

Out East Fencing Club

Disciplinary Procedure

Document status: Club procedure

Approved by: Board of Directors

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1. Purpose

1.1. Out East Fencing Club (the **Club**) expects everyone involved in its activities to behave in accordance with its Code of Conduct and other applicable Club rules and policies.

1.2. This Disciplinary Procedure establishes how the Club will respond where there is an allegation that a person has breached those standards.

1.3. The procedure is intended to ensure that disciplinary matters are handled:

- fairly;
- consistently;
- proportionately;
- without unnecessary delay;
- with appropriate regard for confidentiality; and
- in a manner that protects the welfare and safety of Club participants.

1.4. The procedure is not intended to be unnecessarily formal for minor matters. The Club may resolve minor concerns informally where appropriate.

2. Scope

2.1. This procedure applies to conduct involving:

- members;

- youth members;
- parents and guardians;
- Directors;
- coaches;
- employees;
- volunteers;
- contractors; and
- other people participating in or representing the Club.

2.2. The appropriate response may depend on the person's relationship with the Club. For example, an employee or contractor may also be subject to contractual or employment procedures.

2.3. Where another organisation's rules or procedures also apply, the Club may coordinate its response with that organisation where appropriate.

3. What May Constitute a Disciplinary Matter

3.1. A disciplinary matter may arise from:

- a breach of the Code of Conduct;
- serious or repeated inappropriate behaviour;
- unsafe conduct;
- bullying, harassment or discrimination;
- deliberate or reckless damage to property;
- misuse of Club equipment;
- inappropriate use of Club systems or information;
- serious breach of a Club policy or rule;
- conduct that materially damages the Club's interests or reputation;
- dishonesty or deliberate misrepresentation in connection with the Club;
- misuse of a position of trust or authority; or
- another matter that the Club reasonably considers sufficiently serious to warrant disciplinary action.

3.2. This is not an exhaustive list.

3.3. Conduct may be considered under this procedure where it occurs outside a Club activity if it has a sufficient connection with the Club or materially affects the safety, welfare or proper functioning of the Club.

4. Relationship with Other Procedures

4.1. A disciplinary matter may overlap with a complaint, welfare concern or safeguarding concern.

4.2. The person raising a concern does not need to determine which procedure applies.

4.3. Where an allegation indicates that a child or another person may be at risk of abuse, neglect, exploitation or serious harm, the Safeguarding & Child Protection Policy shall take priority.

4.4. A safeguarding investigation should not be replaced by an internal disciplinary investigation.

4.5. Where appropriate, the Club may conduct a disciplinary process after or alongside a safeguarding process, taking account of any relevant external investigation.

4.6. Welfare support should continue where appropriate while a disciplinary matter is being considered.

4.7. A complaint about the Club itself should normally be handled under the Complaints Policy & Procedure unless the matter also raises a disciplinary issue.

5. Principles of the Procedure

The Club will seek to ensure that disciplinary matters are handled according to the following principles:

- **Fairness:** the person concerned should have a reasonable opportunity to understand and respond to the allegation.
- **Proportionality:** action should reflect the seriousness and circumstances of the conduct.
- **Impartiality:** decisions should be made by people without an inappropriate conflict of interest.
- **Confidentiality:** information should be shared only where there is a legitimate reason to do so.
- **Consistency:** comparable matters should be approached in broadly comparable ways while recognising that individual circumstances differ.

- **Natural justice:** no person should be treated as having committed misconduct before the relevant facts have been considered.
- **Safeguarding:** the safety and welfare of participants takes priority where there is a relevant risk.

6. Raising an Allegation

6.1. A disciplinary concern may be raised by:

- a member;
- parent or guardian;
- coach;
- volunteer;
- Director;
- employee;
- venue representative;
- visitor; or
- another person with relevant information.

6.2. Allegations should normally be provided in writing where practicable, although a verbal report may be accepted.

6.3. An allegation should contain as much relevant information as reasonably available, including:

- what is alleged to have happened;
- when and where it occurred;
- who was involved;
- relevant witnesses;
- supporting evidence; and
- any immediate safety or welfare concerns.

6.4. A person does not need to establish that misconduct has occurred before raising a concern.

7. Initial Assessment

7.1. The Club should undertake an initial assessment before deciding how the matter should proceed.

7.2. The assessment may consider:

- whether the allegation falls within the Club's jurisdiction;
- whether another Club procedure is more appropriate;
- whether safeguarding procedures are required;
- whether immediate protective measures are necessary;
- whether the allegation appears sufficiently credible to warrant further consideration;
- whether an external organisation should be notified; and
- who should handle the matter.

7.3. The initial assessment is not a determination that misconduct has or has not occurred.

7.4. Where the matter is clearly minor, it may be dealt with informally.

8. Informal Action

8.1. Minor or isolated conduct may be dealt with informally where appropriate.

8.2. Informal action may include:

- a private conversation;
- guidance or advice;
- clarification of expectations;
- an apology;
- restorative action;
- additional supervision; or
- a reminder of the Code of Conduct.

8.3. Informal action should not normally be used where:

- the allegation is serious;
- there is a safeguarding concern;
- the person affected does not feel safe with an informal approach;
- the behaviour is repeated;

- there is a significant power imbalance; or
- a formal process is otherwise necessary.

8.4. Informal action does not prevent the Club from taking formal action if further information comes to light.

9. Formal Investigation

9.1. Where a formal disciplinary process is appropriate, the Club shall appoint an appropriate person to investigate the matter.

9.2. The investigator should, where reasonably practicable, have no significant conflict of interest.

9.3. The investigation may include:

- reviewing written evidence;
- speaking to the person who raised the allegation;
- speaking to the person accused;
- speaking to witnesses;
- reviewing Club records;
- reviewing relevant communications;
- inspecting relevant equipment or facilities; or
- obtaining appropriate external advice.

9.4. The investigation should be proportionate to the seriousness and complexity of the allegation.

9.5. The investigator should seek to establish the relevant facts rather than simply seeking evidence supporting the allegation.

10. Notification of the Person Concerned

10.1. Where a formal disciplinary process proceeds, the person concerned should normally be informed:

- that a disciplinary matter is being considered;
- the nature of the allegation;

- the relevant Club rule, policy or standard;
- the process that will be followed; and
- what opportunity they will have to respond.

10.2. Information may be withheld or limited where necessary to protect a person, preserve an investigation, comply with legal obligations or avoid prejudicing safeguarding or external proceedings.

10.3. The Club should avoid unnecessary disclosure of confidential information about other participants.

11. Opportunity to Respond

11.1. The person concerned should be given a reasonable opportunity to respond to the allegations before a disciplinary decision is made.

11.2. They may provide:

- a written response;
- relevant documents or evidence;
- information about witnesses; or
- an explanation of the circumstances.

11.3. Where appropriate, the Club may arrange a meeting to discuss the matter.

11.4. A person may be permitted to have a support person present where appropriate, particularly where the matter is serious or the person is a young participant.

11.5. The Club may place reasonable limits on the process to prevent unnecessary repetition or delay.

12. Evidence and Standard of Decision

12.1. The Club will consider the information reasonably available to it and seek to reach a fair and reasonable conclusion.

12.2. The Club is not a criminal court and does not determine criminal guilt.

12.3. Where appropriate, the Club may seek independent advice when determining a complex or serious matter.

12.4. The absence of a criminal conviction does not prevent the Club from taking action under its own rules where there is sufficient evidence of conduct that breaches Club standards.

12.5. Equally, an allegation should not be treated as established merely because it has been made.

13. Disciplinary Decision

13.1. Following the investigation and consideration of the response, the person responsible for the disciplinary decision should determine whether action is warranted.

13.2. The decision may be:

- no further action;
- informal action;
- a formal warning;
- a final warning;
- a restriction on participation;
- suspension;
- termination of membership or another Club relationship; or
- another proportionate measure.

13.3. The decision-maker should consider:

- the seriousness of the conduct;
- whether it was deliberate or reckless;
- whether harm occurred or was reasonably foreseeable;
- whether the conduct was repeated;
- the person's role and responsibilities;
- relevant previous disciplinary findings;
- the person's age and circumstances;
- any relevant disability or vulnerability;
- whether the person has acknowledged responsibility; and
- any mitigating or aggravating circumstances.

13.4. The Club may take particularly serious action for particularly serious misconduct without first issuing lesser sanctions.

14. Possible Disciplinary Sanctions

14.1. Depending on the circumstances, sanctions may include:

Informal warning or guidance

Used for minor matters where formal disciplinary action is unnecessary.

Formal warning

A written warning that conduct has fallen below the Club's expected standard.

Final warning

Used where conduct is serious or where previous action has not resulted in sufficient improvement.

Conditions or restrictions

The Club may impose reasonable conditions on participation, such as restrictions on particular activities, coaching arrangements or use of facilities.

Suspension

Temporary removal of some or all participation rights.

Termination

Termination of membership or another relationship with the Club where the circumstances justify it.

Other measures

The Club may use another reasonable and proportionate measure where appropriate.

14.2. The Club may combine measures where necessary.

14.3. A sanction should normally state how long it will apply and whether any conditions attach to it.

15. Immediate Suspension or Restrictions

15.1. The Club may temporarily suspend or restrict a person's participation before a disciplinary decision where this is reasonably necessary to:

- protect another person's safety or welfare;
- prevent further alleged misconduct;
- protect Club property;
- preserve the integrity of an investigation; or
- maintain the safe operation of Club activities.

15.2. An interim suspension is a protective measure and does not itself establish that misconduct has occurred.

15.3. The Club should review interim restrictions periodically and avoid keeping them in place longer than reasonably necessary.

15.4. Where the matter involves safeguarding, the Club shall follow the relevant safeguarding arrangements.

16. Youth Members

16.1. Disciplinary action involving a child or young person must be age-appropriate and proportionate.

16.2. The Club should take account of the child's age, maturity, understanding and individual circumstances.

16.3. Parents or guardians should normally be informed where appropriate.

16.4. The Club should seek to use constructive and educational responses where possible.

16.5. Serious conduct may nevertheless require restrictions or other disciplinary action where necessary to protect the child or others.

16.6. A child's welfare should remain a primary consideration throughout the process.

16.7. Where the behaviour may indicate abuse, neglect, exploitation or another safeguarding concern, the safeguarding procedure shall take priority.

17. Coaches, Volunteers and Other Adults in Positions of Trust

17.1. Coaches, volunteers and others in positions of authority have additional responsibilities because participants may reasonably rely on them for safety, supervision and guidance.

17.2. Misconduct involving a position of trust may be treated as an aggravating factor where appropriate.

17.3. Allegations involving children must be assessed under the Safeguarding & Child Protection Policy.

17.4. Where appropriate, the Club may also notify British Fencing or another relevant organisation.

18. Directors

18.1. A Director is subject to the same general standards of conduct as other people involved with the Club, together with their additional legal and constitutional responsibilities.

18.2. A Director who is the subject of a disciplinary allegation must not improperly influence the investigation or decision.

18.3. Any relevant conflict of interest shall be managed in accordance with the Conflicts of Interest Policy & Procedure.

18.4. Where the Club has sufficient independent Directors, an appropriate unconflicted Director or group of Directors should oversee the matter.

18.5. Where the Club does not have sufficient independent Directors — including where the allegation concerns the sole Director — the Club should appoint an appropriate independent person to assist with or conduct the process.

18.6. Depending on the circumstances, an independent person may include:

- an appropriately experienced adviser;
- an independent safeguarding professional;
- an independent non-executive person;
- a representative of a relevant governing body; or
- another suitably qualified person.

18.7. Where the allegation concerns potentially criminal conduct, abuse or serious safeguarding concerns, the Club should seek appropriate external advice and, where necessary, refer the matter to the relevant authority.

19. Conflicts of Interest

19.1. Anyone involved in investigating or determining a disciplinary matter must declare any relevant conflict of interest.

19.2. A person should not investigate or determine a matter where their involvement could reasonably call their impartiality into question.

19.3. Examples include where:

- they are the person accused;
- they are the person who made the allegation;
- they have a close personal relationship with a person involved;
- they have a significant financial interest in the outcome; or
- they have previously become personally involved in the dispute.

19.4. Where an appropriate independent decision-maker cannot be identified within the Club, external assistance should be sought.

20. Outcome

20.1. The person concerned should normally be informed of the disciplinary outcome in writing.

20.2. The outcome should normally state:

- the allegation considered;
- the decision;

- any disciplinary action;
- the duration of any sanction;
- any conditions that apply; and
- the person's right of appeal.

20.3. The Club may provide limited information to other people involved where necessary, particularly where confidentiality or data protection considerations apply.

20.4. The Club should not disclose unnecessary personal information about the person concerned.

21. Appeals

21.1. A person subject to formal disciplinary action may appeal the decision.

21.2. An appeal should normally be submitted within **10 working days** of the disciplinary outcome.

21.3. The appeal should state the grounds for appeal.

21.4. Grounds may include:

- significant new evidence;
- a material procedural error;
- relevant information that was not properly considered;
- a disproportionate sanction; or
- a significant conflict of interest.

21.5. An appeal should, where reasonably practicable, be considered by someone who was not responsible for the original decision.

21.6. Where the original decision was made by the sole Director or another person for whom no appropriate internal appeal route exists, the Club should use an independent external person.

21.7. The appeal decision may:

- uphold the original decision;
- reduce or amend the sanction;
- require further investigation;
- overturn the decision; or

- refer the matter back for reconsideration.

21.8. The appeal decision should normally be communicated in writing.

22. Criminal or External Proceedings

22.1. The Club may become aware of conduct that is also subject to police, court, safeguarding or other external proceedings.

22.2. The Club should not attempt to interfere with or duplicate an external investigation.

22.3. The Club may pause, adapt or continue its own process depending on the circumstances and any advice received.

22.4. The existence of an external investigation does not necessarily prevent the Club from taking proportionate interim measures to protect participants.

22.5. Where necessary, the Club should seek appropriate external advice.

23. Confidentiality

23.1. Disciplinary matters shall be handled confidentially wherever reasonably possible.

23.2. Information should be shared only with people who have a legitimate reason to receive it.

23.3. Confidentiality does not prevent information from being disclosed where:

- required by law;
- necessary to protect someone from serious harm;
- necessary for a safeguarding referral;
- necessary to obtain professional advice; or
- otherwise reasonably necessary for the proper handling of the matter.

23.4. The Club should explain relevant confidentiality limitations to people involved in the process.

24. Records

24.1. The Club shall maintain appropriate records of formal disciplinary matters.

24.2. Records should normally include:

- the allegation;
- relevant evidence;
- investigation notes;
- the person's response;
- the decision;
- any sanction;
- any appeal; and
- the date the matter was closed.

24.3. Records should be factual, proportionate and objective.

24.4. Disciplinary records shall be stored securely and handled in accordance with the Club's Data Protection Policy and Privacy Notice.

24.5. Disciplinary records should be retained only for as long as reasonably necessary and in accordance with the Club's applicable retention arrangements.

25. Retaliation

25.1. The Club does not tolerate retaliation against a person who:

- raises a genuine concern;
- provides evidence;
- participates in an investigation;
- acts as a witness; or
- appeals a disciplinary decision.

25.2. Retaliatory behaviour may itself constitute a disciplinary matter.

26. False or Malicious Allegations

26.1. The fact that an allegation is not upheld does not mean that it was malicious or inappropriate to raise it.

26.2. A disciplinary response to the person who made an allegation should only be considered where there is evidence that they deliberately made a materially false allegation or knowingly provided false information.

26.3. This provision must not discourage people from raising genuine concerns.

27. Review and Learning

27.1. The Board should periodically review significant disciplinary matters in an appropriately anonymised form to identify whether changes to Club policies, training or practices are required.

27.2. Individual case information should only be disclosed to Directors where there is a legitimate reason to do so.

27.3. Lessons from disciplinary matters should be used to improve Club practices where appropriate.

28. Review of this Procedure

28.1. This procedure shall be reviewed at least annually and sooner where appropriate.

28.2. The Board shall review the procedure following significant disciplinary matters, material changes to the Club's activities or relevant changes in law, British Fencing requirements or safeguarding guidance.

29. Approval

This Disciplinary Procedure was approved by the Board of Directors of Out East Fencing Club on:

Date: 12/08/2026

Chair / Director: Pel Houlihan

Next review date: 12/08/2027