

**EAST KILBRIDE ARCHERY CLUB**

**DISCIPLINARY POLICY**

**Version 1.0**  
**11 Feb 2017**

In general circumstances, East Kilbride Archery Club shall operate under the disciplinary procedures laid down by the Scottish and National Governing bodies. The disciplinary policy will apply equally to all members irrespective of their age or status.

## **1 Dangerous or Prejudicial Conduct**

- 1.1 However, where an alleged infringement is of dangerous conduct involving the safety of the members or conduct prejudicial to the good name of East Kilbride Archery Club, it should be dealt with immediately using this Policy.
- 1.2 Allegations of dangerous conduct may also be referred by the Boards of the Scottish and National Governing bodies for their consideration.

## **2 Proceedings under this Policy**

- 2.1 All cases of a disciplinary infringement should be reported immediately to a Committee member who then, by virtue of his/her position, has the authority to decide whether such an infringement requires remedy.
- 2.2 If agreed by all parties, he/she will be able to deal with the matter by means of advice, guidance on accepted conduct and/or training in any aspect of archery.
- 2.3 Any such counseling will bring the infringement to a close and the matter will not be recorded.

## **3 Immediate Suspension**

- 3.1 Where the infringement is of dangerous conduct likely to bring the safety of other members into question and the alleged offender fails to desist from that conduct, the Committee member has the right to suspend the membership of that member for a period of one week to allow full investigation to be made.

## **4 Serious or Unresolved Infringement**

- 4.1 Where the infringement is of a serious nature, or the matter cannot be resolved through an individual Committee member, the allegation should be reported in writing to the Committee as a whole.
- 4.2 The Committee will then delegate the original Committee member together with one other Committee member to investigate the infringement and, if necessary, take written statements from witnesses.
- 4.3 If a statement is taken from the party under investigation, he/she should be warned that it may be used in any disciplinary proceedings and that he/she is not obliged to give any such statement.

## **5 Continued Suspension**

5.1 In the event of an allegation of dangerous conduct, the Committee has the right to continue any suspension of membership until the matter has been resolved.

## **6 Written Report**

6.1 A written report stating time, place and nature of the infringement will be prepared by the two investigating members using the witness statements to substantiate or counter any allegations made. This report must be concluded within 14 days of the alleged infringement being reported to the Committee.

## **7 No Further Proceedings**

7.1 If, after examination of the incident, the investigation members decide that no further proceeding should be instigated, a recommendation on that basis should be made to the whole Committee.

7.2 However, even though a case has been established, the investigating members may feel that the matter could be resolved informally by action taken themselves and such a step should be reported to the Committee for their approval.

## **8 Further Proceedings**

8.1 If it is decided there is a case to answer, the matter shall be referred to the full Committee who will make the final decision on future proceedings.

8.2 They have the option of dealing with the infringement within;

- The recommendation of the investigating members or,
- The disciplinary Policy of East Kilbride Archery Club or,
- Referring the infringement to the Board of the Scottish Governing Body and/or through them to the Board of the National Governing Body.

8.3 Where a decision of no further proceedings is reached this fact will be notified to all relevant persons.

8.4 If the decision is reached to deal with the matter within the Discipline Policy of East Kilbride Archery Club, the following procedures require to be followed.

## **9 Notification to Party under Investigation**

- 9.1 Written notification from the Club Chair of the alleged infringement shall be made to the Party under investigation within 7 days of the investigation report being made to the Committee. A copy of this report including details of what infringement is alleged, when and where it supposedly happened and the names of witnesses likely to be used in evidence to support or rebut the charge shall form part of this notification.

## **10 Appointing Tribunal**

- 10.1 The Committee shall nominally appoint a Tribunal consisting of two ordinary members of the club and one Committee member to act as arbiters. The Committee member shall act as Chair.
- 10.2 The names of the appointees shall be given to the Party and he/she has the right to challenge the inclusion of any two such appointees. He/she has the right to suggest alternative appointees which, if acceptable to the Committee, may be replacements. Similarly, the Committee has the right to suggest alternatives to any names which have been opposed.
- 10.3 If no compromise Tribunal can be found, then the matter must be dealt with by means of a General Meeting and the whole matter aired within that context. Timings of disciplinary procedures are then affected by Constitutional and practical requirements of calling such a General Meeting.

## **11 Tribunal Sitting**

- 11.1 The Tribunal shall sit within 14 days of their appointment or as soon as practically possible. In any event, the Tribunal shall sit within 28 days unless good cause is shown by either party for the sitting of the Tribunal to be set down for a date outwith these times. In the event of a dispute, the majority decision of the Tribunal shall be final.
- 11.2 The Tribunal shall have before them the written report of the investigating members and written statements from witnesses. They shall call such witnesses to give evidence required to substantiate the allegation.
- 11.3 Likewise, the Tribunal must call any witnesses who rebut the allegation.
- 11.4 The Party may be assisted at the Tribunal by a friend who may give advice/assistance on an informal basis. If necessary, the Party may propose that the friend act on his/her behalf. In which case the friend has the authority to question witnesses and make statements in a manner similar to that afforded to the Party.
- 11.5 In the case of a Junior member being the Party, he/she will be accompanied by a parent/guardian or other designated friend who will have the authority to act on his/her behalf.

11.6 Evidence will be taken on an informal basis using the witness statements. Questions may be put to the witnesses by the Tribunal with a similar opportunity being afforded to the Party.

11.6 .However, witnesses are not compelled to attend or give evidence to the Tribunal.

11.7 At the end of evidence, the Party must have the opportunity to explain his/her actions and rebut the allegations made against him/her.

## **12 General Meeting**

12.1 In a manner similar to the Tribunal, the General Meeting shall conduct an examination of the evidence from the investigating members report, witness statements and the direct evidence of those witnesses. While questions of a witness may be asked by any member, the whole proceedings will be under the control of the Club Chair who will determine the order of witnesses being called and their questioning.

12.2 The Party must have the opportunity to be the last person to question any witness.

12.3 The evidence will still be taken on an informal basis with witnesses not being compelled to attend or give evidence.

12.4 The Party may be assisted at the General Meeting by a friend who will have the same rights as under Tribunal proceedings. Similarly, a Junior member being the Party **will** be accompanied by a parent/guardian or other designated friend who will have the authority to act on his/her behalf.

12.5 At the end of evidence, the Party must be offered the opportunity to explain his/her actions and rebut the allegations made against him/her.

## **13 Conclusion of Proceedings and Penalties**

13.1 If, at the conclusion of disciplinary proceedings, the offence has been established, the Tribunal acting on behalf of East Kilbride Archery Club or the General Meeting may impose one of the following penalties;

- A written censure to remain in force for a period not exceeding one year or,
- A suspension of membership of East Kilbride Archery Club for a period not exceeding three months or,
- Cancellation of membership of East Kilbride Archery Club.

13.2 The Party shall neither be present at nor take part in this decision making. Intimation of the penalty imposed shall either be at the meeting or in writing as soon as possible thereafter.

13.3 Under penalties b) and c) no refund of membership fees will be considered.

#### 14 **Involvement of Scottish and National Governing Bodies**

14.1 No penalty can be imposed by East Kilbride Archery Club which requires the Scottish or National Governing Body to act upon the findings.