



Northampton Swimming Club

Introduction to our Disciplinary Procedures

Introduction:

Breaches of the Swim England Code of Conduct and Ethics, the Northampton Swimming Club (NSC) Code of Conduct (Swimmers) and other Northampton Swimming Club policy documents will be dealt with in accordance with the procedures set out in this document.

Disciplinary procedures are only applicable to breaches of Club rules by members of NSC. The Club does not have the powers to consider complaints against non-members, members of other swimming clubs, or address offences under Swim England Law.

The Disciplinary Procedure:

There are four stages to the disciplinary procedure which NSC will follow in the case of a breach of the Code of Conduct, details of which can be found on the following pages. In summary these are:

Stage 1: Normal coaching intervention/interaction

This is informal and will be undertaken by the Squad coach at the time the incident/behaviour takes place or the Squad coach is made aware of the incident/behaviour.

Stage 2: Formal Verbal warning

This is more formal than stage 1 and NSC will maintain a written record of the warning. Swimmer's age, previous disciplinary record and the seriousness of the incident/behaviour will be taken into account.

Stage 3: Formal Written warning

This stage will come into force if the swimmer has committed a serious incident/behaviour or repeated offences have occurred.

Stage 4: Suspension/Termination

This stage will be utilised when all other stages have been exhausted and there has been no improvement in the swimmer's behaviour or if the incident is of an extremely serious nature that would justify the suspension or termination of the swimmer's membership.

Parents/carers will be notified in the case of any incident and will have the opportunity to speak to the relevant person about the incident/behaviour.

Who to contact

Anyone who witnesses or is the victim of any incident or behaviour that goes against any Code of Conduct should contact, in confidence, the NSC Welfare Officer on nscwelfareofficer@northamptonswimming.com

Disciplinary Procedures

Objective:

NSC is committed to enforcing its Code of Conduct and policies (including training squad contracts and letters of intent) relating to its members and their parents/carers. This policy is set out to guide the NSC Management Committee and inform members of NSC and their parents/carers of the discipline process. It provides guidelines for disciplining members of NSC who contravene the Code of Conduct and their obligations as set out in the club's policies. The primary objective is to encourage members to comply with the Code of Conduct and fulfil their obligations as set out in the club's policies.

General Principles:

NSC 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.
- All matters will be dealt with in accordance with the Club Constitution.
- It is expected that most matters will be dealt with on poolside or at the point of incidence informally at the time of the event.
- Any behaviour that is considered to be unacceptable by coaching staff or team managers may lead to a 'behaviour contract' being issued.
- All matters relating to disciplinary action will be handled as speedily as possible.
- A person wishing to make a complaint about inappropriate conduct should normally do so within 30 days of the incident.
- Persistent or serious breaches of conduct will be reported to the Club Chairman and Welfare Officers – preferably in writing.
- 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.
- Club members will have a right of appeal against any formal disciplinary decision.

Procedure:

Each stage of the disciplinary procedure will be overseen by the NSC Management Committee and where appropriate, noted in its minutes so that an accurate record of events and decisions is maintained.

On receipt of a complaint a member of the NSC Management Committee (see website for members) will decide what action to take. If they decide the matter should be handled formally and a disciplinary investigation is necessary, they will either investigate the incident and/or include the NSC Welfare officer depending on the nature of the complaint.

Serious incidents may be reported directly to the, Director of Swimming or Club Welfare Officer via email within 30 days of the incident. The NSC Club Welfare Officer will inform all those who need to be involved.

When an injury has occurred, this must be recorded on an accident/near miss report form and forwarded to the Club Welfare Officer without delay for inclusion in the Incident Record Log. The Coach or his/her deputy (Team Manager) must inform the parents/carers of the swimmer/s as soon as possible. All reports are private and confidential and will only be disclosed to the Swim England Welfare Officer (as required) and those entitled to see them under law.

Coaching Issues:

Where a swimmer fails to uphold reasonable and respectable behaviour or the required standards during training sessions or competitions, or where a swimmer is in obvious breach of the swimmer training squad contract or Club Code of Conduct, the following disciplinary procedures will be enacted:

Stage 1 – Normal Coaching Intervention/Interaction:

It is anticipated that most coaching, training and 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 relevant parents/carers 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 themselves, the Director of swimming or a member of the NSC Management Committee and the parent/carer should they deem it necessary.

Coaches may use their discretion and judgement to initiate and repeat **Stage 1** on any number of occasions prior to moving to **Stage 2**, once it is clear that normal coaching interventions or interactions are not resolving the matter.

Stage 2 - Verbal Warning Issued:

Where a swimmer's conduct does not meet acceptable standards or he/she commits a minor offence or incident, the Squad Coach, at his/her discretion and in conjunction with Head Coach or Director of Swimming or an NSC Management committee member, will issue a formal verbal warning to the swimmer, of which a written record will be kept. The swimmer's age, previous disciplinary record and the seriousness of the incident will be taken into account. If the member is under 18, the Squad Coach will make reasonable efforts to inform the respective parent/carer prior to leaving the session/competition/facility that same day.

The Squad Coach will notify the Director of Swimming of the verbal warning (normally within 24 hours), whom will duly inform the member, or parent/carer if under 18, in writing of:

- The reason for the warning, the improvement required and the date when the warning expires. This may include the issuing of a special Swimmer Behaviour Contract.
- That such action is taken under the **Stage 2** of the disciplinary procedure.

- That action under **Stage 3** of the disciplinary procedure will be considered if there is no satisfactory improvement before the expiration of the verbal warning period or if further acts of misconduct occur.
- His/her rights of appeal as laid out by Swim England in the current Swim England laws.

Stage 3 - Written Warning Issued:

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 member and parent/carer by the Coach or a member of the NSC Management Committee.

This will give reasons for the warning, the improvement required and the date when the warning expires – it will warn that action under **Stage 4** of the disciplinary procedure will be considered if there is no satisfactory improvement or further acts of misconduct occur and will advise of his/her rights of appeal. Similar to **Stage 2**, the written warning may be accompanied by issuing the member with a Behaviour Contract to abide by.

Stage 4 – 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 serious or gross misconduct, suspension and/or termination of a swimmer's membership by NSC may occur. Suspension or termination of membership may also result from a serious breach of any of the Swim England or NSC codes or policies.

Only the NSC Management Committee can make a decision to terminate a swimmer's membership. However, the Director of Swimming has full authority over each of the training squads, if **Stage 4** has been reached, he/she may withdraw access to any or all squad(s) training sessions for the swimmer concerned. Termination of membership may also result from a serious breach of any of the Swim England or NSC codes or policies.

Before termination of a swimmer's membership is made by NSC for any of the above reasons, a full investigation and exit interview will be carried out. Self-termination of membership (resignation) can be requested at any time by formal letter to the Secretary of NSC. All subscriptions and fees due must be paid when membership is terminated. Members leaving without payment of outstanding fees will be reported to Swim England. Any appeal against termination of membership must be submitted to the Secretary within 14 days by formal letter.

Investigation:

Any breach of the Code of Conduct will be fully investigated to establish the facts of a case, to record them and to determine what stage of the disciplinary procedure should be commenced. The level of investigation into a complaint or incident must be decided by a member of the NSC Management Committee and must be based on a judgement of its nature, seriousness and how much is known about the circumstances of the misconduct.

It is important to remember that it is the purpose of any subsequent disciplinary hearing to make a judgement on the facts presented. So the investigation must focus on relevant facts. In the event

that the investigation reveals further incidents, these may be subject to investigation by a member of the NSC Management Committee.

Timing:

All investigations must take place as soon as reasonably possible after any misconduct is alleged. Investigations should be conducted as early as possible and within 28-days of a complaint being received unless there are justifiable reasons for extending the time frame (e.g. personal or family holidays). Any extension to the time limit must be fully documented by the investigating officers and agreed in writing with members of the NSC Management Committee. The investigating officers must inform the member or parent/carer of the member under investigation in writing of the extension and the reason for it.

Members of NSC who do not respond, without good reason, to a statement of alleged misconduct and/or do not attend a disciplinary hearing must be made aware that they may have their case decided in their absence.

An investigation may result in a disciplinary hearing.

Possible outcomes following a disciplinary hearing:

- No action
- Written warning, will remain in place for an agreed period of time with conditions attached.
- Behaviour contract.
- Final written warning.
- Temporary suspension.
- Permanent termination of membership.
- Matter referred to Police/ Swim England.

Recording:

The member will be notified in writing of the details of any disciplinary outcome and the reasons for the outcome using the 'outcome of disciplinary hearing' letter. This will be sent to the member/parent/carer within 10 days of the conclusion of the disciplinary hearing unless there are good reasons for an extension to the time frame.

Following a Disciplinary Hearing:

Disciplinary outcomes will remain in force for an agreed period of time except in the case of permanent termination of membership.

Termination of Membership:

This outcome will only be used in cases where either a continued pattern of misconduct or an individual act has meant termination of membership is the only option.

Right of Appeal:

- First right of appeal is to the Club Chairman. The appeal must be received within 14 days unless there is good reason to extend the time frame.
- The Club Chairman will organise an independent assessment of the case and report within 28 days unless there is good reason to extend the time frame.

- A final right of appeal is possible under the Swim England Judicial Laws.

The NSC Management Committee will review this procedure at least annually to ensure that it is effective and is achieving its stated objectives.

Swim England Law: As an affiliated Club, Swim England law has overriding effect.