

PREAMBLE TO BBS CLUB DISCIPLINARY PROCEDURE

The Club follows on from Section 23 “Complaints and Issues” in the Club Constitution. It is rather long-winded but it is as it is because we want to maintain transparency and fairness of procedure. We could cut it all out and just have one line saying that the Club Committee will consider and adjudicate on all matter of complaint or concern. However, this would be to build in the possibility of unacceptably arbitrary unfairness.

24.0 Disciplinary Procedure (Fact Finding)

- 24.1 The Club Management Committee will act as Disciplinary Committee.
- 24.2 Upon receipt of information which gives rise to concern regarding any Club member, the Hon Secretary or his Assistant will convene an Initial Fact Finding Meeting. At least three members of the Management Committee must be actively involved in discussing the case.
- 24.3 The purpose of a Fact Finding Hearing is to weed out spurious, malicious or superficial Complaints or expressions of Concern against members or about issues and to ascertain the facts as best as can be achieved in the circumstances and decide whether there is a case to answer. If it is decided that there is no case to answer the case will be closed.
- 24.4 Immediately following the referral of concern and having taken the steps to convene a Fact Finding Meeting, the Hon Secretary or his Assistant will take steps to obtain written evidence statements from the referrer(s) of the concern and the member (if any) who is the object of complaint or concern.
- 24.5 The Fact Finding Hearing must be convened as soon as practically possible or within fourteen days of the referral of the concern to the Hon Secretary or the Assistant Hon Secretary.
- 24.6 The Fact Finding Hearing may be conducted in person or by “round robin” email discussion but with full viewing and consideration by all Committee members of any written evidence unless the person concerned is also a Committee member. If the latter, the Committee member will be deleted from this discussion. The Meeting will be Minuted or the entire email “electronic record” will be kept by the Hon Secretary or designated person and will form part of the recorded evidence either in the case of “exoneration” (case closed) or of a “case to answer”. The presumption will be of “innocence” of any charge made and the “Fact Finding” is intended only to discover if there appears to be a *prima facie* “case to answer”.
- 24.7 Whatever the Fact Finding outcome, the Complainant and the subject will be informed in writing of the decision.
- 24.8 If a Complainant feels aggrieved that the decision of the Fact Finding Hearing is “no case to answer,” he may appeal direct (within 10 days) to the

Management Committee to consider the case anew. If this should occur, the Management Committee's decision will be final.

- 24.9 If it is decided that there is a case to answer, the Member concerned will automatically be temporarily suspended and the Hon Secretary or the Club Chairman will initiate a full Disciplinary Committee Hearing which will hear the case as soon as is possible or within ten days of the Fact Finding "case to answer" decision.

25.0 Full Disciplinary Adjudication Process & Powers of the Disciplinary Committee

- 25.1 A Disciplinary Hearing must be held face-to-face at a location to be agreed in advance. All members of the Club Committee are automatically members of the Disciplinary Hearing and may attend as Disciplinary Committee members unless they are the person(s) charged with an offence. The quorate is 3 persons as per any normal Committee meeting. Any member charged with any misdemeanour will be invited to attend the Disciplinary Committee hearing and may bring a friend as a witness and support. However, although the friend may offer advice to the member within the hearing he / she will not be allowed to address the Committee or act as "representative" for the member.

25.2 All decisions of the Disciplinary Committee will be Minuted.

25.3 The Committee has a range of options with regard to any member found guilty of any misdemeanour. The Committee:

- 25.3.1 May issue a written warning
- 25.3.2 May suspend from membership the member for a specified length of time
- 25.3.3 May levy a fine not exceeding £25
- 25.3.4 May require the member to resubmit to probationary training
- 25.3.5 May combine any of the above into a sanction
- 25.3.6 May expel the member from Club Membership.

25.4 The sanction imposed by the Committee will be recorded against the name of the member within the Membership Register.

25.5 Any member expelled or suspended shall not have any claim on the Club for any Subscription or Membership Fee paid.

- 25.6 Any member expelled from the Club may not reapply for membership until at least three years has past and will need to prove to the Management Committee that a recurrence of the original offence will not recur. The Management Committee may refuse readmission and their decision is final in this case.

- 25.7 It is automatically the case that the member's Licensing Authority will be informed of any expulsion. Any such letter will contain no opinion other than to record the fact of expulsion and Club's "concern" with regard to the facts reported. A copy of any such letter will be sent to the member concerned.

- 25.8 All members of the Club will be notified concerning the disciplining of any member found guilty of any offence, the reasons why disciplinary action was taken and the nature of the sanction imposed. There will be no exceptions to this rule.

26.0 Appeals against a Disciplinary Decision

- 26.1 Any such disciplined member may appeal against the decision of the Committee to a Special General Meeting (EGM) of the Club, provided that notice is given to the Hon. Secretary within fourteen days of receipt of notice of the initial Club adjudication.
- 26.2 The Appeal will take the form of a rehearing and the meeting will be enabled to enquire into the manner in which the Disciplinary Committee reached its decision.
- 26.3 The Special General Meeting may vary or impose any of the sanctions originally available to the Disciplinary Committee, including expulsion.
- 26.4 Any decision by the Special General Meeting will be final and no further Appeal is possible.