



THE SPENCER CLUB

DISCIPLINARY PROCEDURE FOR VOLUNTEERS

1. PURPOSE AND SCOPE

- 1.1 The Spencer Club, particularly within the individual sport sections, relies on volunteers for its successful operation. This Disciplinary Procedure is designed to help and encourage all volunteers to achieve and maintain standards of conduct, attendance, and role performance. The aim is to ensure consistent and fair treatment for all in the Club.
- 1.2 This Disciplinary Procedure applies in respect of any matter in which a Volunteer engages in any conduct which is inappropriate, unlawful or in which a Volunteer behaves in a manner which is unacceptable or opposed to the general interests of the Club or which brings the Club into disrepute.
- 1.3 This Disciplinary Procedure applies to all volunteers including volunteers of the individual sport sections, and whether or not the Volunteer is also a Member of the Club.
- 1.4 A Volunteer who is also a Member of the Club may alternatively or additionally be subject to the Disciplinary Procedure for Members, depending on the circumstances.

2. PRINCIPLES

- 2.1 Where the matter relates to one of the individual sport sections of the Club, it is hoped that this will be dealt with within that section. However, issues may arise where a Volunteer performs duties within more than one section or relating to general behaviour in and around the Club.
- 2.2 Any disciplinary matter relating to a safeguarding incident, particularly relating to a child or young person, will be dealt with urgently by the relevant Club official and any relevant external body or organisation.
- 2.3 Informal action will be considered, where appropriate, to resolve problems. If this is not possible, a formal procedure will be adopted.
- 2.4 No disciplinary action will be taken against a Volunteer until the matter has been fully investigated.

- 2.5 At all stages of the procedure the Volunteer will have the right to be accompanied by a 'companion' who should either be another volunteer or a friend, but should not be anyone who may prejudice the case or have a conflict of interest. The 'companion' may be the same or different at any Appeal Hearing.
- 2.6 At all stages of the procedure, meetings may be held by video conference, or otherwise remotely, provided all parties agree to this, or if the circumstances require.
- 2.7 A Volunteer will have the right to appeal against any disciplinary decision.

3. FORMAL PROCEDURE

- 3.1 A disciplinary complaint should be filed with Chairman of the Club or, if the complaint relates to the Chairman, with the Secretary of the Club. This person shall be known as the Disciplinary Controller.
- 3.2 The complaint shall be made in writing as soon as practicable, and normally within 10 working days of the alleged incident, or knowledge of the alleged incident by the complainant, and shall set out full details of the complaint including details of why the matter is considered to be a disciplinary matter. Unless there is good reason, a complaint filed after that time shall be considered out of time and will not be investigated.
- 3.3 The Volunteer will be advised of the nature of the complaint against him or her, and forwarded any written complaint and supporting evidence, and will be given the opportunity to respond in writing within a period of 10 working days.
- 3.4 The Disciplinary Controller, or an intermediary appointed by him or her, shall undertake any further investigation deemed appropriate to establish facts or to seek advice, so as to ascertain the best course of action to resolve the complaint, while maintaining confidentiality.
- 3.5 The complaint will be decided at a Disciplinary Hearing before a Disciplinary Committee, normally within 10 days of receipt of the Volunteer's response, unless otherwise mutually agreed. The Disciplinary Committee will comprise the Club Chairman, the Club Secretary and one other member of the Club Management Committee not representing the section for which the volunteer helps. If the complaint relates to the Club Chairman or Club Secretary, he or she will be replaced by another member of the Club Management Committee.
- 3.6 The decision of the Disciplinary Committee will preferably be a unanimous decision, but if unanimity cannot be achieved the matter will be decided on a simple majority of the Disciplinary Committee.
- 3.7 The role of the 'companion' at a Disciplinary Hearing is to support and confer with the Volunteer and provide advice thereto but they cannot answer questions on their behalf.

4. THE DECISION AND AVAILABLE SANCTIONS

4.1 The Disciplinary Committee shall normally communicate its decision to the Volunteer at the end of the meeting or notify the decision in writing within 5 working days. The decision will also be communicated to the complainant within the same time frame.

4.2 The decision will normally be one of the following

4.2.1 Dismissal of the case where the complaint is not proven.

4.2.2 A Written Warning for misconduct.

4.2.3 A Suspension from Volunteering Duties.

4.2.4 A Ban from the Club.

5. WRITTEN WARNING

5.1 A Written Warning will be given to the Volunteer if the offence is sufficiently serious. This will set out:

- the nature of the misconduct
- the change in behaviour required and the timescale
- a warning that failure to improve may lead to temporary or full suspension from volunteering duties dismissal; and
- the right of appeal

5.2 A record of this written warning will be kept but will normally be disregarded for disciplinary purposes after 24 months subject to achieving and sustaining satisfactory conduct or performance.

6. SUSPENSION FROM VOLUNTEERING

6.1 If the matter is sufficiently serious, or if there is still further misconduct or failure to improve performance and/or behaviour after issuance of the Written Warning, the final step in the procedure may be suspension from volunteering duties for a short period of time or may be banned permanently from volunteering.

6.2 The Volunteer will be provided in writing with:

- reasons for the suspension or permanent ban
- the length of the suspension; and
- the right of appeal.

7. GROSS MISCONDUCT

- 7.1 If a Volunteer is accused of an act of gross misconduct, they may be suspended from volunteering immediately, normally for no more than 5 working days, while the alleged offence is investigated. The Club Chairman or Club Secretary will make any decision relating to said temporary suspension. If, on completion of the investigation and the full disciplinary procedure, the Club is satisfied that gross misconduct has occurred, the result will normally be an immediate and permanent ban from the Club and all premises thereof.
- 7.2 The following list provides some examples of offences which are normally regarded as gross misconduct and will result in an immediate and permanent ban:
- Theft or fraud.
 - Physical or verbal abuse or bullying of other members, volunteers, visitors, officials, or employees.
 - Deliberate and serious damage to Club property.
 - Serious misuse of the Club's property or name.
 - Deliberately accessing internet sites containing pornographic, offensive, or obscene material using the Club's facilities.
 - Discrimination on the grounds of ability, age, ethnicity, gender, race, religious belief, sexuality, social/economic status or on any protected characteristic described in Law.
 - Harassment.
 - Breach of the Club's child safeguarding policy.
 - Bringing the Club into disrepute.
 - Incapability of fulfilling volunteering duties through alcohol or illegal drugs.
 - Use or distribution of illegal substances on club premises.
 - Inappropriate use of Club electronic equipment, or Club communication and Social Media channels.
 - Breach of data protection rules or disclosure of confidential information.

8. APPEALS

- 8.1 If the Volunteer disagrees with the decision of the Disciplinary Committee, they should submit a written appeal to the Club Secretary within 10 working days of the date of the decision.
- 8.2 Upon receipt of the written appeal the Club Secretary will organise an Appeal Meeting before an Appeal Panel, normally within 15 working days of receipt. The Appeal Panel will normally comprise 3 members from the Management Committee not involved in the original disciplinary decision and who have no conflict of interest relating to the disciplinary matter in question. Alternatively, depending on the circumstances and on approval by the Management Committee, the Appeal Panel may comprise one or more members and/or volunteers of the

Club that are not on the Management Committee, provided that the Appeal Panel comprises members from different sections of the Club, in the interests of cross-sectional representation.

- 8.3 A note will be taken of the Appeal Meeting, to ensure that decisions taken, and any actions are understood and agreed by both parties as a true reflection of the meeting.
- 8.4 The Appeal Meeting may be adjourned to allow for further investigation to establish facts or to seek advice and should be reconvened as soon as practically possible.
- 8.5 The decision of the Appeal Meeting will preferably be unanimous, but if unanimity cannot be achieved the matter will be decided on a simple majority of the Appeal Panel.
- 8.6 After the conclusion of the Appeal Meeting, and normally within 5 working days thereafter, the Appeal Panel will issue its decision in writing. The decision of the Appeal Meeting will be final.

9. CONFIDENTIALITY & KEEPING OF RECORDS

- 9.1 All matters relating to the Disciplinary Procedure will be kept confidential between the parties, excepting where the parties need to take advice.
- 9.2 Records will be kept of the outcome of the procedure, and any appeal, in accordance with Data Protection legislation.