



Disciplinary Policy

This policy applies to all members of South Cheshire Harriers Running Club, regardless of length of membership.

It is our policy to ensure that all members have access to a procedure to help deal with any concerns relating to their membership fairly and without unreasonable delay.

The aim of this policy is to set out the standards of conduct expected of all members and to provide a framework within which the committee can work with members to maintain those standards and encourage improvement where necessary.

This policy does not form part of the terms & conditions of membership and it may be amended at any time. Any significant changes to this policy will be clearly communicated to members in a timely fashion.

If you have difficulty at any stage of the grievance procedure due to a disability or because English is not your first language, you should discuss the situation with our Diversity & Inclusion team as soon as possible by emailing: welfare@southcheshireharriers.org.uk.

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1. Using this policy

1.1. This policy is used to deal with member misconduct.

1.2. If you are in any doubt as the standards of conduct expected you should speak to your Wellbeing Officer in the first instance.

1.3. We may vary this procedure as appropriate in any case.

1.4. Minor conduct issues can often be resolved informally between you and your Wellbeing Officer. These discussions should be held in private and without undue delay whenever there is cause for concern. Where appropriate, a note of any such informal discussions may be held by the committee but will be ignored for the purposes of any future disciplinary hearings. Formal steps will be taken under this procedure if the matter is not resolved, or if informal discussion is not appropriate (for example, because of the seriousness of the allegation)

2. Code of Conduct

1.1 We are committed to fostering a positive club environment where all individuals are treated fairly and with respect, regardless of their background or characteristics. Club members are therefore expected to conduct themselves appropriately and shall:

1.1.1 Control their conduct during club runs, activities and at races whilst always being respectful to all teammates and opponents and shall conduct themselves in a manner that will ensure the safety of others and not reflect negatively on the club or its members

1.1.2 Conduct themselves in a manner that will ensure a comfortable and welcoming club environment

1.1.3 Act with dignity and display courtesy and good manners towards others

1.1.4 Not swear, use abusive language or demonstrate irresponsible behaviour including that which is dangerous to themselves or others, acts of violence, bullying, harassment, physical or sexual abuse

1.1.5 Challenge inappropriate behaviour and language by others

1.1.6 Not discriminate on the age, disability, gender, race, religion or belief, sex or sexual orientation of other members



- 1.1.7 Recognise that the club operates as a sports and social club and that discrimination or unwanted and/ or continued advances toward other members will not be accepted and that all members have the right to an environment free from all forms of discrimination
- 1.1.8 Anticipate and be responsible for their own needs including being organised, having the appropriate equipment and being on time
- 1.1.9 Adhere to the club's running rules and policies
- 1.1.10 Report any non-compliance of club policies or procedures by emailing: welfare@southcheshireharriers.org.uk

3. Misconduct

3.1 The following are examples of matters that will normally be regarded as misconduct and will be dealt with under this policy:

- 3.1.1 Minor breaches of our policies;
- 3.1.2 Minor breaches of your membership terms & conditions;
- 3.1.3 Minor damage to, or unauthorised use of, our property;
- 3.1.4 Refusal to follow reasonable instructions;
- 3.1.5 Obscene language or other offensive behaviour; or

This list is intended as a guide and is not exhaustive.

4. Gross Misconduct

4.1 Gross misconduct is a serious breach of our terms and conditions and includes misconduct which, in our opinion, is likely to irreparably damage the club's reputation, relationships and trust between club members. Gross misconduct will be dealt with under this policy. If an allegation of gross misconduct is well founded then it will normally lead to dismissal from the club.

4.2 The following are examples of matters that are normally regarded as gross misconduct:



- 4.2.1 Theft, or unauthorised removal of our property or the property of another member, customer, supplier or member of the public;
- 4.2.2 Actual or threatened violence, or behaviour which provokes violence;
- 4.2.3 Deliberate damage to any buildings, fittings, property or equipment used by the club, or the property another member, customer, supplier or member of the public;
- 4.2.4 Serious misuse of our property or name;
- 4.2.5 Repeated or serious failure to obey instructions, or any other serious act of insubordination;
- 4.2.7 Bringing the club into serious disrepute;
- 4.2.8 Smoking in no-smoking areas of property used by the club;
- 4.2.9 Being under the influence of alcohol, illegal drugs or other substances when representing the club during racing events;
- 4.2.10 Possession, use, supply or attempted supply of illegal substances;
- 4.2.11 Being aware of activity regarding illegal substances within club or of persons having their performance/ judgement compromised but taking no action;
- 4.2.12 Causing loss, damage or injury through serious negligence;
- 4.2.13 Serious breach of health and safety rules;
- 4.2.14 Unauthorised use or disclosure of confidential club & member information or failure to ensure that confidential information in your possession is kept secure;
- 4.2.15 Accepting or offering a bribe or other secret payment or other breach of our policy against corruption and bribery;
- 4.2.16 Conviction for a criminal offence that may affect our reputation or relationships with another member, customer, supplier or member of the public, or otherwise affects your suitability to continue to represent us;



4.2.17 Serious or deliberate breach of club terms & conditions or operating procedures;

4.2.18 Knowing breach of rules affecting your membership;

4.2.19 Unauthorised use, processing or disclosure of personal data contrary to the club's Privacy Statement;

4.2.20 Harassment of, or discrimination against another member, customer, supplier or member of the public, related to gender, marital or civil partner status, sexual orientation, gender reassignment, race, colour, nationality, ethnic or national origin, disability, religion or belief or age contrary to our code of conduct;

4.2.21 Giving false information as to qualifications in order to gain status on the committee;

This list is intended as a guide and is not exhaustive

5. Confidentiality

5.1. Our aim is to deal with disciplinary matters sensitively and with due respect for the privacy of any individuals involved. All members must treat any information communicated to them in connection with an investigation or disciplinary process as confidential, this includes refraining from making references on social media.

5.2. You, and anyone accompanying you (including witnesses), must not make electronic recordings of any meetings or hearings conducted under this procedure. We will make a written record of all meetings conducted under this policy and make copies available to you.

5.3. You will normally be told the names of any witnesses whose evidence is relevant to the disciplinary, unless we believe that a witness's identity should remain confidential.

5.4. Any documents relating to a disciplinary process will be stored by the committee along with a record of any decisions taken and any notes or other documents compiled during the disciplinary process.



6. Data Protection

6.1. We will process any personal data collected during this process in accordance with the club's Privacy Statement.

6.2. Inappropriate access or disclosure of member data constitutes a data breach and should be reported immediately by emailing: welfare@southcheshireharriers.org.uk. It may also constitute a disciplinary offence, which will be dealt with under our disciplinary procedure.

7. Investigations

7.1 The purpose of an investigation is for us to establish a fair and balanced view of the facts relating to any disciplinary allegations against you. No disciplinary action will be taken against you until the case has been fully investigated. The amount of investigation required will depend on the nature of the allegations and will vary from case to case. It may involve

interviewing and taking statements from you and any witnesses and/or reviewing relevant documents.

7.2 Investigative interviews are solely for the purpose of fact finding and no decision on disciplinary action will be taken until after a disciplinary hearing has been held.

7.3 You must cooperate fully and promptly in any investigation. This will include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending investigative interviews if required.

7.4 Once the investigation is complete, a committee member who has had no previous involvement in the investigation will be appointed to chair the disciplinary hearing.

8. Criminal Allegations

8.1 Where your conduct is the subject of a criminal investigation, charge or conviction we will investigate the facts before deciding whether to take formal disciplinary action.

8.2 We will not usually wait for the outcome of any prosecution before deciding what action, if any, to take. Where you are unable or have been advised not to attend a disciplinary hearing or say anything about a pending criminal matter, we may have to take a decision based on the available information.



8.3 A criminal investigation, charge or conviction relating to conduct outside of the club may be treated as a disciplinary matter if we consider that it is relevant to your membership.

9. Suspension

9.1 At any point in the process we may need to suspend you from the club. The purpose of suspension is to protect individuals, the club and/or the investigation.

9.2 Suspension of this kind is not a disciplinary penalty and does not imply that any decision has already been made about the allegations.

9.3 While suspended you should not attend club sessions, represent the club externally (including participation in races or events) or contact another member, customer or supplier, unless you have been authorised to do so by the committee.

9.4 Any period of suspension will be kept as brief as possible and regularly reviewed to ensure it is still necessary. You will receive regular contact whilst on suspension. This will take place at least every 14 calendar days unless agreed otherwise. If you are unhappy with the level of communication you should in the first instance contact the committee member who is handling your suspension.

10. Notification of a Hearing

10.1 Following any investigation, if we consider there are grounds for disciplinary action, you will be required to attend a disciplinary hearing. We will inform you in writing of the allegations against you, the basis for those allegations, and what the likely range of consequences will be if we decide after the hearing that the allegations are well founded. We will also include the following where appropriate:

10.1.1 a copy of any relevant documents which will be used at the disciplinary hearing;
and

10.1.2 a copy of any relevant witness statements, except where a witness's identity is to be kept confidential, in which case we will give you as much information as possible while maintaining confidentiality.



10.2 We will give you written notice of the date, time and place of the disciplinary hearing. The hearing will be held as soon as reasonably practicable, but you will be given a reasonable amount of time to prepare your case based on the information we have given you.

11. Right to Be Accompanied

11.1. You may bring a club member of your choice to any disciplinary hearing or appeal hearing under this procedure. Where possible, you should tell us who your chosen companion is ahead of the meeting. We will not unreasonably refuse representation at any investigatory stages of the disciplinary process so long as this does not result in undue prejudice or delay.

11.2. At the meeting, your companion may address the hearing to put and sum up your case, ask questions and respond on your behalf to any views expressed at the meeting. Your companion should not answer questions that are directed to you. You may talk privately with them at any time during the meeting by requesting an adjournment.

11.3. Should you opt to be accompanied by another member it is voluntary and members are under no obligation to attend.

11.4. If your chosen companion is unavailable at the time a meeting is scheduled and will not be available for more than 14 calendar days afterwards, we may ask you to choose someone else.

11.5. If your proposed companion has any involvement in the matters being investigated you will be required to choose another.

12. Procedure at Disciplinary Hearings

12.1 If you or your companion cannot attend the hearing you should inform us immediately and we will arrange an alternative time. You must make every effort to attend the hearing, and failure to attend without good reason may be treated as misconduct. If you fail to attend without good reason or are persistently unable to do so (for example for health reasons), we may have to take a decision based on the available evidence.

12.2 The hearing will be chaired by a committee member who has had no previous involvement in the investigation. Another member of the committee may also be present. You may bring a companion with you to the disciplinary hearing.



12.3 At the disciplinary hearing we will go through the allegations against you and the information that has been gathered. You will be able to respond and present any information of your own.

12.4 We may adjourn the disciplinary hearing if we need to carry out any further investigations such as re-interviewing witnesses in the light of any new points you have raised at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

12.5 We will inform you in writing of our decision and our reasons for it, without unreasonable delay. Where possible we will also explain this information to you in person.

13. Disciplinary Penalties

13.1 The usual penalties for misconduct are set out below. No penalty should be imposed without a hearing. We aim to treat all members fairly and consistently, and a penalty imposed on another member for similar misconduct will usually be considered but should not be treated as a precedent. Each case will be assessed on its own merits.

13.2 You will not normally be dismissed for a first act of misconduct, unless we decide it amounts to gross misconduct.

13.3 Stage 1: Verbal warning. It may be appropriate for a minor act of misconduct where you have no other active warnings on your disciplinary record.

13.4 Stage 2: First written warning. It may be appropriate for a first act of misconduct where there are no other active written warnings on your disciplinary record, or you have an active verbal warning.

13.5 Stage 3: Final written warning. It will usually be appropriate for:

13.5.1 misconduct where there is already an active written warning on your record;
or

13.5.2 misconduct that we consider sufficiently serious to warrant a final written warning even though there are no other active warnings on your record.

13.5.3 In exceptional circumstances, a final written warning may be re-issued where a sanction short of dismissal is appropriate.



13.6 Stage 4: Dismissal. It will usually only be appropriate for:

13.6.1 further misconduct where there is an active final written warning on your record; or

13.6.2 any gross misconduct regardless of whether there are active warnings on your record.

14. The effect of a warning

14.1 Written warnings will set out the nature of the misconduct, the change in behaviour required, the period for which the warning will remain active, and the likely consequences of further misconduct in that active period.

14.2 A verbal warning will remain active for six months, a first written warning will remain active for six months and a final written warning will remain active for 12 months. A warning will take effect from the day after it is issued.

14.3 After the active period, the warning will be disregarded in deciding the outcome of future disciplinary proceedings.

15. Appeals

15.1 If you feel that disciplinary action taken against you is wrong or unjust you should appeal in writing, stating your full grounds of appeal within 14 calendar days of the date on which you were informed of the decision. Details of who you should address your appeal to will be set out in the letter informing you of the decision.

15.2 If you are appealing against dismissal, the date on which dismissal takes effect will not be delayed pending the outcome of the appeal. However, if your appeal is successful your membership will be reinstated.

15.3 If you raise any new matters in your appeal, we may need to carry out further investigation. If any new information comes to light we will provide you with a summary including, where appropriate, copies of additional relevant documents and witness statements. You will have a reasonable opportunity to consider this information before the hearing, and you or your companion may comment on any new evidence arising during the appeal before any decision is taken.



15.4 We will give you written notice of the date, time and place of the appeal hearing. This will be within a reasonable period of receiving your appeal.

15.5 The appeal hearing may be a complete re-hearing of the matter or it may be a review of the fairness of the original decision in the light of the procedure that was followed and any new information that may have come to light. This will be at our discretion depending on the circumstances of your case.

15.6 The appeal hearing will always be conducted by an independent committee member who has not been previously involved in the case. Where possible this will be a more senior committee member who is able to fully review and overturn the original decision. Another member of the committee may be present. You may bring a companion with you to the appeal hearing.

15.7 We may adjourn the appeal hearing if we need to carry out any further investigations in the light of any new points you have raised at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

15.8 Following the appeal hearing we may:

15.8.1 confirm the original decision;

15.8.2 revoke the original decision; or

15.8.3 substitute the original decision with a lesser penalty.

15.9 We will inform you in writing of our final decision without unreasonable delay. Where possible we will also explain this to you in person. There will be no further right of appeal.