[SOCIETY NAME] DISCIPLINARY POLICY

Introduction

All members of [.....Supporters Society Limited] (The Society) agree to be bound by the Rules and policies of the Society, which require that the conduct of all members is not prejudicial to the Society.

This policy sets out the process by which the Society should investigate complaints or charges that a member may, directly or indirectly, have breached the terms of any code of conduct that they have signed up to as a condition of their membership and/or any elected office.

It does not apply to employees of the Society whose conduct will be governed by a policy more specific to contractually employed staff.

This document is drafted in accordance with the existing rules of [ ] Supporters Society Limited and sets out the Disciplinary Policy adopted pursuant to a resolution of the Society at a General Meeting held on .....

The purpose of this policy is to ensure that:

- Members agree to be bound by the rules of the Society which require that the conduct of members is not prejudicial to the Objects of the Society.

Definitions

This document uses several terms which are defined in the Society Rules.

Raising a Potential Policy Breach

1. A potential policy breach may come to light through a number of sources including, but not limited to:
    - Issue arising during the course of a meeting that cannot be resolved by immediate intervention of the Meeting Chair to the satisfaction of all parties;
    - Complaint from an individual Society member
    - An anonymous whistle-blower;
    - Identified by employees of the Society;

Procedure

2. In the first instance there is a commitment to undertake informal consideration of evidence, and discussion with directly affected persons, by the Society

Secretary (unless they are the subject of the action, in which case a Board member shall be appointed by a majority vote of the Board.)

3. At this stage the matter can be resolved by;

    - Determining that there is no case to answer, or

    - Amicable resolution to the satisfaction of all parties

4. If stage one is unsuccessful and where any Member is deemed by a majority of the Society Board to have committed a Disciplinary Offence as defined in this document or has otherwise acted in a way which a majority of the Society Board believe is in contrast to the spirit of this document and/or the Rules, they shall be at liberty to constitute a Disciplinary Committee ("the Disciplinary Committee") to determine the facts relating to the matter and take such measures as the Committee sees fit.

5. If the Society Board decides to constitute a Disciplinary Committee a majority of the Board may rule the Member(s) concerned be suspended from membership of the Society and shall not be entitled to vote nor attend general meetings for the period of suspension.

6. The Disciplinary Committee will consist of the then Chair and Vice-Chair of the Society Board unless one or both of them is the subject of the disciplinary action, in which case another member of the Society Board will be selected by majority vote of the Society Board as Chair of the Disciplinary Committee.

7. In addition, up to 4 but no less than 2 other Society members (who shall not be the subject of the disciplinary action) shall sit on the Disciplinary Committee.

8. The Chair of the Disciplinary Committee shall have the casting vote if necessary.

9. Co-opted Society Board Members may not serve on a disciplinary committee.

10. All members of the Disciplinary Committee shall treat its proceedings as confidential, unless the subjects of the hearing waive that right directly, or violate the confidentiality through making public comment about its proceedings.
11. The Disciplinary Committee shall meet as soon as is practicable after it is constituted and shall invite the member(s) concerned to attend or submit their version of events and/or mitigating circumstances.

12. The Disciplinary Committee shall act honestly and equitably in assessing the facts of the disciplinary case before it.

13. If the member(s) concerned fails to either attend or submit their version of events and/or mitigating circumstances as envisaged above the Disciplinary Committee can proceed and make such inferences as it sees fit from such non-attendance or non-submission.

14. If the case is upheld the Disciplinary Committee will determine an appropriate sanction to be applied as detailed below in clause.....

15. The Disciplinary Committee shall formally notify all parties and the Board of their conclusions alongside any sanctions to be imposed in writing.

16. There is no appeal or challenge process following the decision of the Disciplinary Committee, notwithstanding the right of any member to seek redress through the Society Rules dispute process or formal external judicial process.

Conduct of Investigations

17. At all times during the investigation the following rules and protocols will apply:

18. All relevant documents and materials should be made available in advance to all parties.

19. Cases may be conducted through written exchange of communication, but the respondent has the right to request face to face proceedings (including through remote audio or visual channels)

20. Either party may present the evidence of witnesses to material facts of the case.

21. Confidentiality should be maintained until final resolution. At the conclusion of proceedings, the panel will attempt to agree a joint statement if appropriate.

22. No person with a direct connection to the accused or who is connected to material facts of the case can participate as part of a Disciplinary Committee.

23. Any person who is involved with the initial informal consideration may not be involved in the Disciplinary Panel.

24. The accused may request a person to attend proceedings alongside them as an observer.

Potential Sanctions

25. Where a case is proven, sanctions should be applied that reflect the seriousness of the breach and any previous proven breaches of the relevant code by the accused person. Sanctions may include, but are not limited to one of more of the following:

    - No action necessary
    - Mutually agreed resolution such as an acknowledgement or apology
    - Written warning/reprimand
    - Agreed corrective action by the accused member(s)
    - Suspension from elected position on Board for a defined period
    - Termination of elected position on Board
    - Suspension of Society membership for a defined period
    - Expulsion from the Society

26. No member expelled from membership as a result of disciplinary action shall be re-admitted except by majority ruling of the Board.