

City of Leicester Swimming Club Disciplinary Procedure

Breaches of the Swim England Code of Conduct and Ethics, the City of Leicester Swimming Club Codes of Conduct and other City of Leicester Swimming Club Swimming Club policies will be dealt with in accordance with the procedures set out in this document.

Disciplinary procedures are applicable to the swimmers, parents and volunteers of the City of Leicester Swimming Club. The club does not have the powers to consider complaints against members of other swimming clubs, or to address offences under Swim England Law.

This policy is set out to guide the Coaches and Committee and inform swimmers, parents and volunteer of the City of Leicester Swimming Club of the Disciplinary Procedure. It provides guidelines for disciplining those who contravene the applicable Code of Conduct and their obligations as set out in the club's policies.

This policy is not applicable to the paid staff of the City of Leicester Swimming Club. The disciplinary procedures for paid staff is contained within their employment contract and staff handbook.

Objective

It is the City of Leicester Swimming Club's policy to be inclusive at all times and to work with swimmers, parents and volunteers to help them reach the required standards of behaviour. However, the club has a duty of care to all of its members and cannot allow the behaviour of individuals to unduly affect others.

The primary objective of this procedure is to encourage swimmers, parents and volunteers to comply with the relevant Code of Conduct and fulfil their obligations as set out in the club's policies.

General Principles

The City of Leicester Swimming Club disciplinary procedures are based on the following principles:

- The disciplinary rules and procedures are designed to be non-discriminatory and are to be applied irrespective of sex, racial group, sexual orientation, disability, religion, age, or any other bias

- It is expected that most matters will be dealt with informally on poolside or at the point of incidence and at the time of the event
- Any behaviour that is considered to be unacceptable by a Committee Member, Coach or Team Manager may lead to a 'behaviour contract' being issued
- All matters relating to disciplinary action will be handled as speedily as possible
- No member will be dismissed or suspended from the club for a first breach of conduct except in the case of serious or gross misconduct
- All actions will be taken in accordance with the club constitution

There are four stages to the disciplinary process which act to guide the Coaches and Committee on the action they are permitted to take should they need to deal with inappropriate behaviour.

It is expected that most matters will be dealt with informally on poolside or at the point of incidence and at the time of the event, however on occasion a person may wish to raise the inappropriate behaviour of another with a Coach or a staff member (eg: Committee Member, Team Manager). In this scenario, the staff member receiving the concern will inform the Welfare Officer to determine the next steps.

In this instance, the Welfare Officer will determine if the matter is one of:

- Safeguarding – to be dealt with by the Welfare Officer
- Behaviour – to be dealt with by the most appropriate staff member according to the situation, as determined by the Welfare Officer
- Club Complaint – to be dealt with by the Club Chair, or their nominee

The disciplinary process may be invoked for Behavioural concerns and / or by a Club Complaint panel as appropriate.

Club members will have a right of appeal against any formal disciplinary decision by invoking the Club Complaints procedure within the given timeframe.

See Appendix 1 Disciplinary and Complaints Procedures Flowchart

Four Stages of Disciplinary Action - Swimmer

Stage 0 – Normal Coaching Intervention/Interaction

It is anticipated that most behavioural issues can be appropriately, effectively and quickly dealt with through normal and informal intervention, interaction and discussion by the Squad Coach with those parties responsible. This will always be the first action taken by the Squad Coach and whilst it does not require observation or verification by any other persons, the respective Coach may inform or consult with the parents / guardians / Welfare Officer and Head Coach if considered appropriate for the situation or behaviour that has taken place. Squad Coaches have the authority to exclude a swimmer from the session where the incident takes place, and to invite the swimmer to a 'Performance Review' meeting with the Squad Coach, the parents / guardians /Welfare Officer should they deem it necessary. Squad Coaches may use their discretion and judgement to initiate and repeat Stage 0 on any number of occasions prior to moving to Stage 1, which should always be the next step once it is clear that normal coaching interventions or interactions are not resolving the matter.

Stage 1 - Verbal Warning

Where a swimmer's breach of the Code of Conduct is persistent and is not resolved at Stage 0 then the Squad Coach will refer the matter to the Welfare Officer, Chairman or Head Coach. Upon investigation the Welfare Officer/Head Coach may take such action as is necessary. They may call a meeting with the swimmer, parents / guardians, and coach and may issue a verbal warning, a note of which will be entered into the swimmer's club membership file, copied to them in writing and may be referred to should there be any further incidents. To help the swimmer resolve their problems a Swimmer Behaviour Contract may be issued.

Stage 2 - Written Warning

In the case of more serious incidents, or if a further offence occurs (whether of a similar or different nature) a written warning will be issued to the swimmer and parents / guardians by the Welfare Officer /Head Coach/ Chairman as appropriate. This will give reasons for the warning, the improvement required and the date when the warning expires – it will warn that action under Stage 3 of the disciplinary procedure will be considered if there is no satisfactory improvement or further acts of misconduct occur and will advise of rights of appeal. Similar to Stage 1 a note will be entered into the swimmer's club membership file, copied to them in writing and may be referred to should there be any further incidents.

Stage 3 – Suspension or Termination of Membership

If conduct is still unsatisfactory and the member still fails to reach the prescribed standards despite receiving a written warning, or if the member has committed an act of gross misconduct, suspension and/or termination of a swimmer's membership by City of Leicester Swimming Club may occur. Suspension or termination of membership may also result from a serious breach of any of City of Leicester Swimming Club codes of conduct / policies and those of Swim England. The Executive Committee have full authority and if Stage 3 has been reached, access may be withdrawn to any or all squad training sessions for the swimmer concerned. Before termination of a swimmer's membership is made, a full investigation will be carried out and exit interview will be undertaken. All fees due must be paid when membership is terminated. Members leaving without payment of outstanding fees will be reported to the Swim England.

Any appeal against the suspension or termination of membership must be submitted according to the Club Complaints procedure and within the given timeframe.

Four Stages of Disciplinary Action – Parent, Volunteer

Stage 0 – Normal Intervention/Interaction

It is anticipated that most behavioural issues can be appropriately, effectively and quickly dealt with through normal and informal intervention, interaction and discussion with those parties responsible. This will always be the first action taken and whilst it does not require observation or verification by any other persons, the officer dealing with the inappropriate behaviour may inform or consult with the Welfare Officer and/or Club Chair if considered appropriate for the situation or behaviour that has taken place.

In all cases, a Stage 0 intervention should be logged by the Welfare Officer, in case of repeated behaviours dealt with by different people. The Welfare Officer will determine if repeated behaviours warrant moving to Stage 1, which should always be the next step once it is clear that normal interventions or interactions are not resolving the matter.

Stage 1 - Verbal Warning

Where a breach of the Code of Conduct is persistent and is not resolved at Stage 0 the Welfare Officer/Club Chair or their nominee will investigate and may take

such action as is necessary. They may call a meeting and may issue a verbal warning, a note of which will be recorded, copied to them in writing and may be referred to should there be any further incidents.

Stage 2 - Written Warning:

In the case of more serious incidents, or if a further offence occurs (whether of a similar or different nature) a written warning will be issued by the Welfare Officer / Chairman or their nominee as appropriate. This will give reasons for the warning, the improvement required and the date when the warning expires – it will warn that action under Stage 3 of the disciplinary procedure will be considered if there is no satisfactory improvement or further acts of misconduct occur and will advise of rights of appeal. Similar to Stage 1 this will be recorded, copied to them in writing and may be referred to should there be any further incidents.

Stage 3 – Suspension, Expulsion or Termination of Membership:

If conduct is still unsatisfactory and the prescribed standards are still not reached despite receiving a written warning, or if there has been an act of gross misconduct, suspension, expulsion and/or termination of membership (if the person involved is a member of the club) by the City of Leicester Swimming Club may occur. Suspension, expulsion or termination of membership may also result from a serious breach of any of City of Leicester Swimming Club codes of conduct / policies and those of Swim England. The Executive Committee have full authority and if Stage 3 has been reached, access may be withdrawn to any or all of the club activities. Before suspension, expulsion or termination of membership, a full investigation will be carried out.

Any appeal against suspension, expulsion or termination of membership must be submitted according to the Club Complaints procedure and within the given timeframe.