



## **Poloc Cricket Club disciplinary policy – volunteers and staff members**

### **Purpose and scope**

Poloc Cricket Club aims to encourage high standards of individual behaviour in all aspects of sport. This procedure will be followed where any applicable Code of Conduct or rules is breached by a volunteer or staff member. Separate rules concerning club members are contained in the club's Constitution.

### **Principles**

- The procedure is designed to establish the facts quickly and to deal consistently with disciplinary issues.
- No disciplinary action will be taken until the matter has been fully investigated.
- Depending on the circumstances, the volunteer/staff member involved may be suspended while an investigation is carried out. Suspension is not a form of disciplinary action. A decision to suspend will be made by the General Committee. Notification of the suspension and the reasons will be conveyed in writing to the person concerned.
- At every stage of the formal disciplinary procedure the volunteer/member of staff will have the opportunity to state their case at a disciplinary hearing. They will also have the opportunity to be represented or accompanied, if they wish, by a third party.
- A volunteer/staff member has the right to appeal against any disciplinary penalty.
- The disciplinary procedure may be implemented at any stage 1, 2 or 3 of the following procedure if the alleged misconduct warrants such action.

### **The procedure**

#### *Initial stage (does not form part of formal disciplinary procedure)*

Where the volunteer/staff member fails to meet the required standard of performance or conduct and the shortfall is of a minor nature, the General Committee may decide to speak to the volunteer/staff member on an informal basis before taking formal disciplinary action. The General Committee should also advise the volunteer/staff member of the need to achieve and maintain the standards required. The General Committee may inform the volunteer/staff member that failure to achieve the required standards will result in a formal disciplinary hearing, which may result in disciplinary action.

Facts of the conversation should be noted and confirmed in writing to the volunteer/staff member so there is clarity about what has to be achieved.

#### *Formal disciplinary procedure*

##### *Stage 1 – first warning*

If conduct or performance is unsatisfactory, the volunteer/staff member will be given a written warning. Such warnings will be recorded. The warning will expire after 12 months of satisfactory performance. A final written warning may be considered if there is no sustained satisfactory improvement or change.

##### *Stage 2 – final written warning*

If the breach of the applicable Code of Conduct or rules is serious, or there is no improvement in standards, or if conduct of a similar kind occurs again, a final written warning will be given. The written warning will expire after 18 months. Action at Stage 3 will be taken if there is no sustained satisfactory improvement or change.



### *Stage 3 – dismissal or action short of dismissal*

If the conduct or performance has failed to improve, the volunteer/ staff member's position will be reviewed. This may result in a change of role, demotion, disciplinary transfer, or dismissal.

### *Gross misconduct*

If, after investigation, it is confirmed that a volunteer/staff member has committed an offence of the following nature (the list is not exhaustive), the normal consequence will be dismissal without notice or payment in lieu of notice:

- theft;
- damage to property;
- fraud;
- incapacity for work due to being under the influence of alcohol or illegal drugs;
- physical violence;
- bullying;
- abuse of a child or vulnerable adult; or
- gross disobedience.

Following advice from the police, cases that also involve a criminal investigation will not preclude disciplinary action being taken provided sufficient information is available to enable the General Committee to make a decision and that to do so does not jeopardise the criminal investigation. Any decision to dismiss will be taken by the General Committee only after full investigation.

### *Appeals*

A volunteer/staff member who wishes to appeal against any disciplinary decision must do so to an Appeal Committee set up for this purpose within seven working days of the disciplinary decision being made known to them.

The volunteer/staff member should provide a written statement of the appeal, indicating the grounds for the appeal together with such accompanying documents as they feel appropriate.

The appeal will be heard by the Appeal Committee and a decision on the case made as impartially as possible.

The Appeal Committee will notify the volunteer/staff member of the decision in writing as quickly as possible. The decision of Appeal Committee is final and there is no right of appeal.

### **Protection of Children (Scotland) Act 2003**

Where a volunteer/ member of staff's conduct has harmed a child or placed a child at risk of harm and disciplinary action has been taken, Poloc Cricket Club has a legal duty to refer the volunteer/staff member to Scottish Ministers who will consider the circumstances further.