

## 1. About this Policy

- 1.1 We are committed to ensuring that all disciplinary matters are dealt with sensitively and in accordance with our Disciplinary Procedure.
- 1.2 This Policy does not form part of any contract, and we may amend it at any time.
- 1.3 This Policy applies to all Members and is invoked when a Member breaches our Club Rules, which are available on our Website, or in the event of any misconduct by a Member.
- 1.4 This Policy adopts the definitions set out within our Terms & Conditions.

## 2. Dealing with Disciplinary Matters Informally

Informal action will be considered by the Chief Executive or relevant department manager, where appropriate, to deal with disciplinary matters. Formal action will be taken in accordance with our Disciplinary Procedure where informal action is not appropriate (for example, because of the seriousness of the matter), or where it has not resolved a matter.

## 3. Formal Disciplinary Procedure

- 3.1 The purpose of this Disciplinary Procedure is to provide a framework within which we can work with Members to maintain satisfactory standards of conduct in accordance with our Club Rules.
- 3.2 The Member must treat any information communicated to them under this Disciplinary Procedure as confidential. They must not make electronic recordings of any meeting(s) conducted under this Disciplinary Procedure.
- 3.3 We reserve the right to suspend the Member's Membership while we carry out this Disciplinary Procedure (or any stage of it). While suspended, the Member must not visit our premises or contact any of our staff unless authorised to do so. Suspension is not considered disciplinary action and does not imply that a decision has already been made.

## 4. Stage 1 – Notification

If a Member has allegedly breached our Club Rules, or in the event of any alleged misconduct by them, we will notify the Member in writing setting out the nature of the matter and directing them to this Disciplinary Procedure.

## 5. Stage 2 – Investigation

- 5.1 No disciplinary action will be taken against the Member until the matter has been fully investigated by the Chief Executive (unless rule 3.3 applies).
- 5.2 The purpose of the investigation is for the Chief Executive to establish a fair and balanced view of the facts before deciding whether to proceed with a disciplinary meeting. The amount of investigation required will depend on the nature of the matter. This may include, but is not limited to, meeting with, interviewing and taking statements from the Member and any witnesses, reviewing relevant documents and correspondence and/or CCTV or other footage.
- 5.3 The Member must cooperate fully and promptly in the investigation.

## **6. Stage 3 – Investigation Outcome**

6.1 The Chief Executive will inform the Member in writing following a discussion with the Chairperson of their decision in relation to whether to proceed to a disciplinary meeting, usually within one week of the last investigation meeting.

6.2 The outcome of the investigation may either be no action or proceed with a disciplinary meeting.

## **7. Stage 4 – Representations**

7.1 No decision on disciplinary action will be taken until after a disciplinary meeting has been held.

7.2 The disciplinary meeting will be chaired by the Chairperson and where practicable conducted by a panel of two directors who have not been involved in the investigation.

7.3 The Member will be given written notice of the disciplinary meeting, including sufficient information about their alleged misconduct and its possible consequences to enable them to prepare. The Member will normally be given copies of relevant documents, witness statements, and other evidence. The Member should let the Chairperson know as early as possible if there are any witnesses they would like to attend the disciplinary meeting, or any documents or other evidence they wish to be considered during the disciplinary meeting.

7.4 At the disciplinary meeting, the Chief Executive will present the outcome of the investigation and the evidence that has been gathered. The Member will be able to respond, ask questions, and present any evidence of their own.

7.5 The Member must make every effort to attend the disciplinary meeting. If they fail to attend without good reason, the panel may have to take a decision based on the available evidence including, but not limited to, any written representations the Member has made.

7.6 The Chairperson may adjourn the disciplinary meeting if they decide it is necessary to carry out further investigations.

## **8. Stage 5 –Disciplinary Outcome**

8.1 The Chairperson will inform the Member in writing of the panel's decision and its reasons for it, usually within one week of the disciplinary meeting. The Member will also be informed of their right of appeal.

8.2 The outcome may be cancellation of Membership, or some other action short of cancellation such as suspension and/or a written warning.

8.3 If the panel decides to cancel the Member's Membership, the Member will be informed in writing of the date on which their Membership will terminate (the Leaving Date). An expelled Member is entitled to be refunded any money paid in advance by them to us prior to the Leaving Date. Expelled Members are banned from visiting our premises or contacting any of our staff.

8.4 If the panel decides to suspend the Member, the Member will be informed in writing of the date on which their Membership will be suspended and how long it will last (the Suspension Period). A suspended Member is entitled to be refunded any money paid by them to us relating to the Suspension Period. While suspended, the Member must not visit our premises or contact any of our staff unless authorised to do so.

8.5 The panel may decide to issue a warning where there are no other active written warnings on the Member's record.

The written warning will set out the nature of the matter and the change in conduct required. It will also warn that failure to improve may lead to expulsion from Club Membership. The written warning will be disregarded in deciding the outcome of future disciplinary matters after 12 months (the Active Period), subject to the Member achieving satisfactory conduct. After the Active Period, the written warning will remain permanently on the Member's record. In exceptional cases verging on gross misconduct (see paragraph 11), a written warning may state that it will remain active indefinitely.

## **9. Stage 6 – Appeal**

9.1 The Member will have the right to appeal against the panel's decision.

9.2 The Member may appeal in writing to the Chairperson, stating their full grounds of appeal, within one week of the date on which the decision was sent to them.

9.3 The appeal meeting will be chaired by the Chairperson and where practicable conducted by a sub-panel of two directors who have not been involved in the Investigation or Representations stages.

9.4 If any new matters are raised at the appeal meeting, the Chairperson may need to adjourn the appeal meeting to carry out further investigations. If any new information comes to light, the Member will be provided with a summary including, but not limited to, copies of additional relevant documents and witness statements. The Member will have a reasonable opportunity to consider this information before the appeal meeting, and the Member may comment on any new evidence arising during the appeal meeting before any final decision is taken.

9.5 The appeal meeting will be a review of the fairness of the original decision in light of the procedure that was followed, and any new information that may have come to light. The Chairperson will look at the Member's case again to see if the procedure was followed in a fair way or the outcome was fair, and whether the decision that was made should be overturned or changed. The appeal will be dealt with as impartially as possible.

9.6 The Member must make every effort to attend the appeal meeting. If they fail to attend without good reason, the panel may have to take a decision based on the available evidence including, but not limited to, any written representations the Member has made.

9.7 If the Member is appealing against cancellation of Membership, the Leaving Date will not be delayed pending the outcome of the appeal. However, their Membership may be reinstated if their appeal is successful.

9.8 If the Member is appealing against suspension of Membership, the start of the Suspension Period will not be delayed pending the outcome of the appeal. However, their Membership may be reinstated or the Suspension Period shortened if their appeal is successful.

9.9 If the Member is appealing against a written warning, the start of the Active Period will not be delayed pending the outcome of the appeal. However, the written warning may be revoked, or the Active Period shortened if their appeal is successful.

## **10. Stage 7 – Appeal Outcome**

10.1 The Chairperson will inform the Member in writing of the sub-panel's decision and its reasons for it, usually within one week of the appeal meeting. There is no further right of appeal.

10.2 Following the appeal meeting, the sub-panel may:

- confirm the original decision;
- revoke the original decision; or

- substitute a different outcome.

## 11. Gross Misconduct

11.1 Gross misconduct is a serious breach of our Club Rules and includes, but is not limited to, misconduct which is likely to prejudice the Club's reputation or irreparably damage the relationship and trust between us. This may include misconduct committed outside of our premises.

11.2 The following list provides some examples of conduct which would be regarded as gross misconduct and may result in cancellation of Membership:

- theft or fraud;
- physical violence or bullying;
- deliberate and serious damage to property;
- serious misuse of our property or name;
- unlawful discrimination or harassment;
- bringing our Club into serious disrepute;
- use of or bringing illegal drugs onto our premises;
- a material breach of our Club Rules;
- inappropriate behaviour, abuse or harassment of our staff; and
- vexatious complaints.

The above list is intended as a guide and is not exhaustive.

## 12. Criminal Matters

12.1 A criminal investigation, charge or conviction relating to conduct outside our premises may be treated as a disciplinary matter.

12.2 Where the Member's conduct is the subject of a criminal investigation, charge or conviction, we may conduct an investigation before deciding whether to take formal disciplinary action.

12.3 We may not wait for the outcome of any prosecution before deciding what action, if any, to take. Where the Member is unable or has been advised not to attend a disciplinary meeting or say anything about a pending criminal matter, we may have to take a decision based on the available evidence.