



Crossgar Golf Club

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Discipline Policy

Introduction

1. All members of Crossgar Golf Club ('the Club') and their visitors are required, whether playing, on the Club's premises or representing the Club, to conduct themselves at all times in accordance with the accepted standards of playing etiquette and generally accepted standards of behaviour established by the Club.

Aim

2. The aim of this Policy is to make the Club's workforce, its membership and visitors aware of the types of inappropriate behaviour that may lead to disciplinary action.

General

3. It is 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.

4. This procedure covers allegations of inappropriate conduct arising in relation to a member of the Club, possibly meriting suspension or expulsion from the Club; how a charge of misconduct may be brought and heard and the associated Appeals Procedure. Such allegations may be brought by the Club Committee, another member or a member of the public.

5. A member shall be liable to disciplinary action by the Club if he or she:

- a. Fails to uphold the traditions and etiquette of golf and which may bring the game of golf or the Club into disrepute;
- b. Displays conduct which is likely to injure or discredit the reputation of the Club or any of its members;
- c. Commits a serious breach of the Rules of Golf as laid down by the Royal and Ancient (R&A) Golf Club of St Andrews, a serious or persistent breach of the Club's competition conditions and/or local rules;
- d. Conducts themselves in a violent, abusive, bullying, harassing or intimidating manner;
- e. Has falsified any score card, handicap, membership or entry forms;

- f. Is under the influence of drink or drugs on the golf course and/or acting in an inappropriate manner in or around the Club or on any Club activity;
- g. Has failed to comply with a reasonable request from a nominated Club committee member or official representative; and
- h. Makes a statement on social media to make inappropriate comments about the Club or its affairs, staff, members, visitors or volunteers.

6. Once they have become aware of it, members are duty bound to report immediately to the Club Committee or Secretary, any violation of the Club's byelaws or any conduct likely to injure or discredit the Club.

Disciplinary Committee

7. If a complaint or allegation has been made that may warrant disciplinary action, then a Disciplinary Committee shall be convened by the Captain or, in his or her absence, the Vice-Captain.

8. The Disciplinary Committee shall comprise the Vice-Captain or, in his or her absence, an officer of the Club's Committee, one other member of the Club's Committee and one senior member of the Club e.g., ex-Captain, ex-President, ex-Secretary etc. If any member of the Disciplinary Committee becomes unable to or cannot complete their duties, the Captain or Vice-Captain shall appoint another member in their place.

9. If the offending member is female, then the Lady Captain or, in her absence, a suitable female member will sit on the Disciplinary Committee.

10. If the offending member is a juvenile, then the Club's Safeguarding Officer will advise the Committees on any specific actions that are necessary to be taken.

11. The Captain and/or Vice-Captain shall give powers to the Disciplinary Committee to deal with issues as required.

12. Any member of the Disciplinary Committee declaring a conflict of interest in relation to a particular matter under consideration shall be excluded from the proceedings.

13. No Disciplinary hearing may take place without a quorum of three being present.

14. The Disciplinary Committee shall be responsible for ensuring that all members comply with the Rules and Bye-laws of the Club as published in the Club's Constitution, Rules Bye-Laws and Policy Statements.

15. The Disciplinary Committee shall be responsible for ensuring that all members comply with the Royal and Ancient ('R&A') Rules of Golf.

16. The Club's Child Safeguarding Officer should be informed of any discipline matter involving a junior or vulnerable adult and be present to support the junior or vulnerable adult in any discipline process.

Disciplinary Procedure

17. A complaint or allegation, in writing, from any source, against a member, alleging inappropriate conduct, will be considered in the first instance by the Secretary. In the case of minor issues, the Secretary should do their utmost to resolve the issue as soon as possible in conjunction with the relevant section.

18. If the Secretary is unable to resolve the issue and decides there is a formal disciplinary case to be made, the Secretary will be responsible for bringing the case formally before the Captain and Vice-Captain, who will convene the Disciplinary Committee if required, ideally within a few days of the alleged incident.

19. The Secretary shall inform any member against whom a complaint or allegation has been made of the grounds of the complaint or allegation, enclosing any supporting information or evidence which documents the complaint or allegation. The member shall be given the opportunity to make a written response to the complaint or allegation within a reasonable time-scale not exceeding 10 days.

20. The Disciplinary Committee will interview witnesses and review documentary evidence before interviewing the member against whom a complaint or allegation has been made. This may be done by telephone, electronically or in person. Regardless of the mechanism used, all information given can, at the request of the interviewee, be given anonymously, unless doing so puts someone at risk or impedes a legal investigation.

21. A personal hearing may be required or offered by the Disciplinary Committee if it is possible that a sanction could be expulsion or suspension, in the event the complaint is upheld.

22. If, after offer, a personal hearing is not required or requested by the member within seven days, the matter will be dealt with by the Disciplinary Committee within a reasonable time-scale (21 days) taking into account the written representations of the relevant member and any other evidence, written or oral, that has been made available.

23. If a disciplinary hearing is to take place:

a. The Secretary must give the relevant member at least 10 days' notice of the date, place and time of the disciplinary hearing. The notice will state the complaint to be discussed and will provide details of any evidence against the member;

b. The member may be represented or accompanied in the disciplinary hearing by one other Club member of their choice. The Club member can take notes and ask questions on behalf of the member, but they cannot answer questions for them;

c. The Disciplinary Committee shall take account of the written and oral representations of the relevant member and any other evidence, written or oral that has been made available;

d. The failure of any person involved to attend a hearing or to answer any question or to produce any necessary papers shall not prevent the Disciplinary Committee from proceeding to a decision;

- e. The Disciplinary Committee will normally consider a complaint before any question of suspension arises but, where a complaint is related to a serious breach of the rules of the Club, a power to suspend forthwith a member's playing rights and Club activities may be exercised by the Club's 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 Disciplinary Committee is responsible for taking notes at the hearing. At the end of the hearing, the member should be asked to review the notes and sign and date them to confirm they are in agreement with the record of the discussion.
- g. The Disciplinary Committee is to convey their findings and recommendations to the Secretary, who will present their findings to the Club's committee. The report should include:
- (1) Confirmation of the members of the Disciplinary Committee;
 - (2) A copy of all witness statements and documentary evidence;
 - (3) A copy of any responses from the member;
 - (4) Details of the facts determined by the investigation. The Disciplinary Committee must ensure that anonymity requested by witnesses is respected;
 - (5) A recommendation that the case be dismissed or a recommendation that the case is upheld; and
 - (6) A recommendation on the sanction(s) to be imposed on the member based on the information reported.

Penalties

24. If a member is found to be in breach of the Club's rules, the Disciplinary Committee shall have the power to impose on the member one or more of the following penalties:
- a. Issue a letter warning the member as to their future behaviour;
 - b. Forfeiture of any competition prize;
 - c. Suspend the member for a period decided by the Disciplinary Committee, with no refund of any membership fees;
 - d. Permanent withdrawal of Club membership, with no refund of any membership fees; and
 - e. Request restitution where damage is done during an act of misconduct.
 - f. Any other reasonable sanction that the Disciplinary Committee may deem appropriate.

Decision

25. The Club's committee will, by majority vote, decide to:
 - a. Accept the recommendations of the Discipline Committee; or
 - b. Increase or decrease the recommended sanction(s); or
 - c. Decide that no sanction is required.
26. The Secretary will write to the member, within 72 hours, informing them of the outcome of the investigation, any sanction imposed and their right to appeal.

Appeals

27. A member wishing to appeal against a decision of, or penalty imposed by, the Club's Committee under the disciplinary procedure above, shall lodge their appeal in writing with the Secretary within 10 days of the date of the letter of notification of the disciplinary decision.
28. This must set out the grounds on which the appeal is based, which should be either:
 - a. New evidence that was not considered by the disciplinary committee; or
 - b. Evidence that the investigation procedure was flawed.
29. In the event of an appeal being lodged, the following procedures will be followed:
 - a. Any penalty imposed by the Disciplinary Committee will be deferred pending the outcome of the appeal;
 - b. The Captain or, in his or her absence, the President shall appoint an Appeal Committee comprising the President and two other Club Committee members, none of whom had been members of the Disciplinary Committee which reached the original decision on the matter;
 - c. Any member of the Appeal Committee declaring a conflict of interest in relation to a particular matter under consideration shall be excluded from the proceedings.
 - d. The Secretary shall give the relevant member 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;
 - e. If the member is attending the appeal hearing in person, the rules detailed in paragraph 21 above shall apply;
 - f. The Appeal Committee shall adjudicate upon the matter taking into consideration the written or oral evidence of the relevant member and seeking such further evidence, written or oral, as it thinks fit;

- g. The Appeal Committee may cancel, reduce, confirm or increase the penalty under appeal or substitute a penalty of a different form; and
- h. The decision of the Appeal Committee is final.

Summary

30. It is expected that every disciplinary matter should be dealt with in a manner consistent with the principles of natural justice.

31. This means ensuring that the member is given adequate notice of the allegations against them, that there is a fair hearing or process, that the investigation is conducted in a timely matter, and that there is no bias or conflict of interest in dealing with the matter.

32. Put simply, the member must have the opportunity to have their side of the story heard, and have their case dealt with by people who do not have any vested interest in the outcome of the matter.

33. The Disciplinary Committee and the Appeal Committee are not obliged to follow strict rules of evidence. They may review any evidence as they see fit, and accord it such weight as they think appropriate and reasonable.

34. The standard of proof in all cases before the Disciplinary Committee and the Appeal Committee is the balance of probabilities.

35. The time frames stated in this Discipline Policy are recommendations that should be met in most cases. They may be extended provided there are reasonable and credible extenuating circumstances for doing so.

36. The Club will not be liable to any person or body for any loss arising out of, or in connection with, any disciplinary action taken under these procedures, for example, suspension or permanent withdrawal of Club membership, with no refund of any membership fees.

37. At all times, the Club's Committee, Disciplinary Committee members and Appeal Committee members should treat all information relating to a complaint or allegation "in confidence" and it should only be discussed with individuals directly involved and never in the presence of other Club members.

38. The Club's Committee may amend this policy from time to time as it sees fit and any such amendment shall come into force and have effect from such date as the Club's Committee may determine. The Club's Committee will review this Policy at least every two years, when there are changes in legislation, and will ensure that it is published on the Club's website and posted on the Club's noticeboard.

{Signed on Original}

Tony Moore
Secretary
Crossgar Golf Club