

# NFAS Disciplinary Procedure

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## 1. Introduction

This policy and procedure is designed to help members and the Committee deal with disciplinary situations that may arise.

The National Field Archery Society (NFAS) recommends that wherever possible, disputes or rule transgressions should be resolved at a club level or at the time of the open shoot. Marshals having a quiet word and consulting the NFAS Shooting Handbook (rulebook) may be all that is required.

There will be situations where matters are more serious or where an informal approach has been taken and not achieved the required results. In these cases, if informal action does not bring about an improvement, or the misconduct or unsatisfactory performance is considered too serious to be classed as minor, then Members should consider taking formal action by reporting to the Committee.

## 2. Purpose and Scope

The purpose of this procedure is to ensure consistent and fair treatment of disciplinary situations and to help encourage members and Committee to achieve and maintain appropriate standards of conduct.

Fairness and transparency are ensured by using the rules and procedures that are set down within this policy. Committee members involved in disciplinary panels should ensure their understanding of the rules and procedures.

This policy applies to all members and will be reviewed in line with any legislative changes. The policy may be changed or amended at the NFAS Committee's discretion.






From time to time, the NFAS may, at its discretion, appoint external parties to be involved in investigations and disciplinary/appeal hearings. This may be due to complexity of, or specialist knowledge of the issues. NFAS discretion is not limited by these examples.

## 3. Standards

NFAS has clear standards of conduct, which are reflected in the society's Shooting Handbook (rulebook). They are explained to members when they go through coaching and join the society and are available on [www.nfas.net](http://www.nfas.net) and are reinforced through regular updates and discussion in the magazine.

## 4. Principles

The principles governing the policy and its application are:

-  We will be consistent and fair, with all members treated with respect and dignity.
-  Individuals' rights and responsibilities are respected.
-  We will be open and transparent.
-  Minor instances of misconduct will initially be addressed by means of discussion between Committee and the Member. However, if problems continue or the committee regards matters to be sufficiently serious, the disciplinary procedure shall apply.
-  No member will be banned from the society for a first breach of discipline except in the case of gross misconduct or breach of safety rules, when members may be banned without any notice or membership refund.

In order to ensure that matters are dealt with fairly the following shall apply:

- Both committee and members should raise and deal with issues promptly and should not unreasonably delay meetings, decisions or confirmation of those decisions.

- The committee should carry out any necessary investigations, to establish the facts of the case.
- The committee should inform members by email and post of the basis of the problem and give them an opportunity to put their case in response before any decisions are made.
- Members have the right to appeal against any formal action taken against them under this procedure.

## 5. Gross Misconduct

The following are examples of gross misconduct which would normally result in dismissal without notice or payment in lieu of notice:

- Actual or attempted theft, fraud or dishonesty.
- Falsification of records.
- Fighting, physical or sexual assault, violence, threatening behaviour, abuse or damage to people or property.
- Failure to comply with reasonable marshal requests/instructions.
- Repeated rudeness or rudeness that results in a complaint from a member, member of the public, or other third party.
- Serious breaches of the NFAS Shooting Handbook.
- Breach of the safety rules.
- Wilful/deliberate damage or misuse of any club property or the property of members or the general public.
- Gross negligence or incompetence which causes or might cause unacceptable loss, damage or injury.
- Bullying or harassment on the grounds of sex, race, disability, age, sexual orientation, religion or belief or any other protected characteristic of another member, agency or contract worker, customer, visitor or any other third party to whom all NFAS members has a duty to prevent such discrimination.
- Indecent, offensive or immoral behaviour.
- Disclosure of confidential information pertaining to the NFAS.
- Telephone, computer and e-mail misuse, including personal usage, hacking and/or the access, downloading or transmission of any pornographic or discriminatory or otherwise offensive material.

The above list is **NOT** exhaustive but simply illustrates the type of transgression that will normally result in summary dismissal from the society or permanent ban.

## 6. Informal Resolution

Where conduct and behaviour falls short of the standards expected by the NFAS, the club or Committee should discuss with the member, reiterate the required standards/improvements with timescales (usually immediate). This may take the form of discussion during a shoot, or at a club, and is NOT part of the formal procedure.

In some cases, the problem may be more serious at the outset. If this is the case, the formal disciplinary procedure will apply. Likewise, in cases of serious or gross misconduct it is unlikely that the process will be preceded by informal action.

## 7. Disciplinary Practice

### 7.1 Establishing the facts of each case

It is important to carry out an investigation without unreasonable delay to establish the facts of the case. There is no requirement to write to or give notice to a member to attend an investigation however in some cases, the investigation will require holding a fact finding meeting with the member before

proceeding to any disciplinary hearing. In others, the investigatory stage will be the collation of evidence by the Committee for use at any disciplinary hearing.

An investigation or investigatory meeting will not always result in a disciplinary hearing or disciplinary action being taken. It may be concluded following investigation that no further action is required.

There is no legal obligation for a member to be accompanied at a formal investigatory meeting.

Where the investigation reveals allegations of criminal conduct, the investigation will be handed over to the police and will stay until the conclusion of any such process. The discipline case would only normally be restarted if the police declines to investigate the case.

### **7.2 Informing the member of the problem**

If it is decided there is a disciplinary case to answer the President or General Secretary will assemble a Disciplinary Panel of four NFAS Officers to judge any significant breach of rules and will be chaired by either the President or General Secretary. The Disciplinary Panel will judge on the basis of the evidence presented. The member should be notified of this in writing (email and post) and given at least 14 days notice. The member under scrutiny shall be invited to give, in writing or orally, at such meeting any explanation or defence of conduct they may think fit. The Disciplinary Panel shall also hear such representations from any Officers, ex officio Members, other members of the Society or members of the public as it shall consider appropriate.

All the information about the alleged misconduct and its possible consequences should be provided to the member, to allow them to answer the case at a meeting: this includes providing them with copies of any written evidence, such as witness statements. The member must be informed of the possible outcomes of the meeting.

The member must be given the details of the time and venue (or online) for the meeting by email and post. The meeting will take place as soon as is reasonably practicable.

Where the member is unwilling to attend a disciplinary meeting without good cause, the committee will make a decision in the member's absence on the basis of the evidence available.

### **7.3 Holding**

At the meeting, the President or General Secretary will explain the role of all those attending and the allegation(s) against the member, and then will go through the evidence that has been gathered.

The member should be allowed to set out their case and answer any allegations that have been made. They should also be given a reasonable opportunity to:

- ask questions;
- present evidence;
- call relevant witnesses; and
- raise points about any information provided by witnesses.

Where the disciplinary panel or the members intend to call relevant witnesses they should give advance notice that they intend to do this. Any written statements of case, witness statements or other documentary evidence should be exchanged at least 5 days in advance of the meeting.

The main points of the discussion will be summarised and the member will be asked if they have anything further to say.

#### **7.4 Decide on the appropriate action**

The meeting will ordinarily be adjourned before a decision is taken.

The disciplinary panel must decide whether or not disciplinary action (or any other action) is justified and proportionate, and inform the member accordingly in writing by email and post.

The Disciplinary Panel shall give such ruling and, if appropriate, impose such penalty as it sees fit having considered all representations. Penalties may include disqualification from an event or exclusion from the NFAS for a set amount of time or permanently. A decision will be made on the basis of a three quarters majority vote by the Disciplinary Committee.

A record of the warning will be kept on the membership database and in the General Secretary's records.

Where the member is unable or unwilling to attend a disciplinary meeting without good cause, the Disciplinary Panel may decide the case in their absence based on the evidence available.

#### **7.5 Provide the opportunity to appeal**

Where the member feels that the disciplinary action taken against them is wrong or unjust they should appeal against the decision within 10 calendar days. Appeals should be heard without unreasonable delay and, in any event, within 2 calendar months of the date of such notice.

If the member being complained about is dissatisfied with the decision reached by the Disciplinary Panel, they may appeal by writing to the President and an appeal hearing will then be arranged as quickly as possible. An Appeal Panel of four Officers will be assembled, none of whom have been involved with the original Disciplinary Panel. The Appeal Panel will be chaired by either the President or General Secretary (whichever was not involved with the Disciplinary Panel). The Appeal Panel will apply the same arrangements for hearing evidence and generally as the Disciplinary Panel. The decision made by the Appeal Panel is binding.

### **8. Additional Information**

#### **8.1 Suspension**

The Committee of the NFAS reserves the right to suspend any member who is suspected of serious misconduct, if it is considered in the interests of the individual and/or the NFAS to do so. Suspension in these circumstances is for the purpose of allowing an unhindered investigation to take place, and does not constitute disciplinary action or sanction. Suspension will be for as short a time as possible.

Any decision to suspend will be confirmed in writing within five working days and such written confirmation will state that the nature of the suspension is precautionary, not disciplinary, pending the outcome of the investigation and any subsequent disciplinary proceedings.

#### **8.2 Criminal Offences**

If a member is charged with, or convicted of, a criminal offence this is not normally in itself reason for disciplinary action. Consideration needs to be given to what effect the charge or conviction has on the member's activities within the NFAS.

Where allegations are made that may be of a criminal nature, the NFAS will co-operate fully with any police investigations.

The criminal convictions listed below are deemed incompatible with membership of the NFAS, and will result in dismissal:

- Assault occasioning Actual or Grievance Bodily Harm.
- Sexual assault.
- Drug offences cover everything from possession to possession with an intent to supply.
- Enlisted on the Sexual Offenders' Register.

### **8.3 Confidentiality**

The NFAS reserves the right to discuss the reasons for disciplinary action with the wider membership/clubs, to ensure the safeguarding of members and adherence to the rulebook.

### **8.4 Note Taking and Records**

The NFAS has a standardised methodology for recording all meeting notes, recording and retaining all evidence and actions taken during an investigation in paper and electronic format. Should an investigation lead to a criminal investigation (or be drawn upon as part of any appeal procedures), all material obtained in the course of an investigation should be considered relevant and be made available.

Audio recording of the disciplinary meeting will be undertaken. The member is not permitted to record disciplinary interviews, meetings or hearings without prior consent.

Interview and meeting notes will record the details of those present as well as the start and finish times of the discussion; however they do not need to be a verbatim recording of what had been said although they should ensure the clarity and essence of what was discussed.