



## Disciplinary Code

### Ferndown Sports Centre Swimming Club

#### Definitions :

- Executive Members: Chairman, Treasurer, Secretary, Head Coach
- Officers: The Executive Members and other Committee Members
- Adult Members: Any other paid up member of Ferndown Swimming Club over the age of 18 years
- Gross Misconduct:
1. Any behaviour which is a serious threat to the health or safety of any other person.
  2. Bullying
  3. Theft
  4. Flagrant disregard for an instruction of the Coach or his/her assistant, such as to undermine the authority of the same.
- Serious Misconduct:
1. Behaviour not included in the above which could put any other person at risk including the offender.
  2. Failure to obey an instruction of the Coach or his/her assistant.
  3. Any other act of dishonesty.
  4. Swearing at any Officer of the Club or at a younger person.
  5. Three or more incidents of misconduct
- Misconduct:
- Any other behaviour which in the opinion of the Committee is likely to cause offence to other persons or bring the Club or the sport into disrepute including but not limited to: swearing in the presence of others, spitting, running on poolside (save where the same may cause a serious threat to the safety of other persons),
- Disciplinary Book:
- A Book retained by the Secretary which records all incidents where behaviour has been referred to The Committee by reason of any of the above.
- Hearing:
- A hearing set up by the Secretary at the request of any member. The hearing shall be held within 7 days and the matter shall be determined by the Chairman together with 2 other members as the member calling the Appeal hearing shall request
- Disciplinary Hearing:
- A hearing called by the Secretary to consider any allegation as set out herein. The member may attend the hearing together with any other person of the Member's choice. The hearing shall be before the Club's Chairman and Secretary to answer the allegations made. Before attending the meeting the

member shall in writing be made fully aware of the allegations made and provided with as much information as the Secretary considers enables the member to fully answer the allegations made. At the meeting the member shall be given every opportunity to answer the allegations made, and shall be made aware of possible and probable sanctions. The Secretary shall keep a full record of the meeting and shall as soon as possible thereafter prepare a report to the Committee.

## 1. Gross Misconduct.

- 1.1 An officer of the Club may, in his discretion, upon being advised of or witnessing an incident of what he consider Gross Misconduct within the meaning set out above immediately:
  - 1.1.1 Suspend a member from swim sessions
  - 1.1.2 Ask a member to leave a swim session or gala as appropriate.
- 1.2 Where an Officer either in circumstances set out in 1.1 above or in any other circumstance becomes aware of an incident of Gross Misconduct on the part of any member he shall as soon as practicable notify at least one of the Executive Members of the Club. He shall then prepare a written report of the incident in strictest confidence to the Club Chairman or Secretary within 3 days of the event in question. The Executive Committee shall meet to discuss the matter within a further 3 days. The Executive Committee may either dismiss the allegation and reinstate the member without any record in the Disciplinary Record or may decide to action the matter. In the event of the latter the Executive Committee shall appoint one its members to investigate the matter as swiftly as possible and in any event to prepare a full report in writing to the Committee within 7 days. The Offending member shall be kept advised by the Secretary of all action being taken. The Secretary shall within 5 days of the report above invite the member to attend a Disciplinary Hearing. The Committee shall meet within 7 days of the Disciplinary Hearing and receive a full report of the Secretary and shall by a majority vote decide the sanction to be imposed. Such sanction shall include:
  - 1.2.1 The Expulsion of the member
  - 1.2.2 The suspension of the member
  - 1.2.3 The exclusion of swimming member from team selection
  - 1.2.4 Giving of a written warning for any of the above
  - 1.2.5 Any other formal reprimand of the member
  - 1.2.6 The reinstatement of the member
- 1.3 In all cases a summary of the matter and the outcome shall be recorded in the club's Disciplinary Book.
- 1.4 The member shall be notified of the decision in writing forthwith by the Secretary. The member shall further be advised of his right to appeal the decision within 7 days of such notification by writing to the secretary where upon the Secretary shall set up an Appeal Hearing.
- 1.5 If the member is dissatisfied following the Appeal Hearing the member shall be advised of his right to appeal to the DJT
- 1.6 No decision to exclude a member shall be deemed passed unless supported by 75% of the Committee members attending the relevant Committee meeting

## 2 Serious Misconduct

In the event that a member or officer becomes aware of an incidence of Serious Misconduct the member or Officer shall as soon as possible and preferably in writing notify an Executive Member giving as much information as possible. The Executive Member shall within 5 days if he considers the same appropriate call the offending member to a Disciplinary Hearing as soon as possible. There shall be no immediate sanction until after such hearing has been held. Following the Disciplinary Hearing the Executive Members may either dismiss the allegations in which case no record shall go into the Disciplinary Book or they may report back to the Executive Committee who shall in their discretion decide on the sanction to be imposed which may include:

- 2.1. Suspension for a period of time not exceeding one month.
- 2.2 Suspension from the club team for a period not exceeding one month
- 2.3 A formal reprimand.
- 2.4 A written warning of the above sanctions giving a clear opportunity for improvement.
- 2.5 A financial penalty

## 3. Misconduct

Any member of the committee or any assistant coach or poolside assistant who has been given authority by the coach may discipline any member who appears to be guilty of misconduct without consulting any other the sanctions that may be imposed are as follows:

- 3.1 a request that a swimmer leaves the swim session
- 3.2 a formal reprimand
- 3.3 reporting the matter to a parent of a swimmer under the age of 18 years
- 3.4 entering the offence in the Discipline Book and giving of a written warning which shall warn of the consequence of further such incidences

4. If these rules shall be invoked in the case of a swimmer under the age of 18 years then in each such case the matter shall be reported to and discussed with the child's parent at the earliest possible opportunity and in the event that the parent considers that the matter has been handled inappropriately the parent shall have the right to refer the matter to the Executive Committee who shall consider the same as an appeal.
5. In the interpretation of these rules all Committee Members shall act impartially and having respect for the dignity and privacy of all individuals concerned. Further that the punishments are commensurate with the crime and applied consistently throughout the club.
6. Any party who is dissatisfied with the interpretation of these rules may apply to the District Judicial Tribunal (DJT) of the ASA for guidance.
7. Any warning given shall be expunged from the record after 12 months without further offence.