

Sheffield Giants Disciplinary Procedure



1. Principles

The principles governing the policy and its application are:

- We will be consistent and fair, with all treated with respect and dignity.
- Individuals' rights and responsibilities are respected.
- We will be open and transparent.
- Minor instances of misconduct will initially be addressed by means of informal guidance and instruction by coaches. However, if problems continue or Sheffield Giants regards matters to be sufficiently serious, the disciplinary procedure shall apply.
- No person involved with the club will be asked to leave for a first breach of discipline except in the case of gross misconduct

In order to ensure that matters are dealt with fairly the following shall apply:

- The board and coaches should raise and deal with issues promptly and should not unreasonably delay meetings, decisions or confirmation of those decisions.
- The board will carry out any necessary investigations, to establish the facts of the case.
- A board member or coach should inform team members of the basis of the problem and give them an opportunity to put their case in response before any decisions are made.
- All team members can be accompanied at any formal disciplinary meeting.

2. Gross Misconduct

The following are examples of gross misconduct which would normally result in being asked to leave the club without notice:

- Actual or attempted theft, fraud or dishonesty.
- Betting, Corrupt Conduct, Inside Information and Match Fixing.
- Falsification of records.
- Fighting, physical or sexual assault, violence, threatening behaviour or damage to people or property.
- Gross insubordination, including failure to comply with reasonable requests/instructions.
- Repeated rudeness or rudeness that results in a complaint from a member, athlete, customers or suppliers.
- Consumption and/or possession of non-prescribed drugs on site
- Serious breaches of company values, trust and/or confidence.
- Refusing a reasonable, lawful and safe management instruction.
- Actions or omissions that bring Sheffield Giants's name into serious disrepute.
- Sleeping whilst at coaching or in a position of trust.
- Gross negligence or incompetence which causes or might cause unacceptable loss, damage or injury.
- Serious breaches of Sheffield Giants rules relating to Health & Safety.
- Bullying or harassment on the grounds of sex, race, disability, age, sexual orientation, religion or belief or any other protected characteristic.
- Indecent, offensive or immoral behaviour.
- Violation of the rules outlined in the Code of Conduct.

The above list is NOT exhaustive but simply illustrates the type of transgression that will normally result in summary dismissal.

3. Informal Resolution

Where conduct and behaviour fall short of the standards expected by Sheffield Giants, coaches should conduct an interview with the club member, find out if there are any problems, reiterate the required standards/improvements with timescales (usually immediate and sustained) and provide any help and support that may be needed. This will take the form of an informal discussion, guidance and instruction and is NOT part of the formal procedure.

In some cases, the problem may be more serious at the outset. If this is the case, the formal disciplinary procedure will apply. Likewise, in cases of serious or gross misconduct it is unlikely that the process will be preceded by informal action.

If informal action does not lead to acceptable standards then formal action will be taken by the Sheffield Giants board at their discretion.

4. Formal Disciplinary Practice

4.1 Establishing the facts of each case

It is important to carry out an investigation without unreasonable delay to establish the facts of the case. (There is no requirement to write to or give notice to attend an investigation). In most cases, the investigation will require holding a meeting (fact finding) with the club member/s involved before proceeding to any disciplinary hearing, this does not have to be face to face. This investigation will be completed by a relevant board member who will then not be part of the decision-making process on action to be taken. Team members under investigation will be allowed access to all written evidence available.

All members are welcome to give a written 'defence' to the board. This can be written with the support of an adult or other person if needed.

4.2 Decide on the appropriate action

The Sheffield Giants Board must decide whether disciplinary action (or any other action) is justified and proportionate and inform the team member accordingly in writing.

Where misconduct is confirmed, it is usual to give a **written warning** and a further act of misconduct within a given period would normally result in a **final written warning**. Written warnings will usually be accompanied by a period of suspension of one game; however this may be longer at the discretion of the board. If the misconduct is sufficiently serious, it may be appropriate to give a **final written warning or being asked to leave the team without notice**.

4.3 Written warnings

A first or final written warning should set out:

- the nature of the misconduct and the change in behaviour required (with timescale);
- how long the warning will remain current; and
- the consequences of further misconduct within the set period (that it may result in dismissal or some other contractual penalty such as demotion or loss of seniority).

A record of the warning will be kept by the team Secretary.

4.4 Dismissal from the club

Some acts termed gross misconduct are so serious in themselves or have such serious consequences that they may call for dismissal without notice for a first offence. However, the disciplinary process should still be followed. A decision to dismiss can only be taken by a majority vote of the board.

4.5 Further Disciplinary Action

The outcome of a disciplinary hearing will remain confidential between the parties involved. However, disclosure may be made in accordance with the Sheffield Giants' legal, contractual or regulatory obligations. For example, if needed the information will be passed to the Police or governing body (BAFA) when appropriate.