



Woodside Golf Club Disciplinary Policy

Applicable to members, guests and members of the public using Club premises and facilities.

It is expected that most issues that arise will be of a minor nature and will be dealt with informally without the need to instigate the formal Disciplinary Policy.

Introduction

This document is to enable members and guests to know and understand the standards of behaviour expected and the process for dealing with complaints when those standards are breached. It should be read alongside the Club Code of Conduct, which identifies behaviours and breaches not acceptable to the Club, the R&A rules of golf, Woodside Golf Club local rules and rules of play together with any temporary conditional requirements.

Disciplinary action may be taken for any breach of rules, handicap infringements or any matter in which a person or persons engage which are inappropriate, unlawful, unsporting or are deemed to be opposed to the general interests of the Club or the sport of golf and which bring the Club into disrepute.

Disciplinary proceedings shall be commenced against a person or persons when a complaint is made and the complaint is sufficiently serious to commence formal disciplinary proceedings.

Any complaint must be in writing and within 28 days following the alleged incident. All known factual details must be recorded.

Complaints procedure

Complaints may be made by any person using the club facilities or on Club premises. These should be made in writing to the Directors or Club Captains. Any Club member being informed of a complaint should notify the Directors or Captains identifying the Complainant where possible. It is recognised that some people are not always willing to become involved in what may become a dispute.

Members may also use the general complaints box situated inside the entrance akin to the general notice boards. This method should only be used for less serious complaints where the situation can be discussed at the next General Committee meeting and where time scales are not so important.

Once a complaint is received the Directors or Club Captains will:

- within 14 days commence an investigation to gather information from all parties
- forward a copy of the notice of complaint to the Respondent: that is the person who is the subject of the complaint. The member will be given a reasonable period of time to provide a written response to the complaint made against them
- ascertain the best course of action determined by the nature of the complaint

- keep a record of events, all meetings and discussions

The following decisions may be made

- decide that no further action is necessary. The Respondent and Complainant will be notified formally in writing explaining the reasons why the complaint has been dismissed. e.g. it does not fall within the authority of the Club or there is not enough evidence to justify further action
- decide the matter is so serious it requires referring to England Golf [**see appendix 1 to this document**]
- refer the matter to the Disciplinary Committee. [**see Disciplinary Procedure Document Appendix 2.**]
- As soon as is practicable the Directors or Captains shall inform the Respondent of the course of action to be taken. If the situation is serious and the Disciplinary Committee is convened the Respondent shall be informed of the charge being brought and granted the opportunity to either accept or deny the charge.
- If the Respondent accepts the charge then it will be heard by the Committee who will determine the sanction and the Respondent shall only be granted leave to appeal on the grounds that the sanction imposed was disproportionate to the circumstances of the case.
- If the Respondent denies the charge then the matter shall be determined by the Disciplinary Committee
- Where the Respondent is a member of the public and not involved in Club procedures then immediate sanctions may be imposed and the person or persons banned from the Club and Club premises

Disciplinary Committee

The Committee will be made up of at least **three** members of the General Committee and the Committee secretary i.e. Director, Club Captains, the Competition Secretary, Handicap Secretary and Welfare/Safeguarding Officer together with any ex officio member deemed appropriate. Members of the Committee will not have been involved in any part of the allegations and therefore be unbiased. Members of the Disciplinary Committee will elect the Chair. The Chair will ascertain that no member of the committee has an interest which may influence the outcome of the hearings. The Committee Secretary will maintain full notes of the procedure taken and outcome should these be necessary for any appeal at a later date either at Club, England Golf or County level.

The Disciplinary Committee shall have jurisdiction to conduct the Disciplinary hearings and impose sanctions on those persons who are subject to a charge. If for any reason the Committee cannot convene in person e.g. due to current COVID restrictions, the Chair will determine the way forward by e.g. ZOOM, email or telephone.

Disciplinary Hearings

All background information must be made available to the Committee including written submissions from the parties involved and any witnesses.

The Respondent may be represented at the hearing and the representative may make submissions on the Respondents behalf.

The Respondent may also request a Member to support him/her, however the member will not be able to speak in the hearing.

The procedure for an oral hearing shall be flexible and shall be at the discretion of the Chair who will ensure the orderly and effective conduct of the hearing and fairness.

[See Standard Disciplinary Hearing Procedure Appendix 2]

Decision and Available Sanctions

The Disciplinary Committee shall either communicate its decision to the parties at the end of the hearing or notify their decision in writing as soon as is practicable.

The committee may:

- dismiss the case where the charge is not proven
- warn or reprimand in respect of the misconduct or rule breach committed
- suspend or exclude from Club activities including competitions, meetings or otherwise.
- suspend or exclude holding office within the club for a specified period
- suspend membership for either a specified period which maybe indefinitely without redress for any outstanding annual membership fees
- impose a fine not exceeding £100 payable within a specified period of time.
- exclude from the Club

The decision taken by the Disciplinary Committee in relation to the sanction to be imposed must be reasonable and proportionate in all circumstances and consideration must be given to the Respondents previous record.

If the Respondent fails to attend the Hearing after due notice, the case will be heard in absentia.

Matters involving Young People or Adults at Risk

Where a matter involves a young person or an adult at risk of Harm, the Club Welfare/safeguarding Officer will advise the Committee on specific actions necessary to be taken. In their absence the Club England Golf representative should be notified and advice taken on appropriate action if necessary, involving the England Golf safeguarding team.

Appeal of the Disciplinary Sanction

Should an Appellant wish to appeal a decision of the Disciplinary Committee the Appellant must lodge their appeal in writing within 14 days of the decision being notified.

The club will refer the matter to County who will determine at its own discretion if the they wish to hear the Appeal. The Club will be informed of the outcome. If County does not wish to be involved then Woodside Golf Club will set up an Appeal Committee.

Appeal Committee

Three members not involved in any part of the process shall be appointed. They will not have been part of the Disciplinary Committee and will review the process and action taken. They may

- Dismiss the appeal
- Overturn any sanction imposed by the Disciplinary committee
- Remit the matter for a re-hearing by the Disciplinary Committee
- Substitute an alternative finding
- Reduce or increase the sanction
- Make such further order as is deemed appropriate

The procedure for an Appeal hearing shall be flexible and at the discretion of the Chair and follow the guidelines set out in **Appendix 2**

~~Available on the website or from this [link](#)~~

Policy Updated 07.09.20 S.P.

Appendix 2

Standard Disciplinary Hearing Procedure

1. If deemed to be required prior to any hearing, the Disciplinary Committee shall set appropriate deadlines for the submission of written evidence/representations from the Respondent and witnesses
2. The hearing shall be convened by the Disciplinary Committee at a time suitable to the parties and communicated to them
3. The case against the Respondent will be presented by the Chair of the Committee together with relevant evidence
4. The Respondent will be granted the opportunity to present his/her case, challenge the evidence presented against them, submit their own evidence, call witnesses and make representations to the Disciplinary Committee. The evidence of further witnesses not notified in accordance with the policy will be admitted only at the sole discretion of the Chair of the Disciplinary Committee
5. Those representing a Respondent at a hearing may present and sum up their case, but they are not permitted to answer questions put to the Respondent.
6. Before being called witnesses will not be allowed in the room while evidence is being given, this shall not apply to the Complainant or Respondent
7. Questions by the Disciplinary Committee may be put to the Respondent and each witness on conclusion of their evidence
8. The Respondent shall have the opportunity to raise questions in cross examination
9. The Disciplinary Committee may limit cross examination as it deems appropriate
10. The Respondent and Chair will be allowed to make a closing statement to the Disciplinary Committee
11. The room will be cleared and the Committee will deliberate and determine whether on the balance of probabilities the disciplinary charge has been proven
12. The hearing will reconvene and the Chair of the Disciplinary Committee will communicate its decision or will arrange to notify the decision in writing at a later date as soon as is reasonably practicable
13. Where a charge is proven the Respondent shall have the opportunity to present arguments in mitigation
14. The Disciplinary Committee will review the Respondents previous record where relevant to consider sanctions
15. The room will again be cleared and the Committee determine the appropriate sanction in accordance with policy
16. The hearing shall be documented in writing and a record kept of all disciplinary proceedings and hearings

The above procedure may also be followed by the Appeal Committee whereby the Respondent is the Appellant and the Disciplinary Committee is the Appeal Committee