation, this will be conducted by another person within the club committee or someone appointed by them.

This person will report to the Club Secretary who will decide if the matter should proceed to a disciplinary hearing and, if so, the Club Secretary or

appointed deputy will conduct the hearing. The hearing will normally be conducted with a panel of at least three(3) committee members or club officials.

The individual concerned will always be advised in writing (hard copy or email) of the nature of the complaints made against them and given the opportunity to state their case before a decision is made. However, an individual may be suspended from all or limited club activities whilst an investigation is being conducted.

Policy Terms

Misconduct:

Misconduct means any infringement of established standards of conduct or behaviour and includes (but is not limited to) breaches of Bengo Tigers FC rules, Associated League, National FA or County FA rules, inadequate performance of club duties, lateness, absenteeism, poor attitude towards the club, its officials or its members.

Gross Misconduct:

Where the club has reasonable grounds for believing that you have committed an act of gross misconduct or gross negligence you will be liable to be expelled from the club and banned from any of its activities without notice or recall.

The following list (which is not exhaustive) provides examples of offences that are normally regarded as gross misconduct:

- Abuse or maltreatment of a club official, team manager or coach or a member of the public or member of an opposing team.
- Theft or attempted theft
- Bribery or corruption
- Malicious damage to Bengo Tigers FC property
- Fighting with, or striking another person
- Fraudulent or dishonest behaviour
- Gross insubordination
- Indecency
- Gross carelessness or negligence
- Serious disregard of safety rules
- Unauthorised use of Bengo Tigers FC property or facilities
- Serious breaches of confidentiality
- Unauthorised absence
- At Bengo Tigers FC matches or activities under the influence of alcohol or solvents or illegal drugs
- Manuals regarding alcohol consumption or any consumption or taking of alcohol, solvents or illegal drugs during working time.

- Falsification of Bengo Tigers FC documents
- A breach of any of the list of rules when using email, social networking or the internet (harassment, pornography, defamation, copyright, entering contracts and confidentiality)
- Any behaviour or conduct inside or outside of the work place which, if it became public knowledge, would tend to damage the reputation of Bengo Tigers FC or its interests
- Any act of discrimination, victimisation or harassment on the grounds of an individual's sex, race, disability, sexual orientation or religious belief.

This list is not exhaustive and is meant only to serve as a guide.

Disciplinary Interviews

Before any warning or disciplinary action is taken by Bengo Tigers FC, a disciplinary meeting may be held with you at which point you will have the opportunity to comment on the allegations against you.

At any formal disciplinary hearing you may be accompanied by another person, such as a parent or a team representative. Similarly Bengo Tigers FC may have another person present.

The club may write to you in advance of the disciplinary meeting setting out the allegations and the meeting will not take place until you have been informed of the basis of the allegations and had a reasonable opportunity to consider your response. If the individual has already submitted a written response/explanation of your actions then the meeting may be scheduled without further delay.

You must take all reasonable steps to attend the meeting. Unless further investigation is required, you will be advised in writing of the decision taken by the Club Secretary within 14 days of the meeting or as soon as practicable after that.

Suspension from Bengo Tigers Activities:

Where a serious incident has occurred it may not be appropriate for an individual to continue to attend Bengo Tigers FC matches or activities until the disciplinary process has been resolved.

In these cases the individual will be suspended from attendance.

They will not be disadvantaged financially and there will be no inference of guilt during this investigatory period.

Suspension is not a disciplinary sanction.

Alternatives to suspension e.g. a temporary break or restriction on the

activities undertaken may also be considered.

If the Bengoe Tigers committee decides to suspend the individual from club activities then they will ensure the individual is informed accordingly (and in Writing by either hard copy or email following verbal notification) that the suspension is:

- Not disciplinary action or punishment
- Pending investigation or requiring further investigation of the allegation(s) and tell the individual what the allegation(s) are in as much detail that is available at the time of the suspension.
- Preventing the individual (where relevant) from having access to sites, reserving the right to restrict IT access and access to club officials during the period of suspension
- The Club Secretary must notify the relevant team manager(s) that the individual will not be attending Bengoe Tigers activities or matches.
- Suspension should initially be temporary and be for the shortest possible period. The need to continue the suspension must be reviewed regularly throughout the investigation. It may be appropriate to suspend an individual at any time during the investigation.

Records

Warnings will remain in force for 12 months even if any specified time for improvement has passed.

Appeals

At the same time the individual is informed of the outcome of a disciplinary meeting, he/she will be advised of their right to appeal against the disciplinary decision.

The basis of the appeal must be made in writing within seven (7) calendar days of notification of the disciplinary action. The individual will be invited within seven (7) days of putting in your appeal to attend an appeal hearing.

Individuals attending appeal hearings have the same right to be accompanied as those attending disciplinary hearings.

Unless further investigation is required, the decision in connection with the appeal will be notified to you in writing within seven calendar days of the appeal hearing or as soon as practical thereafter.

The decision on the appeal will be final. If it is necessary to spend longer than seven days investigating the appeal the club secretary may advise accordingly.

Criminal offences

Disciplinary action may be taken where an alleged offence in the course of Bengo Tigers activities is subject to criminal enquiries or prosecution.

The club may await the outcome of the prosecution but it may also take action based on the evidence available.

Bengo Tigers FC committee will consider the implications for the club and the involvement of the individual in any criminal proceedings / prosecution in relation to an offence outside of the club and disciplinary action will be taken if appropriate.

The Club Secretary and committee must consider in this situation:

- The relevance of the offence to the position held by the individual.
- The expected standards of the individual.
- The breach of trust and responsibility vested in the individual in relation to the position held.
- The acceptableness of the individual to other club members, parents, players and officials.
- The potential risk to the public, other club members, players, parents and officials or to the individuals themselves.
- The potential damage to the reputation of Bengo Tigers FC and/or its interests.

Individual Rights

Each individual has the right:

- To be treated fairly and consistently
- To view the Bengo Tigers FC disciplinary and grievance rules
- To be advised of any complaint or allegation made against them that is the subject of investigation and to have the opportunity to prepare and state their case
- To be accompanied by a colleague at all disciplinary hearings including any appeal hearing.
- To be made aware of the identity of Club Officials authorised to take disciplinary action, including expulsion against them
- To review all relevant documentary evidence, statements, records and reports
- The Stages of the disciplinary procedure are described below.
- **Bengo Tigers FC reserves the right to initiate the Procedure at any stage or to jump stages depending on the gravity of the offence and the circumstances of the particular case.**

Stages of the disciplinary procedure:

Conduct or issues of a minor nature will initially be dealt with outside the formal procedure through difference measures such as training, peer mentoring, dialogue, and counselling.

However where the matter is more serious or cannot be resolved through these measures the following procedure will be followed:

Stage One - First Official Warning (Verbal):

- If the conduct, performance or behaviour does not meet acceptable standards the individual will normally be given a formal verbal warning.
- They will be advised of the reason for the warning and that it is the first stage of the disciplinary procedure and advised of the right of appeal. The purpose of this warning is to resolve the issues before they reach a more serious level.
- This warning will be recorded on your file and will include details of the complaint, any improvement required and the timescale for such improvement and will record that further action will be considered if there is further misconduct or a failure to satisfactorily improve conduct, performance or behaviour.

Stage Two - First Written Warning:

- If the offence is a more serious one, or if a further offence occurs, or if the performance does not improve satisfactorily, a written
- warning will be given to the individual.
- This will give details of the complaint, any improvement required and the timescale for such improvement. It will warn that further action will be considered if there is further misconduct or a failure to satisfactorily improve performance, conduct or behaviour.

Stage Three - Final Warning (Written):

In the event of any further misconduct or a failure to improve performance, conduct or behaviour satisfactorily or a more serious offence, the individual will receive a final warning. This written warning will set out the details of the complaint, any improvement required and the timescale for such improvement as well as the likely consequences of any further misconduct or failure to improve satisfactorily.

Stage Four - Disciplinary Action Following Gross Misconduct or a Final Written Warning:

- In the event of further misconduct following the final warning, failure to satisfactorily improve performance, behaviour or gross misconduct, the individual will be liable to be expulsion depending upon the outcome of the disciplinary hearing.
- Expulsion for gross misconduct will be without notice or any payment.
- As an alternative to expulsion in a small amount of cases and with the agreement of the individual, The club secretary and committee may decide that other sanctions such as long term or self imposed suspension from Bengo Tigers FC activities may be considered as a suitable remedy.
- If the Club Secretary and committee considers that it is an appropriate case for an alternative to be considered, then the individual will be notified in writing (hard copy or email) in which the options will be clearly
- set out.
- The individual will have seven (7) days in which to decide whether or not to accept the alternative to expulsion. Accepting the alternative to expulsion does not affect the right to appeal against the disciplinary decision.

Fines and Monetary Penalties

In the event of a fine being incurred by an individual as a result of his/her actions whilst undertaking any activity related to Bengo Tigers FC (*ie- yellow/red card, referees report etc*) the individual involved is responsible for the payment in full of the amount owing. This money must be paid to the Club Secretary by the required date and it will be passed on to the relevant authority.

If a fine is incurred by the club as a direct result of the actions of an individual person or a team with respect to misconduct or any other reason then the individual person and/or the team are responsible for the payment of the fine. The respective team manager and if necessary the club secretary will decide who is liable should this be unclear. This payment will be made to the club secretary when required and it will be passed on to the relevant authority.

Bengo Tigers FC reserves the right to further develop the disciplinary rules and procedures.

At any stage of the disciplinary process, procedural changes will not apply to disciplinary cases that are currently being investigated.

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