

# **Faversham Swimming Club**

## **Disputes and Disciplinary Procedure**

The Faversham Swimming Club Committee appreciate that should disputes occur between members of the club it is important to have procedures in place to enable issues to be resolved within the club before the matter becomes a formal complaint.

The Faversham Swimming Club Complaints and Disciplinary Procedure follow ASA Guidelines. All disputes and disciplinary action will observe the following key principles

- All parties will be treated fairly
- The Complainant has the opportunity to present their case.
- The accused has the opportunity to respond
- The accused is innocent until proven guilty.

All issues relating to child protection with regard to any individual will be referred to the ASA Department of Legal Affairs, as defined by the ASA Child Protection Policy.

The Faversham Swimming Club Complaints and Disciplinary Procedure are only applicable to breaches of club rules by members of Faversham Swimming Club. The Committee does not have the powers to consider complaints against non-members, members of other swimming clubs, or address offences under ASA Law.

### **Procedures**

In the event of a situation occurring during training or competition it may be necessary for a Club Official to take immediate action. The Supervising Coach or a Committee Member has the authority to temporarily exclude a club member from that training session or competition. The excluding Officer is required to submit a report which will then be considered in accordance with the following procedures.

Any club member can make a written dispute about any incident relating any other club member regardless of whether action was taken at the time.

On receipt of each written dispute Faversham Swimming Club Committee will, where practicable, make every effort to resolve disputes by informal discussion.

Where a matter cannot be resolved informally, or it is clearly necessary to discipline a member the Committee will set up a Disciplinary Panel to address the matter.

### **Disciplinary Procedure**

1. The Disciplinary Panel will consist of three people, normally Faversham Swimming Club Committee Members, one of whom will act as chairman and another will act as secretary. No member of the panel will have been involved in the dispute. The Committee may invite individuals from outside of the club to sit on the panel if it is deemed necessary.
2. Where appropriate the Committee will appoint an officer of the club to present its case where the complaint is being made by the club.
3. The Chairman of the Panel will notify both parties of the date, time and place of the hearing and the names of the panel members.
4. Both Parties will be given copies of all papers.
5. The hearing will be held within 14 days of receipt of the complaint, unless there are extenuating circumstances.
6. If either party is under 18 years old they can be accompanied by a parent, or guardian, or a coach to help them present their case.
7. Both parties are allowed to bring witnesses to support their case, who after questioning will take no further part in the hearing.
8. Notes will be taken at the hearing.
9. The Panel Chairman will announce any decision verbally as soon as practicable, which will be confirmed in writing within 5 days.
10. Faversham Swimming Club will maintain a record of all complaints and action taken.

### **Powers of the Disciplinary Panel**

The Disciplinary Panel has the powers to administer the following sanctions:

1. Issue a verbal reprimand.
2. Issue a written reprimand.
3. Suspend a member for a specified period of time with immediate effect.
4. Expel a member from the club with immediate effect where a club member has, in the opinion of the panel, compromised the interests of the club. Such action may be subject to any overriding ASA Complaints Procedure.

If either party to the complaint is dissatisfied with the findings of the Disciplinary Panel, they retain the right to refer the dispute to the Judicial Administrator at the ASA.

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