



## Disciplinary Policy and Procedures

**Applicable to:** Stoolball England Volunteer Workforce

**Date of Origination:** January 2009

**Originator:** Welfare Officer

**Status:** **CURRENT**

**Approved by the Management Committee:** January 2017

**For Review (Annually):** January 2018

## **1. Policy Statement**

The welfare and well being of all employees, volunteers\* and those people that work with Stoolball England is dependent upon the reasonable and disciplined behaviour of everyone involved.

[\*Volunteers for the purpose of this policy will include: coaches, umpires (officials), club administrators, players and anyone else involved in stoolball competitions, leagues or events.

Volunteers under 18 years of age may need a parent, guardian or an appropriate adult present when being questioned in relation to a disciplinary matter. ]

The standards of conduct and performance expected of employees and volunteers are set out within the policy.

The Disciplinary Policy and Procedures are designed to ensure consistent and fair treatment, by setting out the action that will be taken if guidelines/ rules/codes of conduct are breached.

## **2. Purpose**

It is the intention of Stoolball England that the Disciplinary Policy and Procedure be used to encourage improvement by a volunteer to reach the standards expected and to challenge inappropriate behaviour.

Non-compliance with the Policy and Procedures will result in the next stage of the procedure being invoked, which may eventually culminate in dismissal, withdrawal of deployment or in the case of acts breaking the law, referral to the Police.

## **3. Principles**

The disciplinary procedure has been developed with the following principles in mind:

All members of the volunteer workforce have a responsibility to ensure that discipline is maintained.

The procedure is designed to establish the facts quickly and to deal fairly and consistently with disciplinary issues.

At every stage in the disciplinary procedure, details of the complaint against a volunteer will be provided and there will be an opportunity to state their case before a decision is made.

The procedure may be implemented at any stage, depending on how serious the alleged misconduct. In the case of gross misconduct, the procedure will move straight to suspension, pending a disciplinary hearing.

If a volunteer feels that they have been unfairly treated, then they have a right to appeal against any disciplinary penalty. The Appeals Procedure is detailed in Appendix 4.

At a stage when disciplinary action can lead directly to dismissal or withdrawal of deployment from Stoolball England, the volunteer has the right to be accompanied by another person at the disciplinary hearing and at any subsequent appeal.

Disciplinary action must always be taken at the lowest appropriate level. Records of all warnings will be kept on file (dependent on the level of warning this will be held by Stoolball England) for an agreed period of time.

#### **4. Disciplinary Procedure Framework**

4.1 Most minor faults will be dealt with informally. It is worth remembering that minor infringements are brought to the attention of the volunteer for their benefit or the benefit of others; it is in everyone's interest for the volunteer to co-operate.

4.2 The framework consists of the following stages:

- Cause for Concern
- Stage One – Formal Verbal Warning
- Stage Two – Written Warning
- Stage Three – Final Written Warning
- Stage Four – Suspension, possibly leading to dismissal or refusal to deploy

For further explanation of the stages listed above, please refer to Appendix 3.

#### **5. Criminal Offences**

If there is a genuine reason to believe that a volunteer has committed a criminal offence, Stoolball England will advise the region or refer the matter to the police (themselves) and suspend the volunteer (withdraw deployment) until the outcome of the police enquiry is available. Volunteers/staff should refer such issues to the Welfare Officer, who will decide if the police should be informed.

Stoolball England is not bound by the results of any criminal or civil proceedings against a volunteer in terms of the way it precedes with its own disciplinary procedures.

## **6. Safeguarding and Protection of Children in Stoolball**

6.1 If the incident is deemed a welfare issue involving children or young people the volunteer will be suspended pending investigation. (Please see the Stoolball England Safeguarding and Protection of Children in Stoolball Policy for further details).

## **7. Appendices to Disciplinary Policy**

Appendix 1	Cause for Concern
Appendix 2	Disciplinary Flowchart
Appendix 3	Explanation of Disciplinary Process
Appendix 4	Appeals Procedure

## **8. Related Policies**

Complaints Policy and Procedure  
Recruitment Policy and Procedures  
Safeguarding and Protection of Children in Stoolball Policy  
Whistle-Blowing Policy

## **9. Getting Help**

9.1 Further information or advice relating to this policy is available from the Welfare Manager of Stoolball England.

9.2 Copies of related policies are available on the website [www.stoolball.org.uk](http://www.stoolball.org.uk) or emailing to [info@stoolball.org.uk](mailto:info@stoolball.org.uk).

## USE OF THE 'CAUSE FOR CONCERN' FORM

The 'Cause for Concern' form is designed to alert a volunteer to any cause for concern that may have been raised. Concerns may not be just about behaviour, but also those of conduct or welfare.

**Causes for concern may include any of the following:**

- Illness or general health or welfare issues
- Lack of consideration for others in the club/league/event
- Poor attendance/lateness
- Health and safety issues
- Disruptive behaviour and/or use of foul language
- Damage to club, league or another individual's property
- Reasons to suspect alcohol/drug/substance misuse or possession of illegal substances
- Theft
- Threatening behaviour
- Harassment of any kind

This list is not exhaustive or exclusive, situations of a similar nature will be dealt with in accordance with these guidelines.

**The person making note of a Cause for Concern:**

Please fill in the Cause for Concern form as appropriate – taking note of Data Protection and confidentiality issues. Return copies to the club secretary, league secretary or County Secretary. Keep a copy for yourself.

**Club/League /County Secretary**

On receipt of the Cause for Concern form the person should investigate with the volunteer, make notes and return a copy to the individual who has raised the concern. A copy should also be kept on file.

**Volunteers who have filled in the original Cause for Concern:**

If you have not received a satisfactory reply within seven working days, please contact the person to whom you have sent the Cause for Concern.

## CAUSE FOR CONCERN FORM

This form is to be completed when a volunteer is a cause for concern. This could be a disciplinary matter, but could also be a range of issues relating to attendance, ill health, etc. (Issues relating to the Data Protection Act apply in the use of this form.)

<b>Name of person raising C4C:</b>		<b>Signature:</b>	
<b>Club:</b>			
<b>Region:</b>			
<b>Date:</b>			
<b>Contact Number:</b>			
<b>Any other people present:</b>			
<b>Details of Concerns (think in terms of Who it involved? What happened? Where and when did it happen? Why it might have happened?):</b>			
<b>Response to volunteer raising cause for concern:</b>			

cc Original complainant

Club/League/County Secretary

Stoolball England Welfare Manager

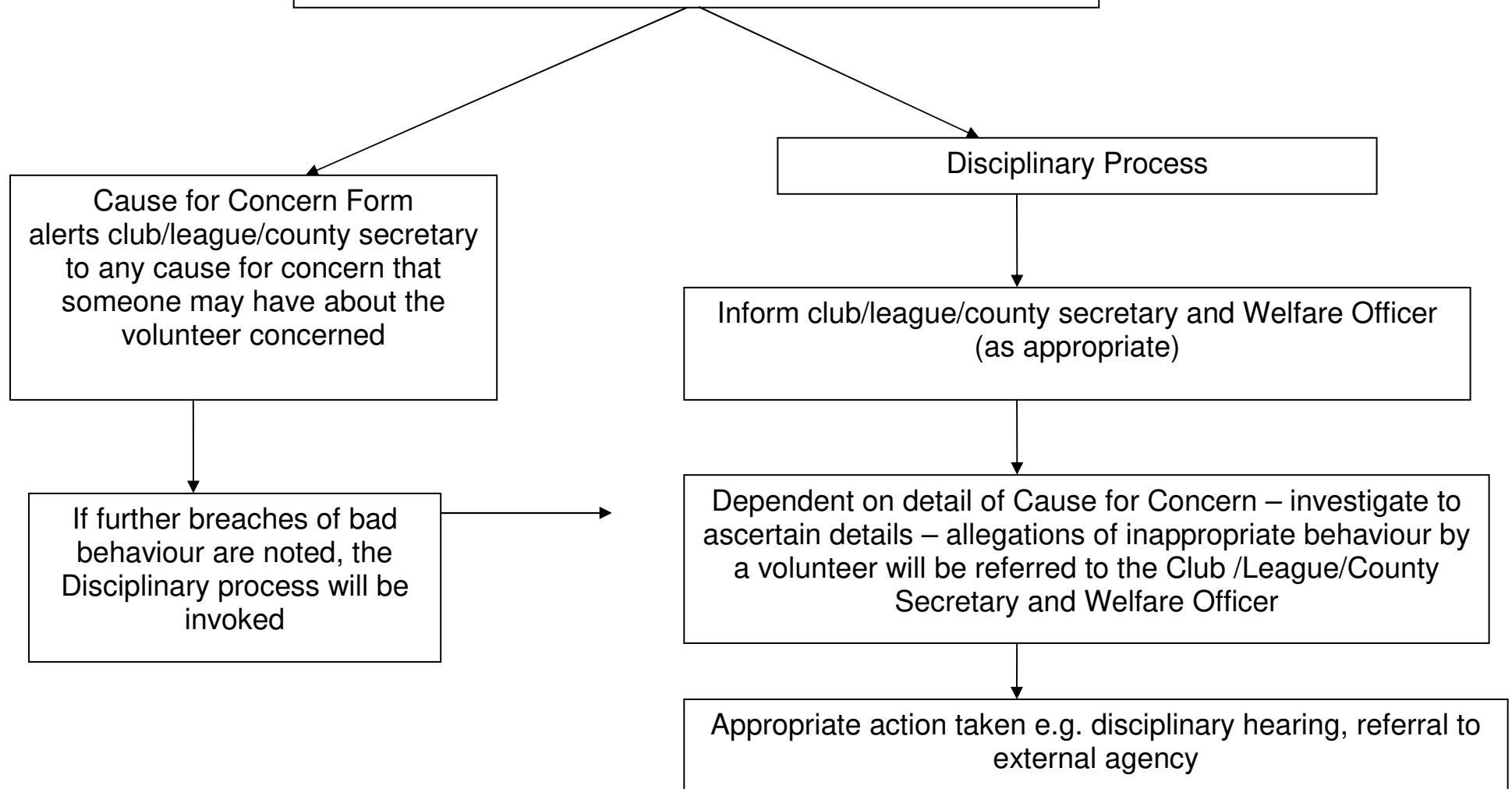
Response from Club/League/County Secretary and Welfare Officer

# Disciplinary Flowchart

Appendix 2

## INCIDENT

It will depend on the seriousness of the incident when a Cause for Concern form is issued as to whether the disciplinary process is initiated



Volunteers have the right to appeal against a disciplinary decision if they believe they have not been fairly treated. See Appendix 4

## **Explanation of Disciplinary Process**

*A volunteer may enter the disciplinary process at any stage, depending on the seriousness of the incident. The grading of offences is interchangeable between stages, depending on the severity of the offence and the circumstances surrounding the incident. This is a progressive process, which means that **each time** an offence is committed, the volunteer moves on to the next stage. However, dependent on the nature of the incident, a volunteer may enter at any of the stages listed below. The police will be informed when the law is broken.*

*[To be read in conjunction with the Safeguarding and Protection of Children in Stoolball Policy].*

*A volunteer has the right of appeal at all stages of the Disciplinary Process – see Appendix 4.*

### **Cause for Concern**

A Cause for Concern form may be completed by anyone in the club, league, region for minor breaches of discipline, breach of Code of Conduct, inappropriate or non issued kit (see also Appendix 1 for a more detailed explanation).

### **Stage One – Formal Verbal Warning**

The volunteer will be advised of the issue/complaint, the evidence and reason for the warning.

Examples: breaches of discipline, breach of Code of Conduct (initial and further breaches); repeated Cause for Concern Forms; misuse of club, league, regional property etc.

### **Stage Two – Written Warning**

The volunteer will be advised of the issue/complaint, the evidence and reason for the warning and the improvement(s) required with an allocated timescale.

Examples: further breaches of discipline, breach of Code of Conduct, behaviour that endangers the safety or well being of others etc

### **Stage Three – Final Written Warning**

The volunteer will be advised of the issue/complaint, the evidence and reason for the warning and the improvement(s) required with an allocated timescale.

Examples: further breaches of discipline, breach of Code of Conduct, fighting, assaults, repeated inappropriate behaviour etc



## **Stage Four – Suspension, (possibly leading to dismissal or refusal to deploy)**

The volunteer will be advised of the issue/complaint, the evidence and reason for the warning and the improvement(s) required with an allocated timescale. Examples: further breaches of discipline, breach of Code of Conduct, repeat of offences where every channel of support has been offered and exhausted and repeated offences occur.

### **Gross Misconduct**

If a volunteer is accused of gross misconduct the individual will be suspended immediately whilst the allegation is investigated.

Examples of gross misconduct: serious breach of health and safety, breach of the Safeguarding and Protection of Children in Stoolball Policy (which may involve; abuse of position of trust, inappropriate behaviour with children or young people), being under the influence of alcohol or drugs whilst acting as a volunteer, etc.

### **Suspension**

When suspended the volunteer will be informed of the venues/clubs they may **not** attend during the suspension other than to attend an investigative interview(s) and the disciplinary hearing. The volunteer may not contact any other volunteers that are involved in the incident/issue/allegation.

NB: Information may be held on file for 1 year, however if the issue relates to the Safeguarding and Protection of Children in Stoolball, the information may be held for 25 years.

## **DISCIPLINARY POLICY - APPEALS PROCEDURE**

Volunteers have the right to appeal against a disciplinary decision if they believe they have not been fairly treated. *The person hearing the appeal will not be the same person who took the disciplinary action against them.*

### **Verbal and written warnings**

For verbal and written warnings appeals should be made, in writing, within five working days of the original decision to the County Secretary. The volunteer will be contacted within five working days and, following this, a decision will be given, in writing, within five working days of the interview.

### **Final Written Warning**

Appeals should be made, in writing, within five working days to the Welfare Officer at Stoolball England. The volunteer will be contacted within ten working days and, following this, a decision will be given, in writing, within five working days of the interview.

### **Dismissal or Withdrawal of Deployment**

Appeals should be made within ten working days to Stoolball England, clearly stating the grounds on which the volunteer will base their appeal. Appeals will be chaired by a member of the Management Committee and arranged within ten working days. The volunteer may bring a friend or relative to the appeal hearing. If the volunteer intends to be accompanied at the appeal, they must provide full details (i.e. name and status of the person) in the letter notifying that they are appealing. Following the meeting of the Appeal Panel the Chair will send a written decision to the volunteer within five working days of the appeal hearing taking place.

### **Grounds for Appeal**

The appeal letter should set out, in detail, how the disciplinary process was not followed in an equitable way or the evidence that was available to the Chair was not used during the hearing.

## **FORMAT FOR APPEALS**

### **Verbal and Written Warnings**

The County Secretary will obtain the volunteer's file from the club/league secretary and obtain written evidence from the person who has issued the warning. The volunteer will be contacted by the County Secretary. (Any meeting will have a note taker present. The note taker will record the main points of the meeting.) The County Secretary will use this to outline to the volunteer why they have been given a warning. At this stage the volunteer will present their appeal, citing the reason/s why the warning should be revoked. The County Secretary will then make a decision which will be conveyed in writing to the volunteer within five working days.

### **Final Written Warning**

The Welfare Officer will obtain the volunteer's file from the club/league/ county secretary and collect information from the person who has issued the Final Written Warning. The volunteer will be contacted; any meeting will have a note taker present. The note taker will record the main points of the meeting. The Welfare Officer will outline why the volunteer has been given a Final Written Warning. The volunteer will then be able to present their appeal. The Welfare Officer will make a decision which will be conveyed in writing to the volunteer within ten working days.

### **Dismissal or Withdrawal of Deployment**

This appeal will be chaired by a Member of the Management Committee of Stoolball England, and they will be accompanied by other staff acting in an advisory capacity. A note taker will also be present, to produce a brief written record of the appeal. The volunteer may be accompanied. The following procedure will ensue:

The person who has dismissed the volunteer will present their case, demonstrating why the volunteer was dismissed. It is expected that supporting documentation from the volunteer file will be available e.g. copies of Cause For Concern forms, previous warnings etc.

The volunteer (and their support) will have the opportunity to ask for clarification. At this stage the volunteer will have the opportunity to present their appeal, citing why Stoolball England should overturn the dismissal or withdrawal of deployment.

The Chair may ask the volunteer for clarification or further information and then summarise the points that have been made.

The volunteer is then asked if they wish to add anything further before the meeting is closed. They are informed that a decision will be given in writing and will be posted to them within the next five working days.

The Appeal Board will then make a decision which will be conveyed in writing to the volunteer. Copies of this letter will be forwarded to the Welfare Officer, County Secretary and the club/league.

The written record of the meeting is confidential.