

## **SOUTH MOLTON BOWLING CLUB**

### **DISCIPLINARY & COMPLAINTS RULES & PROCEDURES**

#### **Purpose and Scope**

These Rules and Procedures set out the way in which the Club will deal with breaches of disciplinary rules, complaints by member(s) regarding the conduct of other member(s) and any other complaints regarding the operation of the Club. Members having a complaint against any fellow member(s) or against any aspect of the running of the club should write to the Club Secretary who will invoke the procedure described below.

**South Molton Bowling Club** - Bowls England Regulation 9 was adopted at the Annual General Meeting held on 9th November 2023.

The clubs Disciplinary and Complaints procedure apply to all short mat and unaffiliated members.

#### **Disciplinary & Complaints Committee**

The Management Committee of the Club have set up this Committee to which they have delegated dealing with all matters of Discipline and Complaints on its behalf. The Committee shall consist of three members of the club who will appoint a Chairman from amongst their number. All proceedings of the Committee will be kept confidential until the result of any action is known when the Management Committee will be told if appropriate. The Club Secretary will act as Clerk to this Committee and will receive all complaints which will be put before the members of the Committee. The Committee will then decide if there is prima facie evidence that a disciplinary breach has occurred or there is evidence that a member has been discriminated against. The Clerk will be responsible for taking witness statements from members or others and for presenting the Club's case to this Committee.

## **Disciplinary Rules**

*A list of examples of misconduct are given below which is not exhaustive but merely illustrative:-*

- 1 Members shall at all times comply with the Rules and Regulations set by the club and amended from time to time.*
- 2 Actual or threatened physical assault*
- 3 Making any derogatory, offensive, discriminatory, or defamatory comments to or about the club, its officers or members*
- 4 Making any comment about or to club members that could constitute unlawful discrimination, harassment or bullying.*
- 5 Theft from the club or members or damage to property*
- 6 Smoking in designated no smoking areas*
- 7 Use of Social Networking websites to commit any disciplinary offences*
- 8 Any other form of words or actions which are likely to bring the club into disrepute.*

## **Starting the Procedure**

### **Caution as to future behaviour**

The Disciplinary & Complaints Committee may write to an alleged offender in appropriate cases asking him or her to accept a written caution to be of good behaviour in future. Acceptance of such a caution shall be in writing in the form laid down by that Committee.

### **Failure to accept a Caution: Wish to contest allegations: More serious cases of misconduct: Dealing with Complaints**

A full Hearing will be held. The accused member or complainant will agree a date and time for the hearing or in the event of no agreement such date and time may be imposed by the club. The hearing of any case will not take place

until an exchange of submissions has taken place. In the event that an accused member or complainant does not appear for the hearing without just cause it will go ahead in his/her absence.

The case for the club shall be prepared and presented by the Club Secretary to the Disciplinary & Complaints Committee and shall include all the allegations made together with any witness statements taken. The accused member or complainant shall have the right to be accompanied by a fellow member of his or her choice provided that the member so selected is prepared to appear.

In the case of accused member(s), prior to the hearing they will be given a copy of the Club's Opening Statement and any Witness Statements or other appropriate documentation that it is intended to use in the hearing. It will be the responsibility of the Accused Member to put their own case, written copies of which together with any witness statements or other appropriate documentation should be given to the Club Secretary within 14 days of receipt of the club's case. Hearsay evidence will not be admissible. A hearing date will then be set.

In the case of complainant(s), prior to the hearing they must put their own case written copies of which together with any witness statements or other appropriate documentation should be given to the Club Secretary. Within 14 days the Club will provide the complainant(s) with copies of all documents that they intend to use in the hearing. A hearing date will then be set.

The Chairman of the Committee shall conduct the hearing and will have the right to rule in what order the evidence will be given and to call witnesses and make adjournments and rulings as appropriate.

The accused member or complainant will have the right to explain his or her case, and refer to witness statements or other appropriate documentation that has been served on the club. Witnesses may be called to give evidence in person at the discretion of the Chairman of the Disciplinary & Complaints Committee.

No indication of the result will be given at the hearing and this will be sent to the accused member or complainant in writing after the Disciplinary &

Complaints Committee have considered in detail all the representations made and have decided upon the action to be taken.

### **TYPES OF PENALTY AVAILABLE**

Written Caution to be of good behaviour and abide by club rules in future

Formal Written Warning

Immediate suspension from the club for allegations of serious misconduct

Excluded from certain activities of the club eg from competitive bowls

Suspended from the club's premises and green

Expelled from Membership

These sanctions may be imposed for a limited or indefinite period of time depending upon the offence and the circumstances.

### **APPEALS AGAINST DECISIONS BY THE DISCIPLINARY & COMPLAINTS COMMITTEE**

Members have the right to appeal against any decision of the Disciplinary & Complaints Committee by using the Appeal Procedure set out in the Rules of Bowls Devon. The club have the right to be represented at any Bowls Devon or Bowls England appeal hearing.