



Claremorris Lawn Tennis Club CLG

Dalton Street, Claremorris, Co. Mayo

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Disciplinary Procedure

Disciplinary matters at Claremorris Tennis Club will be dealt with by the appointed Disciplinary Committee. On registration, all members of the club agree to fully comply with the club's "code of conduct". Disciplinary action against club members, including expulsion without notice, may be taken for offences of misconduct or breach of the club's rules. However, it is recognised and accepted that every member:

- Has the right to expect fair & consistent treatment
- Has the right to adequate notice from the club
- Has the right to appeal against the disciplinary committee's judgement
- Has the right to representation
- No member will be expelled for the first time breach of club rules except in cases of "gross misconduct"

Offences leading to Disciplinary Action

The undernoted actions by members may be interpreted by the Committee to fall within the club's code of conduct. However, the lists are not to be considered as fully inclusive or covering all possible offences.

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

- ✓ All forms of discriminatory behaviour
- ✓ Discourteous, crude, or offensive behaviour at matches, training sessions or club events
- ✓ Conduct of an unsafe nature
- ✓ Offensive disregard for equipment or property
- ✓ Any other actions of similar gravity to the above

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

`serious misconduct` is the carrying out of an offence of such gravity that in the opinion of the disciplinary committee warrants a Claremorris Tennis Club disciplinary hearing. Examples of offences considered as serious misconduct include:

- Deliberate or consistent breach 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
- Participation of 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`s committee may bring the sport or Claremorris Tennis 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 disciplinary committee will require the immediate expulsion of the offender from the club. Examples of gross misconduct include:
- Physical violence of assault towards other persons at the club, including serious 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.

Disciplinary Procedure

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

A disciplinary file will be opened by the Committee 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 Officers decision in which case, they may appeal directly to the club chairperson for a final decision.

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

- The 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 a hearing

will only be allowed in

extenuating circumstances, i.e. Ill-health, threat of violence or intimidation etc). In such circumstances/instances a sworn declaration must be submitted to the Club chairperson

- 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 Officers 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-Contact the Club's Legal Advisor if required and supply copies of all evidence-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.

Disciplinary Hearing

The Club's Chairperson shall take charge of the hearing and all questions will be addressed through him/herself.

A disciplinary committee will be appointed which will consist of: –

1. The Club Chairperson

2. Two members of the Committee

- The Club will appoint a case presenter, who will normally be the Investigating Officer. All witnesses to be interviewed and all written 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 appellant is entitled to be accompanied to the hearing by a friend not acting in a legal capacity.
- 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 7 days of the decision being reached, penalties will be effective from the date of the decision.



Penalties

Following the hearing, the Disciplinary 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 the under noted. Offences of cheating or being under the influence of alcohol or drugs during a club training sessions 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 any Claremorris Tennis Club organised activity in an official capacity. The Club will in all cases comply with the requirements of Tennis Ireland and Club Safeguarding policies including immediate notification of the police where required.

Appeals

If an appeal of the decision or penalty is to be made then written notice of appeal to the Club chairperson 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 to state "I wish to appeal", the offender must give full written grounds for the appeal, stating exactly what is being appealed against and the reasons for this. An appeal together with full and recorded 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 committee who did not take part in the first hearing and who will elect their own Chairperson (who will have the casting vote).

The appellant is entitled to be accompanied to the appeal by a friend not acting in a legal capacity.

New evidence cannot be presented at the appeal hearing. The Appeal Committee shall have power to amend or revoke any decision made at the previous disciplinary hearing.



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The decision of the Appeal Committee
is final and binding on the parties and not subject to further appeal.

Date Approved: 5th August 2022