

CHESTER-LE-STREET GOLF CLUB

MEMBERS' DISCIPLINARY POLICY AND PROCEDURE

The Golf Club reserves the right to vary, amend or depart from the contents of this policy and procedure from time to time in appropriate circumstances.

1.0 Policy

Members of Chester-le-Street Golf Club are expected to abide by all Golf Club policies and procedures and standards of conduct.

The procedure below sets out the action that will be taken when conduct falls below satisfactory levels.

This policy and procedures applies to all Golf Club members and officers.

2.0 Principles

Circumstances giving rise to the disciplining of a member can be varied, and each case will be looked at individually and sensitively.

The procedure is designed to establish the facts quickly and to deal with disciplinary issues consistently.

No disciplinary action will be taken until the matter has been fully investigated.

Disciplinary action against a member at Chester-le-Street Golf Club will be undertaken by the Disciplinary Committee.

The Disciplinary Committee will comprise: Club Captain; Club Vice-Captain; Immediate Past Captain.

The Appeals Committee will hear any appeals.

The Appeals Committee will comprise: Club Chairman; Assistant Secretary; Treasurer.

If one of the Committee Members of either of the two committees cannot attend a hearing or if a member of the Disciplinary or Appeals Committee is facing a disciplinary action or appealing against a sanction, or if a member of the Disciplinary or Appeals Committee is involved in the complaint or affected by the complaint, then the committee can call upon one or more Sub-Committee Chairman to take their place.

The Lady Captain may be a member of the disciplinary hearing in place of the Immediate Past Captain, where the member answering a disciplinary allegation is a female or it is deemed appropriate for other reasons.

Prior to any hearing, the member will be advised in writing of the nature and details of the allegation against him or her, the arrangements for the hearing and be given a copy of this procedure. The member will be given a minimum of 7 days' written notice of the hearing date. The member will also be advised in writing of the outcome of the hearing.

The member will have the opportunity to state his or her case at every stage of a disciplinary hearing and be accompanied, if s/he wishes, by a friend or club member.

The Chair of the Disciplinary Committee may, as necessary, adjourn and reconvene a hearing.

The Golf Club reserves the right to seek assistance from an external facilitator(s) at any stage in the disciplinary procedure (including the attendance at hearings).

A member has the right to appeal against any disciplinary sanction. An appeal hearing will be arranged as soon as possible and the appeal will be conducted by the Appeals Committee.

3.0 Investigation

All complaints shall be notified to the Secretary in writing, outlining details of the complaint. If the Secretary is not available, or the allegation is against him/her, then the Club Chairman shall nominate a person to obtain all details about the allegation.

Upon receipt of the complaint, the Secretary will investigate the allegation, gather information and establish the facts promptly. A copy of this procedure should be given to the member whom the complaint is against.

The Secretary will then prepare a report and submit it to the Disciplinary Committee Chairman with a recommendation as to whether or not there is a disciplinary case to answer.

If disciplinary action is recommended, the Disciplinary Committee Chairman will convene a meeting of the Disciplinary Committee to analyse the report and determine if there is a need to discuss the matter in full. If it is recommended that no disciplinary action be taken, then the member will be advised accordingly by the Chair of the Disciplinary Committee.

4.0 Informal Procedure

Where a minor complaint is received regarding a member, a member of the Club Committee may write to the member outlining the nature of the complaint. If the member agrees to amend his/her behaviour or conduct, formal disciplinary action may be set aside.

5.0 Formal Procedure

5.1 Companion

The member may be accompanied at a disciplinary or appeal hearing by a Club member or family member.

Where a member chooses to be accompanied, he/she must advise the Chair of the Disciplinary or Appeals Committee of the name of the person they wish to have as a companion.

The companion has the right to address the hearing, but not to answer questions on behalf of the member.

5.2 Formal Complaint

A formal complaint against a member should be notified to the Secretary, in writing, outlining the details of the complaint. If the Secretary is not available, or the allegation is against the Secretary, then the Club Chairman shall nominate a person to obtain the details of the complaint.

5.3 Exclusion

Depending on the severity of the disciplinary allegation, the Disciplinary Committee may exclude the member from the Clubhouse or course pending the hearing of the case against him/her, prior to any formal hearing.

5.4 Disciplinary Hearing

If the Secretary believes that formal disciplinary action should be taken against a member, the member will be required to attend a disciplinary hearing.

The member whose conduct is being considered, will receive not less than 7 days' notice of the convening of a Disciplinary Hearing and be informed in writing:

- that s/he will be invited to a disciplinary hearing
- the precise details of all allegations
- that the member is entitled to be accompanied by a friend or club member
- the date, time and location of the hearing
- the names of any witnesses
- copies of any evidence and a copy of this procedure

The Disciplinary Committee may grant an application for an adjournment of the disciplinary hearing by a member, if a reasonable explanation is given by the member for such a request.

The Disciplinary Committee may sit without the attendance of the member in question as long as they are satisfied that proper notice of the date and time of the hearing has been given to the member.

Witnesses may be called by either the member or the Disciplinary Committee and should be notified to the other party not less than 4 days' prior to the Disciplinary Hearing taking place.

The member should be allowed to present his/her case in response to the allegation. The member, the companion and the Disciplinary Committee will be given every opportunity to ask questions of any witnesses called.

The Disciplinary Committee may adjourn a hearing and may also grant an application for an adjournment of the Disciplinary Hearing by the member, if a reasonable explanation is given by the member for such a request.

If there are further investigations required, and/or matters are discovered that may affect the outcome, the Disciplinary Committee must adjourn and reconvene the hearing.

After the hearing the Disciplinary Committee should retire to consider its decision. If a decision can be reached within a short timescale, then the hearing should be reconvened and the member informed of the decision and what action is being taken against him/her. If no decision can be reached immediately, the Disciplinary Committee must adjourn the hearing and inform the member accordingly.

The decision of the Disciplinary Committee shall be by majority. The Chairman of any hearing will not have a second or casting vote.

The outcome of the disciplinary hearing will be confirmed to the member in writing, after the hearing, together with the reasons for the decision and any sanction.

5.4 Disciplinary Sanctions

The Disciplinary Committee may impose the following disciplinary sanctions, depending on the severity of the disciplinary allegation:

5.4.1 Suspend the member from the club for a period not exceeding 12 months on terms and conditions they think fit. A suspended member shall cease to have any of the privileges of membership, including, where appropriate, the right to vote at any general meeting of the Club. The member may not be nominated for, or hold office, whilst suspended. The member shall remain liable to pay all subscriptions, levies and other monies due whilst suspended.

5.4.2 Expel any member whose conduct, whether within the Club premises or elsewhere, in the opinion of the Disciplinary Committee renders him/her unfit for membership of the Club.

5.4.3 Give the member a formal warning. Such warning will be in writing, but disregarded after 12 months' satisfactory membership. The warning will include the reason for the warning and a note that if no improvement results within 12 months, the member may face expulsion from the Club.

A member may be expelled from the Club where s/he wilfully refuses, or neglects, to comply with the provisions of the Memorandum and Articles or bye- laws of the Club, or if the conduct of a Member appears to the Committee to endanger the character, interest, or good order of the Club, or fails to comply with the action required in a current formal warning.

A Member expelled through this procedure shall forfeit all right in, and claim upon, the Company and its property.

5.6 Appeal - Suspension

A member may appeal against any sanction imposed by the Club. The appeal must be made in writing to the Secretary setting out the grounds for the appeal, within 14 days of the member being notified in writing of the Disciplinary Committee's decision. Once the member lodges an appeal, the matter should be referred to an Appeal Committee convened for the specific purpose.

The Secretary will give the member, not less than 7 days' written notice of the Appeal Hearing and will also inform the member in writing:

- that s/he will be invited to an appeal hearing
- that the member is entitled to be accompanied by a friend
- the date, time and location of the hearing
- the names of any witnesses
- and forward to the member any relevant documents which are not already in the member's possession

The Secretary will forward all of the papers and notes relating to the Disciplinary Hearing, to each member of the Appeal Committee.

The Secretary will attend the Appeal Hearing to take notes only.

The Appeals Committee may grant an application for an adjournment of the Appeals Hearing by a member, if a reasonable explanation is given by the member for such a request.

The Appeals Committee may sit without the attendance of the member in question as long as they are satisfied that proper notice of the date and time of the hearing has been given to the member.

Witnesses may be called by either the member or the Appeals Committee and should be notified to the other party not less than 4 days' prior to the Appeals Hearing taking place.

The member should be allowed to present his/her case in response to the complaint. The member, the companion and the Appeals Committee will be given every opportunity to ask questions of any witnesses called.

The Appeals Committee may adjourn a hearing and may also grant application for

an adjournment of the Disciplinary Hearing by a member, if a reasonable explanation is given by the member for such a request.

If there are further investigations required, and/or matters are discovered that may affect the outcome, the Appeals Committee must adjourn and reconvene the hearing.

After the hearing the Appeals Committee should retire to consider its decision. If a decision can be reached within a short timescale, then the hearing should be reconvened and the member informed of the decision and what action is being taken against him/her. If no decision can be reached immediately, the Appeals Committee must adjourn the hearing and inform the member accordingly.

The decision of the Appeals Committee shall be by majority. The Chairman of any hearing will not have a second or casting vote.

The outcome of the Appeals Hearing will be confirmed to the member in writing, after the hearing, together with the reasons for the decision and any sanction.

The Appeal Committee shall have the right to confirm, reject or vary on terms it thinks fit, the original decision. Where the original decision of the Disciplinary Committee was that the member should be suspended from the club, the Appeal Panel may also consider suspending a member's handicap for a period not exceeding 12 months as part of the Appeal Hearing decision. If the decision of the Disciplinary Hearing is confirmed, then the penalty imposed by the Disciplinary Committee takes immediate effect as from the date of the Disciplinary Hearing.

The decision of the Appeals Committee is final.

Notes

1. The timescales listed above will be adhered to wherever possible. Where there are good reasons, e.g. the need for further investigation or the lack of availability of witnesses or companions, each party can request that the other agrees to an extension of the permitted timescale.
2. If a member becomes involved in criminal proceedings and there is a possibility that this may adversely affect the reputation of the Golf Club, the Secretary, or if the Secretary is not available the person authorised to act on his or her behalf, may enquire into the situation. The Golf Club reserves the right to suspend the member, whether or not the criminal proceedings have been completed.
3. Where a Disciplinary Hearing or Appeal Hearing considers the expulsion of a member, legal opinion may be taken by the Committee.

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