

## **LOUTH GOLF CLUB DISCIPLINARY POLICY**

### **1. General Standard of Conduct**

All members of Louth Golf Club and visitors, are required to conduct themselves at all times in accordance with the accepted standards of playing etiquette and generally acceptable standards of behaviour established in the Club's Code of Conduct.

### **2. Disciplinary Matters**

It is very much expected that most issues that arise will be of a minor nature and will be dealt with informally and appropriately without the need to instigate the formal disciplinary policy

- a) This policy covers allegation of inappropriate conduct arising at Louth Golf Club as outlined in the Code of Conduct Policy
- b) 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
- c) Any formal complaint which a person feels cannot be resolved informally must be made in writing and within 7 days following the alleged incident. All known factual details must be recorded

### **3. Complaints procedure**

- a) A complaint, in writing from any sources, alleging inappropriate conduct will be considered in the first instance by the Chair of the Board of Directors
- b) In the case of minor issues, the Chair should do their utmost to resolve the issue as soon as possible by either looking into the matter or referring the matter to another Director or an appropriate Official to resolve or determine what further action is required
- c) If the issue cannot be resolved, then the Chair of the Board/Director/appropriate Official will refer the issue to the Disciplinary Committee

### **4. Disciplinary Committee**

- a) The Committee will be made up of three members from either the Board of Directors, and/or appropriate Officials of the Club
- b) A further member will be appointed as committee secretary to take notes
- c) 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
- d) The Chair will ascertain that no member of the committee has an interest which may influence the outcome of the hearings
- e) The Committee Secretary will maintain full notes of the procedure taken and outcome should these be necessary for any appeal at a later date
- f) The Disciplinary Committee shall have jurisdiction to conduct the Disciplinary hearings and impose sanctions on those persons who are subject to a charge
- g) 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

## **5. Formal Disciplinary Procedures**

- a) The Chair of the Committee will inform any member/person against whom a complaint has been made of the grounds of the complaint, along with any accompanying written evidence and shall invite the member/person to make written representation in answer to the complaint, within 10 days
- b) A personal hearing may be required or offered by the Disciplinary Committee and, in any event, will be offered if it is possible that a sanction could be expulsion or suspension, in the event the complaint is proved
- c) If, after offer, a personal hearing is not required or requested within 10 days by the member the matter will be dealt with by the Disciplinary Committee within 14 days, taking into account the written representation of the members/persons involved and any other written or oral evidence available. All evidence will be made available to the member/person concerned
- d) If a personal hearing is to take place:
  - The Chair of the Committee must give the member/person at least 10 days' notice of the date, place and time of the personal hearing. The notice will state the complaint to be discussed and will provide details of any evidence against the member/person
  - The relevant member may be represented or accompanied in the hearing by one other member of their choice
  - The Disciplinary Committee shall take account of the written evidence and oral representation of the relevant member/person and any other evidence, written or oral, available
  - The failure of any person to attend the hearing or to answer any questions or to produce the necessary papers shall not prevent the Disciplinary Committee from proceeding to a decision
- e) The Disciplinary committee will normally consider a complaint fully before any question of suspension arises but, where a complaint is related to a serious breach of the rules and/or related activities may be exercised by the Disciplinary Committee as soon as the complaint is received. Such suspension will last until the formal hearing of the matter by the Disciplinary Committee which will take place no more than 14 days from the beginning of the period of suspension
- f) The standard of proof in all cases before the Disciplinary Committee or the Appeals Committee is the balance of probabilities
- g) The Decision of the Disciplinary Committee will be conveyed in writing to both the member/person, and any member/person who initiated the complaint within 5 days of the decision
- h) The member/person will have the right to appeal against the decision
- i) The decision of the Disciplinary Committee shall be deemed to be a decision of the Club and binding on the member/person concerned (subject to an appeal)

## **6. Penalties**

If a member/person is found to be in breach of the rules of the Club, the Disciplinary Committee shall have the power to impose on the member/person one or more of the following penalties:

- Issue a letter warning as to their future behaviour in respect of the misconduct or rule breach committed

- suspension or exclusion from Club activities including Club Tournaments, teams, meetings or otherwise
- suspension or exclusion from holding office within the Club for a specified or indefinite period of time
- Suspension of membership of the club or to a visitor of attending the club premises, by a period decided by the Disciplinary Committee with no refund of any membership fees
- Permanent withdrawal of membership or to a visitor of attending the club premises, with no refund of any membership fees
- Request restitution where damage is done during an act of misconduct

## **7. Appeals**

- a) A member/person wishing to appeal against a decision of, or penalty imposed by the Disciplinary Committee under the above policy outlined above, shall lodge their appeal in writing to the Chair of the Board, within 10 days of the date of the letter of notification of the decision by the Disciplinary Committee
- b) In the event of the lodgement of an appeal the following procedures will be followed:
  - Any penalty imposed by the Disciplinary Committee will be deferred pending the outcome of the appeal
  - An Appeal Committee will be appointed by the Chair of the Board comprising of three members from either the Board of Directors and/or appropriate Officials, who have not been members of the Disciplinary Committee which reached the original decision on the matter
  - In the event that an Appeal Committee cannot be formed due to having knowledge of the allegation, members from one of the Club's committees will be co-opted onto the Appeal Committee
  - 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 relevant member/person will be given at least 10 days' notice in writing of the date, time and place of the appeal hearing and shall give them the opportunity of being heard in person or by written submission. The notice shall set out details of any additional evidence which has been made available to them since the original hearing
  - If the person is attending the hearing in person, the rules detailed in 5d will apply
  - The Appeal Committee shall adjudicate upon the matter taking into consideration the written or oral evidence of the relevant member or person and seeking such further evidence, written or oral as it thinks fit
  - The Appeal Committee may cancel, reduce, confirm or increase the penalty under appeal or substitute a penalty of a different form. If the penalty being appealed includes suspension the start of the period of suspension may be deferred pending the outcome of the appeal
  - The decision of the Appeal Committee is final

