



## **GREAT HORWOOD FOOTBALL CLUB DISCIPLINARY and COMPLAINTS PROCEDURES**

*Last update:- 18th June 2009*

Disciplinary matters, applying to all members of GREAT HORWOOD FC will be dealt with by the Committee of the Club. All members of the Club agree to fully comply with the Code of Conduct and be bound by its terms

Disciplinary action against Club members, including expulsion without notice, may be taken for offences of misconduct or breach of club's rules. However it is recognized and accepted that every member

- Has the right to expect fair and consistent treatment.
- Has the right to adequate notice from the Club.
- Has the right to appeal against the judgement of the Disciplinary Committee's decision in all disciplinary matters.
- Has the right to representation.
- No member will be expelled for the first breach of Club's rules except in case of "gross misconduct". However all disciplinary actions taken by the club will be duly recorded and placed on file for reference at a future date.

### **1.1.1.1 OFFENCES LEADING TO DISCIPLINARY ACTION**

The under noted actions by members may be interpreted by the Committee to fall within this Code. However the lists are not to be considered as fully inclusive or covering all possible offences. Offences on the field of play will be dealt with by the Berks and Bucks Football Association who will enforce penalties based on their disciplinary code.

"Misconduct" is the carrying out of an offence considered to be of a minor nature (unless frequently repeated) and will normally incur a written warning from the Committee together with a demand for full and appropriate corrective action. Examples of offences that may be considered as misconduct include:

- Discourteous, crude or offensive behaviour at a football game, training session or organized Great Horwood FC event.
- Conduct of an unsafe nature.
- Offensive disregard for equipment and property.



- Failure of a parent to control their children with regard to abuse of club property.
- Refusal to carry out reasonable instructions issued by Club officials or organisers.
- Any other actions of similar gravity to the above, at the discretion of the Committee.

Repetition of the above offences or failure to comply with any demands made in writing by the Committee may result in further action by the Committee Members involving a disciplinary hearing.

"Serious Misconduct" is the carrying out of an offence of such gravity that in the opinion of the Committee it warrants a Great Horwood FC disciplinary hearing. Examples of offences, which may be considered as serious misconduct, include:

- Misconduct offences above if specially grave or repeated.
- Deliberate or consistent breaches of Club rules.
- Any attempt to achieve gains or advantage over others by unfair or unscrupulous means.
- Theft or misappropriation
- Use of threatening or abusive behaviour
- Participating in the sport whilst under the influence of drugs or alcohol.
- Malicious interference with equipment or property.
- Disregard for one's own or other people's safety.
- Any other action, which in the opinion of the Club Secretary may bring the sport of the Club into disrepute, or which left unpunished, may result in the detriment of the Club or its members.

"Gross Misconduct" is action of such seriousness that the Committee will require the immediate expulsion of the offender from the Club. The Elected Officials may by means of an executive decision summarily expel such an offender without invoking a disciplinary hearing. The expelled member will have the right to a disciplinary hearing as soon as this can be arranged but will remain expelled until and unless such a hearing overturns the Committee decision. Examples of gross misconduct are:



- Physical violence or assault towards other persons at a football event or related activity, including seriously threatening, intimidating or forceful behaviour.
- Reckless disregard of safety and basic safety rules
- Being convicted of criminal offences involving physical violence or abuse.
- Other acts that are considered to be of an extremely serious nature perpetrated against the Club, its members or any other party

### **1.1.1.2 DISCIPLINARY PROCEDURE**

On receipt of a written complaint from a member, Great Horwood FC affiliated team, or Great Horwood FC affiliated League or any other party the Committee will decide whether the complaint falls within the scope of this disciplinary code. If in their opinion it does, then the Committee will decide as to the type of offence as per (2.6.8.1) above.

If the offence is considered to be one of simple misconduct, the Committee Chairman will write to the offender with a formal written warning including the demand for an apology or other corrective action the Committee may deem appropriate. The Committee will also attempt to obtain approval for their action from the complainant.

A disciplinary file will be opened by the Elected Officers in which will be placed copies and records of the original complaint, together with the written warning and any other correspondence.

The action outlined above will normally finalise the process unless any of the parties involved object strongly to the Committee decision in which case they may appeal directly to the Committee for a final decision.

Should the complaint be considered by the elected Officers as one of serious misconduct, then the following procedure will be implemented.

- The Elected Officers will appoint an Investigating Officer who will research evidence presented and, if possible, will obtain further written evidence, witness statements, etc.
- If necessary the Investigating Officer will consult all relevant witnesses for supportive evidence.
- Advise complainant that if a disciplinary hearing is called, then the complainant and all relevant witnesses will be obliged to attend and give evidence. (Non-attendance at hearing will only be allowed in extenuating circumstances, i.e., ill-health; threat of violence or other intimidation, etc. In such instances a sworn declaration must be submitted to the Committee).
- Contact the member subject of the complaint to advise of the official complaint and request the member to submit a written statement of events.



- In cases of disputes of a personal nature, the Committee will attempt to resolve the situation amicably and to the mutual satisfaction of the parties concerned.
- If settlement cannot be agreed between the parties, or if the offence merits it, then a disciplinary hearing will be arranged as soon as possible.
- Notify all parties as to the hearing date and ensure the parties have all relevant copies of paperwork in good time prior to the hearing, copies to be sent by first class recorded delivery.

### **1.1.1.3 THE DISCIPLINARY HEARING**

- The Committee Chairman shall take charge of the hearing and all questions will be addressed through the Chairman.
- A Disciplinary Committee will be appointed which will consist of a Chairman and 4 members of the Club committee.
- The Club will appoint a case presenter, who will normally be the Investigating Officer.
- All witnesses to be interviewed and all written and material evidence to be reviewed at the hearing.
- No witnesses or statements can be introduced at the hearing without prior notice and copies of all written evidence produced for consideration prior to the hearing, to be available in advance to the parties.
- The Disciplinary Committee may adjourn the hearing to allow further evidence to be referred to if the Disciplinary Committee considers it fair to do so.
- After the Disciplinary Committee has reached a decision, the subject of the complaint to be notified in writing of such decision and informed of any penalties within 14 days of the decision being reached, penalties will be effective from the date of the decision.

### **1.1.1.4 PENALTIES**

Following the hearing, the Committee will apply such penalties as the Disciplinary Committee consider appropriate, including temporary or permanent expulsion of the offender from the Club, such penalties will have immediate effect, notwithstanding the possibility of an appeal in accordance with (6) under noted. Offences of cheating or being under the influence of alcohol or drugs during a club training session or match or those involving threats of physical violence, will carry automatic expulsion from the Club and will preclude the offender from taking part in the Great Horwood FC organised activity in an official capacity. The club will in all cases comply with the requirements of the Berks and Bucks FA player protection policy including immediate notification where required.



### **1.1.1.5 6. APPEALS**

In an appeal of the decision or penalty is to be made then written notice of appeal by way of first class recorded delivery to the Club Secretary must be given by the offender, within 28 days of being notified of the decision. No appeal will be valid or considered after that period has elapsed.

It will not be sufficient simply to state "I wish to appeal", the offender must give full written grounds for the appeal, stating exactly what being is appealed against and the reasons for this. An appeal together with full and reasoned argument may be considered relative to

- The decision
- The penalty
- Other.

An appeal hearing will be convened as soon as practicable and will consist of an Appeal Committee of 3 members of the Club Committee who did not take part in the first hearing and who will elect their own Chairman (who shall have a casting vote).

New evidence cannot be presented at the appeal hearing.

The Appeal Committee shall have power to rescind or amend any decision made at the previous disciplinary hearing. The decision of the Appeal Committee is final and binding on the parties and not subject to further appeal..

### **1.1.2 Complaints Process**

Any complaint from the managers towards another member of Great Horwood Football Club or towards a member of another club must be directed through committee.

For juniors this process starts by reporting the complaint to the junior secretary. The junior secretary will pass the complaint up to the Club Committee who will discuss and take the appropriate action.

Senior members report the complaint directly to a member of the committee who will pass on the details to the remainder of the committee who will discuss and take appropriate action.

All communications must go through the above process and NO DIRECT communication must be made by the complainant to the individual or club against whom the complaint has been lodged.

The club committee will act in the best interests of the club as a whole which may involve reporting complaints to respective leagues, the FA and/or the committee of the respective clubs via their Secretary or Chairman.

Further information can be found on the FA website at:-

<http://www.thefa.com/TheFA/ContactUs/Postings/2007/07/ComplaintsProcedure.htm>