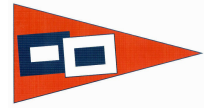


Port Solent Yacht Club Disciplinary Procedure



Introduction

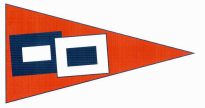
Port Solent Yacht Club's disciplinary procedure applies to all Members of the Club and aims to ensure that all Members are treated fairly and consistently in regard to their conduct.

The procedure may be reviewed and amended by the Committee from time to time to meet any change in requirements.

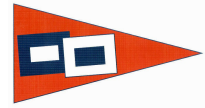
Members are reminded that any breach of the Constitution or any conduct which, in the opinion of the Committee, is either unworthy of a Member or otherwise injurious to the interests of the Club, shall render a Member liable to investigation and/or disciplinary action by the Committee.

Principles

- Before taking disciplinary action, the Committee shall call upon the Member for a written explanation of the Member's conduct and shall give the Member full opportunity of making explanation to the Committee or of resigning.
- No disciplinary action will be taken until an investigation has been undertaken by a person/persons, appointed by the Committee.
- Disciplinary matters will be concluded without undue delay.
- Disciplinary matters will be treated confidentially and only those directly involved in the procedure will be informed.
- Disciplinary matters will be heard by a panel, normally drawn from the Committee.
- A member who is the subject of disciplinary action will be advised in writing (by email) of the nature of the complaint against him, will be allowed sufficient time to prepare for a disciplinary hearing and will be given the opportunity to state his case. The member may be accompanied by a fellow Member, or by another representative (but not a legal representative) only at the discretion of the panel.
- A proper record will be kept of any disciplinary decision, taking into account the need for confidentiality.
- A complainant will be informed when the matter is concluded but does not have the right to be informed of the nature of any sanction or penalty imposed.



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Examples of misconduct offences include but are not limited to the following :

- Failure to comply with club rules, byelaws, regulations, policies or codes of conduct, including health and safety and safeguarding policies
- Failure to pay membership subscriptions, or other monies owed to the Club within a reasonable time.
- Theft or misappropriation.
- Deliberate damage to the property of the club or a member.
- Assault on or deliberate injury to a member, guest, contractor or venue staff.
- Foul, abusive or discriminatory language or behaviour or harassment or bullying.
- Harming or placing at risk of harm a child or young person aged under 18 or a vulnerable person.
- Conduct, whether within or outside the activities arranged by the club, which might bring it into disrepute by association.

Procedure

Receipt of complaint

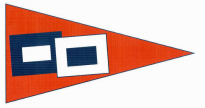
A complaint is received by the Port Solent Yacht Club and passed to the Commodore and acknowledged.

The Commodore will inform the Committee that a complaint has been received and appoint a Member to investigate it and report back to the Committee.

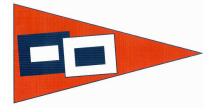
If the presence of the Member who is the subject of the complaint may put others at risk, his membership and/or attendance at any Club event may be temporarily suspended pending the investigation and the outcome of any subsequent disciplinary hearing.

Investigation

The matter will be investigated; this may include speaking to the complainant and gathering statements from any witnesses. In the case of failure to make a payment, it may involve checking the Club's financial records.



Port Solent Yacht Club Disciplinary Procedure



Before taking disciplinary action, the Committee shall call upon the Member for a written explanation of the Member's conduct and shall give the Member full opportunity of making explanation to the Committee or of resigning.

If, during the course of the investigation, it appears that the Member may have committed a criminal offence, this may be reported to the Police and the internal disciplinary procedure will be put on hold until any Police investigation and subsequent prosecution has been concluded.

Hearing

If appropriate, the Commodore will appoint three committee members to make up a Disciplinary Panel. The Member who conducted the investigation may be asked to present the case on behalf of the Club, (excluding any Member who is related to either the complainant or the Member who is the subject of the complaint).

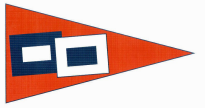
The date, time and venue for the disciplinary hearing will be decided, allowing sufficient time for the Member to prepare his or her case.

The Member will be informed in writing (by email) of the nature of the complaint and asked to attend the disciplinary hearing (or provided with joining instructions if the hearing is to be held by electronic means) and provide copies of any relevant documents and witness statements.

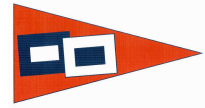
If the Member is unable, for good reason, to attend on the appointed date, the Disciplinary Panel should endeavour to agree a suitable alternative date. If the Member is unable to agree a mutually acceptable date within a reasonable period, the hearing may take place in his absence.

The disciplinary hearing takes place.

No witnesses or statements should be introduced at the hearing without prior notice and copies of all written evidence must be produced for consideration prior to the hearing, to be available in advance to the parties. The Disciplinary Panel may adjourn the hearing to allow further evidence to be referred to if the Disciplinary Panel considers it fair to do so.



Port Solent Yacht Club Disciplinary Procedure



Decision

The Disciplinary Panel will decide whether misconduct has taken place and if so will propose an appropriate sanction or penalty (which may include termination of membership) to the Club Committee.

The Club Committee will vote on a resolution to terminate the disciplined Member's membership or otherwise sanction the Member in accordance with the Club Constitution.

The subject of the complaint will be notified in writing (by email) of such decision and informed of any penalties within 7 days of the decision being reached. Penalties will be effective from the date of the decision.

A record is made of the disciplinary decision.

The decision of the Club Committee is final and no part of the disciplined Member's membership fee shall be refunded.

Conclusion

The complainant will be informed that the matter has been concluded.