

# Elton Furze Golf Club

## DISCIPLINARY PROCEDURE

### **Introduction**

There is an expectation for all Elton Furze Members to comply with the Rules of Golf and conduct themselves in a manner that is consistent with Club Rules, Codes of Conduct and general acceptable behaviour.

The purpose of this procedure is to provide a framework to deal with breaches of the Club Rules or unacceptable personal behaviour either on the golf course, club premises or when representing the club.

### **Scope**

This procedure applies to all playing members of Elton Furze Golf Club.

### **Rules of Golf**

Breaches of Royal and Ancient Rules of Golf are dealt with initially by playing companions. Any decision reached in good faith by the playing companions, even if incorrect, may stand. If the player and his/her playing companions are unable to reach a decision the matter must be referred as quickly as possible to the Competition Secretary (CS) or the Handicap Secretary (HS) before the result of the competition has been announced; the issue should also be noted on the relevant score card. The CS or HS shall ascertain the facts as best he/she can from the players and shall make a decision; such a decision shall be final.

### **Personal Behaviour and Conduct**

#### **The Procedure Relating to Misconduct**

It is expected that the majority of cases of misconduct will be dealt with informally. Oral or written complaints regarding breaches of Club Rules, Codes of Conduct and unacceptable behaviour should in the first instance be directed to the relevant section Captain. Each complaint will be fully investigated. This investigation will usually involve three members of the Committee working as a Disciplinary Panel. The Disciplinary panel will consist of the Competitions Secretary, the Members Secretary and the relevant Captain (i.e. Men's Captain, Ladies' Captain or Seniors' Captain).

Having established the facts a decision will be made whether to drop the matter, deal with it informally or arrange for the matter to be handled formally. Where minor misconduct has occurred, the individual may be given an oral warning.

The individual will be reminded of the standard of conduct required. It will be explained that failure to behave appropriately could lead to further disciplinary action. This warning will remain valid for 6 months and will be considered spent after this period. Repeated acts of misconduct by an individual may on an accumulative basis be considered as Serious Misconduct requiring formal action.

#### **Formal Process**

The first step in the formal process will be to let the individual know in writing what it is that they are alleged to have done wrong, and why this conduct/behaviour is unacceptable.

The individual will be invited to attend a meeting at which the issue will be discussed. The investigation may include interviews with other members concerned, colleagues and include any aggrieved bodies and any other relevant witnesses.

Information will be obtained at the earliest opportunity and will be recorded in writing. Where possible, relevant papers and witness statements will be provided in advance. The individual will be given at least three days' notice unless mutually agreed otherwise.

Individuals may be accompanied by a colleague of their choice.

If the individual is unable to attend the hearing, they must notify the person chairing the hearing and give reasons for non-attendance, preferably in advance of the meeting. Where an individual fails to attend for reasons outside of their control, then arrangements will be made to rearrange the hearing.

Where there is no valid reason for non-attendance, the hearing may continue and a decision made in the absence of the individual.

The Disciplinary Panel will be chaired by the relevant section Captain, with the Members Secretary and the Competition Secretary in attendance.

At the hearing the individual will be presented with the full extent of the evidence and given the opportunity to examine and question the evidence and any witness statement(s). The individual may present evidence and call witnesses as they wish.

There will be general questions and discussion to establish the facts. If new facts emerge during the hearing, a decision must be made about the need for further investigation. If appropriate the hearing can be adjourned and reconvened when any additional investigation is complete.

The person chairing the meeting will sum up the main points of the discussion.

### **Decision**

After an adjournment to fully consider the facts, the decision of the Disciplinary Panel will be communicated. The decision of the Disciplinary Panel will be confirmed in writing within five working days and will outline the improvement required and any sanction that is being applied. A record of the warning will be kept and will remain valid for a twelve-month period and will be considered spent after this period.

Repeated acts of serious misconduct by an individual may on an accumulative basis be considered Gross Misconduct.

### **Gross Misconduct**

If there is an allegation of Gross Misconduct the matter will be reported directly to the Managing Partner for consideration as an act of Gross Misconduct may result in cessation of club membership.

Examples of Gross Misconduct are as follows:

- Theft or Fraud
- Physical violence
- Deliberate damage to Club or members' property.
- Bringing the club and or its members into disrepute.
- Deliberate falsification of membership details.
- A criminal offence outside of the Club considered detrimental to the interests of Elton Furze and making the individual unsuitable for Club membership.

This list is intended to be indicative, not exhaustive.

## **Appeals**

An individual may appeal against any disciplinary decision. Any appeal must be lodged in writing with the Members' Secretary within five days of the disciplinary decision being communicated to the individual. Details of the reasons for the appeal must be provided. The appeal will be heard by the Chairman of the General Committee and at least two other members of the General Committee Members who have not been previously involved in the case working as an Appeals Panel. The individual member will present evidence and may call witnesses as they wish.

The individual may be accompanied by a colleague of their choice.

The appeal hearing will take place within two weeks of receipt of the appeal request. All participants in the appeal hearing will have prior access to all relevant evidence and documentation.

When all the evidence has been considered there will normally be an adjournment, following which the Appeals Panel will state its decision. This panel has the authority to quash, reduce or uphold the original decision.

No further right of appeal will be available to the individual.

Written confirmation of the panel decision and reasons will be despatched to the individual within five working days of the appeal panel hearing.

EFGC Members' Committee

1 August 2009