



Disciplinary

Policy

It is the policy of the Committee of British Veteran Fencing to treat all members fairly and only instigate disciplinary procedures which conform with current legislation and codes of practice, in the interest of the membership.

It is not envisaged that these procedures will be widely utilised however, there will always be exceptional situations where there is no alternative other than to disciplinary action. In the interests of both the organisation and the member such action will be taken as promptly as possible.

1. Objective

The general purpose of this procedure is to ensure that all disciplinary matters are handled correctly and safeguard the interest of the member and the organisation.

Our aim is to reconcile fairness to the individual with the need for consistency. This is not to say, however, that absolute rules can be laid down for every circumstance. Each case must be looked at individually, taking into account all the facts of the particular case, and then arriving at a decision which is consistent with the organisation's disciplinary sanctions, whilst applying discretion and understanding.

All parties should be satisfied that fairness and reasonableness have been applied.

2. Application

The following procedure will be used in the event of disciplinary action being taken against any member:

In the event of a member acting in an unacceptable manner, bringing the organisation into disrepute or breaching the BF codes of practice, one of three courses of action will be taken depending upon the seriousness of the case. These are:

- a) In consultation with the Committee the Chair may decide to deal with the matter informally and without sanction, if the case is not serious and the Committee considers it appropriate. If this approach fails, the Chair may decide to escalate the matter to a disciplinary panel.

- b) In consultation with the Committee the Chair will select a disciplinary panel of three people, usually committee members, to hear the complaint and adjudicate accordingly.
- c) For serious cases where BF codes of practice (hyperlink below) have been deemed to have been breached by a BF member, the Committee has the power to request for the matter to be dealt with under BF disciplinary procedures.

http://britishfencing.com/uploads/files/bf_code_of_conduct.pdf

3. Responsibilities

- a) The Chair will ensure that all procedures are adhered to throughout the process.
- b) It is the Committee's responsibility to ensure that thorough investigations are conducted and that members are given the opportunity to make representations on their own behalf before any disciplinary decision is made.
- c) In the case of the Chair being conflicted or the subject of the allegation, the Committee will appoint one of its members to lead the process.

4. Procedure

All disciplinary matters will generally follow the same outline procedure detailed below:

- a) The unsatisfactory conduct must be identified and investigated by a member of the Committee.
- b) The member will be advised of the nature of the allegation and will have the opportunity to state their case.
- c) The Chair will consult with the Committee as to whether the case can be dealt with informally or by a disciplinary panel and the member informed of the decision.
- d) If appropriate the Chair will select the disciplinary panel and consult with them fully on the allegation.
- e) If a disciplinary panel is to be used, the purpose of the disciplinary interview will be sent to the member in writing. The member will also be advised of their right to representation, set out below. The reasons for the interview will be clearly explained and all documentation to be used as part of the disciplinary process will be issued to the member. A date, venue and time for the interview, which, at the discretion of the panel, may be held online, will be mutually agreed. If no agreement can be reached as to when the interview can take place, the Committee reserves the right to nominate a date and time and hold the meeting without the member being present.
- f) No decision will be made regarding a member until the allegations have been thoroughly investigated and discussed with the individual.
- g) At the disciplinary interview the member will be given a full opportunity to answer the allegations against them
- h) The standard of proof in all disciplinary cases (including appeals) is on the balance of probabilities.
- i) The disciplinary panel may decide any issue by a majority but shall not be required to indicate whether it was a majority or not. No member from the panel may abstain from voting.

- j) A decision on the appropriate outcome will normally be taken and communicated to the member by the panel at the disciplinary interview and will be confirmed in writing to the member.
- k) Warnings or sanctions in any form at any stage will only be issued following a disciplinary interview and consultation with the Chair. A copy of all warnings will be retained by the Secretary.
- l) All warnings will contain:
 - a. the reason for the warning,
 - b. the time limit, if appropriate, for the member to take any action required
 - c. the right to appeal against the disciplinary action taken.
- m) Under no circumstances should any action be taken against a member without following these Disciplinary Procedures.

5. Representation

A member has the right to be accompanied at all stages of the procedure, by another member of their choice.

Normally, no other form of representative will be allowed.

If the representative is unable to attend the meeting on the arranged date, the member may propose an alternative date subject to agreement of all parties.

6. Sanctions

Minor Sanction

Minor sanctions will be recorded and will remain on the BVF Disciplinary Log for disciplinary purposes for a length of time decided by the disciplinary panel.

Major Sanction

If the member's conduct is repeated whilst a written warning is still logged, their actions deemed so serious or the organisation is being brought into disrepute, then a Major Sanction will be imposed.

A Major Sanction may lead to suspension or exclusion from taking part in BVF competitions, team events or country representation if appropriate.

Major Sanctions will be recorded and remain on a BVF Disciplinary Log for disciplinary purposes for a length of time decided by the disciplinary panel.

Expulsion from the organisation

Where a serious offence has been committed which involves a fundamental breach of standards expected from the organisation or where a member's actions are deemed to have seriously brought the organisation into disrepute, then the member may be permanently expelled from the organisation.

7. Suspension

The organisation reserves the right to suspend a member pending an investigation or a decision being made. A decision to suspend will only be made with the prior verbal permission of the Chair.

Reasons for the suspension will normally be confirmed in writing to the member within 5 working days.

8. Appeals

The member has the right to appeal against any disciplinary action taken against them. All such appeals must be made in writing, to the Secretary stating the grounds upon which the appeal is based.

An appeal must normally be made within ten working days of the disciplinary action being notified to the member in writing.

All disciplinary action will stand pending the outcome of the appeal. The organisation will endeavour to deal with appeals expeditiously and appeal hearings will normally be held within two working weeks of receipt.

Appeals against disciplinary action will normally be heard by an Appeal Manager appointed by the Chair, who has not previously been part of the disciplinary process.

Members of the disciplinary panel, and persons from whom advice has been sought in the original disciplinary hearing will not take part in, or give advice to, the appeal hearing.

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