



# Kingston & Elmbridge Junior Snorkellers Club

[www.Snorkelling.org.uk](http://www.Snorkelling.org.uk)

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## Discipline Policy

The Kingston & Elmbridge Junior Snorkellers Club prides itself on providing a positive environment, which nurtures its member's passion for the sport of snorkelling, and helps them to become well rounded individuals.

It is accepted however that there may be incidents which are deemed undesirable, where members may act or display actions or characteristics that do not meet with the clubs, ethos, Rules or Code of Conduct. These incidents, in the less severe instance will be dealt with on an ad-hoc basis, at the time of occurrence, by the Instructor in charge of the lesson or event. Usually by way of corrective conversation, or referral to parental supervision. Any action taken by a KEJSC staff member will be recorded in a duly sanctioned location and reviewed by the Dive Officer on a regular basis to ensure consistency, and to prevent an ongoing course of conduct or any further reoccurrence.

However, any incident beyond the scope of lesser offences, must be dealt with formally by way of the following procedures.

### **Purpose and scope**

This procedure is designed to help and encourage all members of The Kingston & Elmbridge Junior Snorkellers Club (KEJSC) to achieve and maintain standards of behaviour as detailed within the club's Code of Conduct and Club Rules. The emphasis of Disciplinary Procedure is, in the first instance, on the improvement of the member's behaviour by working in partnership with them and their parent/guardian rather than just on imposing sanctions. The Club will only impose sanctions in the most serious cases or where improvement in the member's behaviour has not been forthcoming. Our aim is to ensure consistent and fair treatment for all members.

### **Principles**

The Disciplinary Committee will consist of the Club Welfare Officer and a minimum of two more members of the Club Committee, usually the Dive Officer and Training Officer. A meeting will be convened within 14 days of the alleged breach of the Code of Conduct and the member will

be notified in writing of the nature of their failure to maintain the standards detailed in the Code of Conduct and/or Club Rules.

On the day of the incident giving rise to the breach of the Code of Conduct, the matter should be reported to the Dive Officer or Club Secretary in their absence, by the lead Instructor or any interested or relevant party.

Notification can be achieved by way of the club website ([www.snorkelling.org.uk](http://www.snorkelling.org.uk)), via the registered member's page and clicking on the Complaints Form. Via Email direct to the club via [info@snorkelling.org.uk](mailto:info@snorkelling.org.uk) or via phone or letter to the Dive Officer, Club Welfare Officer, or Club Secretary. Alternatively, if you wish to remain anonymous, you can report any matter via the British Sub Aqua Club ([www.bsac.com](http://www.bsac.com)), who will relay any information on.

If the Dive Officer, Club Secretary or Welfare Officer considers that a potential breach of the Code of Conduct has occurred, the matter will be passed to the Welfare Officer who will coordinate the investigation and institute the disciplinary procedure.

Members will be notified of the time, date and venue of the meeting by letter and will be required to confirm attendance no later than 24 hours prior to the date of the meeting. The member will be required to attend with their parent/guardian, if they are under 18, who may make representations on their behalf. The member and or their representative will be given an opportunity to state their case prior to any decision being made by the Disciplinary Committee.

No disciplinary action will be taken against a member until a full investigation as to the circumstances of the incident have been conducted by the club. At all stages of the investigation the member will be required to be accompanied by their parent/guardian, if they are under 18, who may make representations on their behalf and confirm that the member fully understands the potential breach of the code, the procedure taking place and the sanction, if any, imposed by the Disciplinary Committee.

All aspects of the investigation will remain confidential. No member will be dismissed from the Club for a first breach of the Code of Conduct except in cases where there has been a Gross Misconduct as detailed under section 4. In those circumstances a specific procedure will be followed. A member will have the right to appeal against any disciplinary action imposed. An appeal should be addressed to the Club Secretary and submitted within seven days from the date that the Disciplinary Committee's decision is communicated to the member.

### **Investigation & "Cooling Off" Period**

In all cases, there will be a period of investigation where enquiries will be made to ascertain the details of events, and an explanation as to the incident. This may be carried out informally or formally via various processes, such as committee or instructor enquiries, or via the governing body, local council or police.

During this period, it will be at the discretion of the club committee, usually a two thirds majority of a quorum of five (or if five committee members are unavailable, a unanimous agreement of three), as to whether any temporary suspension is issued to the parties involved until the matter is concluded.

This suspension is in no way to apportion any blame or agree with any allegation, until a formal investigation is complete. Any suspension issued is only to separate concerned parties from a common environment to form a "Cooling Off" period, to reduce any conflict which may affect the smooth running of the club while the matter is being properly investigated.

This is especially important where there may be outside investigating bodies making enquiries, e.g. BSAC or Police. So that these investigations are not jeopardised. It will then be for the appropriate body to take action in accordance with this policy if internal, or other options if external.

At the conclusion of the enquires should any misconduct be identified, the below procedures may be carried out in accordance with this policy, and any formal sanction may be imposed as required.

Any suspension issued, will either be cancelled or continued at the discretion of the committee at this point.

### **Misconduct**

The following list gives examples of behaviour that are normally regarded as misconduct (This list is not exhaustive):

1. Low Level Bullying
2. Low Level Harassment
3. Repeated Disruption of Classes
4. Refusal to Follow Club Rules
5. Swearing or Verbal Abuse

### **Procedure**

**Stage 1 - Verbal Warning** If the conduct is deemed to be in breach of the standards laid down in the Code of Conduct, a member will in the first instance be given a verbal warning. The member and their parent/guardian will be advised of the reason for the warning and notified that this is the first stage of the Disciplinary Procedure. He or she will be notified that they have a right to appeal, the timescale upon which the appeal should be submitted to the Club Secretary for the

Club's further consideration. A note of the verbal warning will be kept by the Club Secretary, but will be discarded after 12 months or in line with the present requirements of the Data Protection Act. Where a follow up review is necessary, the member will be advised of this and the timescales for review. In those circumstances, an action plan will be mutually agreed with the member or parent/guardian if under 18, and a mentor appointed by the Club.

**Stage 2 - Written Warning** If the matter is more serious or there is a further breach of the Code of Conduct, then a written warning will be given to the member. This will explain the reason for the warning, the improvement in conduct required and the timescale. Further, if there is no improvement that action detailed in Stage 3 may be considered. The right of appeal against this decision will be advised and explained to the member. An action plan will be mutually agreed with the member or parent/guardian if under 18, and a mentor appointed by the Club. A copy of the written warning will be kept by the Club Secretary, but will be discarded for disciplinary purposes after 12 months subject to satisfactory conduct.

**Stage 3 – Final Written Warning** If there is still a failure to improve and conduct is still unsatisfactory, or if the matter is sufficiently serious to warrant only one written warning but insufficiently serious to justify dismissal from the club, a final written warning will be given by the Committee. This will explain the reason for the warning, the improvement required and the timescale. An action plan will be mutually agreed with the member or parent/guardian if under 18, and a mentor appointed by the Club. It will also warn that dismissal from the Club will result if there is no improvement and will advise the right of appeal. The Club Secretary will hold a copy of the final written warning, but it will be disregarded for disciplinary purposes after 12 months subject to satisfactory conduct which will be assessed by the committee.

**Stage 4 – Dismissal from the Club** If the conduct is still unsatisfactory and the member still fails to reach the required standards or the conduct is regarded as serious gross misconduct then dismissal from the club will usually result. Only the Club Committee with a quorum of at least two thirds can take the decision to dismiss the member. The member will be provided, as soon as practicable, a written explanation for dismissal, the date upon which membership will terminate and the right of appeal.

### **Gross Misconduct**

The following list gives examples of behaviour that are normally regarded as gross misconduct (This list is not exhaustive):

1. Fighting
2. Assault
3. Deliberate damage to Club property
4. Bringing the Club into disrepute by actions or words

5. Serious negligence or disregard of the Club Rules that causes, or could have caused, unacceptable loss, damage or injury.
6. Serious act of insubordination, including the failure to follow or observe reasonable instructions of the Club Staff or Instructor.

### **Procedure**

In the event that a member of the Club is alleged of gross misconduct the member shall be automatically suspended; pending investigation/disciplinary hearing according to the Club's policy or when superseded by The British Sub Aqua Club's Policies and Procedures, or other Legal Authority.

1. In the case of members, the individual will not be able to train or attend club events until an emergency meeting of the Club Committee has been convened.
2. An emergency meeting of the Club Committee will be convened within 2 weeks of the incident. Comprising the Welfare Officer, Dive Officer, Training Officer and other Committee members to constitute a quorum of five. The committee members will be mutually agreed by the Welfare Officer and Dive Officer or where one of these officers is involved, another committee member.
3. The individual involved will be asked to attend the meeting and in the case of a member under 18, will be accompanied by a parent/guardian or other representative.
4. The individual will be asked to recall the incident, to confirm that they understand the charges, explain their actions and to answer questions regarding the incident with the agreement of their parent/guardian or representative. Witnesses may be called by members or staff charged with serious/gross misconduct. The Club also reserves the right to call witnesses if deemed appropriate.
5. At the end of the hearing once all the evidence has been heard the individual and or their representative will be entitled to make a closing submission to the Disciplinary Committee.
6. After the closing submissions, all other persons shall withdraw whilst the Committee considers the evidence and submissions. It will determine whether the breach has been proved or not, and what actions are to be taken as a result.
7. The individuals will be re-called to the meeting and notified of the Committee's decision which will be confirmed in writing.

8. Should a person charged with serious/gross misconduct not attend the Disciplinary Meeting then a decision will be made in their absence and the decision of the Committee will be confirmed in writing to the address noted on their membership record.

The Committee have the authority to take whatever action is appropriate within the club rules and constitution. In the most serious of cases this could lead to dismissal from the club. Individuals/parents will be expected to pay any fines, damages or administrative costs imposed by any ruling bodies or The Kingston & Elmbridge Junior Snorkellers Club (KEJSC) in relation to such an incident.

### **Appeals**

A member who wishes to appeal against any disciplinary decision should inform the Club Secretary within seven days. At the appeal any disciplinary action proposed will be reviewed by the Dive Officer and another member of the Committee not involved in the original hearing or investigation. If any conflict of interest or for any other reason, another committee member is unavailable. A committee member may be sought from an outside Snorkelling Club (e.g. our sister clubs, Dorking or Woking) to assist in the process. The member's parent/guardian or representative, if they are a member under 18 years old, will accompany them to the appeal hearing. The member will be notified of the outcome of the appeal in writing within seven days of the hearing.