



## RS Tera Class Association UK

### Disciplinary Policy

#### Introduction

The RS Tera Class Association is an advocate of excellent sporting conduct and behaviour towards (but not limited to) competitors, peers, supporters, class and race officials. As such in support of this ethos the following policy has been written and will be followed in the case of any alleged unacceptable or inappropriate behaviour by any participant or their parents (or responsible adult) in an RS Tera Class Association training or racing event or any other events where the RS Tera Class Association may be implicated by their actions.

Disciplinary action, as outlined in this policy, will be taken against any individuals behaviour, that in the opinion (and supported by a full investigation) of the RS Tera Class Association representative in charge contravenes any relevant participation contract, policy or guideline, and or, did not project a favourable and positive image of the sport or the RS Tera Class Association UK. This would include, but is not limited to the maintenance of high personal standards of behaviour, appropriate standards of dress, good manners and sportsmanship when taking part in training activities, racing activities or representing the RS Tera Class Association UK.

#### Purpose and Scope

The RS Tera Class Association UK disciplinary procedure is designed to help and encourage all participants to achieve and maintain high standards of conduct, attendance and performance. The procedure applies to all Class Association members and their parents / and or responsible adult. It is intended as a statement of the RS Tera Class Association UK current policy and commitment to operate a fair and consistent procedure in relation to all its Class Association members and their parents / and or responsible adult.

#### Principles

The procedure is concerned with misconduct and gross misconduct;

In all cases before any formal disciplinary action is taken the RS Tera Class Association UK representative in charge of the activity at the time will carry out an interview with the individual or individuals concerned. They will be advised of the nature of the allegations against them before the interview and will be given the opportunity to state their case. They will have the right to be accompanied by a parent, coach or another sailor during a disciplinary interview. In the case of children there will also be a second adult present at the interview;

No formal disciplinary action will be taken until a full and impartial investigation has been conducted;

Witnesses to alleged misconduct will be interviewed and statements taken and taken into consideration in the investigation

The RS Tera Class Association UK will ensure that any investigation is both independent and objective, that there is no undue delay in bringing the matter to a conclusion and that strict confidentiality is maintained throughout. A complete record of all interviews and

investigations will be made, a copy of which will be held on file by the RS Tera Class Association UK Class Secretary;

If a complaint is upheld they will be informed of the disciplinary sanction to be adopted. This will depend on the seriousness of the incident and the right of appeal;

Disciplinary sanctions will be appropriate and proportionate to the complaint;

They will receive an explanation of any disciplinary action to be taken and will have the right of appeal against any disciplinary sanction imposed.

### **The Procedure**

If a behavioural incident is believed to have been of a very **minor nature** where it is not necessary to resort to the formal warning procedure, the RS Tera Class Association UK representative in charge may give them a formal verbal warning with the purpose of improving their conduct.

The RS Tera Class Association UK representative will complete a written report including the names of any witnesses to the incident(s) and submit this to the Class Association Secretary to be held on file. Any discussions with them will as far as is possible be conducted in the presence of another adult. They will be informed if no formal disciplinary action will be taken. If the RS Tera Class Association UK representative in charge considers it necessary to invoke the formal warning procedure he/she will inform the individual that they will pass all details to the nominated RS Tera Class Association UK Committee member for that event. The nominated RS Tera Class Association UK Committee member may authorise the following procedures and in the meantime he/she may temporarily suspend the individual's right to participate in any further part in the current activity and require the individual to leave or be collected immediately.

#### **Stage 1 – Formal Oral Warning**

In the case of the individual being involved in a minor incident, or a number of minor incidents, the individual may be given a formal oral warning. The individual will be informed of the reason for the warning and that the warning constitutes the first stage of the disciplinary procedure and that a note will be placed on file with the Class Secretary. This will remain on file for disciplinary purposes for 12 months and be disregarded subject to satisfactory conduct after that time. In addition the likely consequences of further incidents will be explained to the individual, together with the right of appeal. The individual will be given appropriate support and guidance on how to improve conduct moving forward.

#### **Stage 2 – Written Warning**

In the case of the individual being involved in a serious incident, or a repeat of an earlier minor incident, the individual may be given a formal written warning. This will give details of the precise nature of the complaint or incident and in appropriate circumstances the improvement required and the timescales involved. The written warning will warn that action under stage 3 will be considered if there is no satisfactory improvement or if there is a repetition of misconduct. The individual will be informed of the right of appeal. A copy the written warning will be kept on file by the Class Secretary but will be disregarded after a period of two years subject to satisfactory conduct. In addition the likely consequences of further incidents will be explained to the individual, together with their right of appeal.

#### **Stage 3 – Exclusion from one major Event**

In the case of the individual being involved in a serious incident, necessitating the issue of a second written warning. The written warning will warn that action under stage 4 will be

considered if there is no satisfactory improvement or if there is a repetition of misconduct. The individual will be informed of the right of appeal. A copy the written warning will be kept on file by the Class Secretary but will be disregarded after a period of two years subject to satisfactory conduct. In addition the likely consequences of further incidents will be explained to the individual, together with their right of appeal. In the event that they are excluded from a major RS Tera Class Association UK event, and any rights of appeal have expired or been exhausted, in the case of a child they will not be entitled to enter or compete in the next RS Tera Class Association major event (Start of Seasons, Inlands or Nationals) and in the case of a parent or guardian, they will not be entitled to attend in any capacity the next RS Tera Class Association major event (Start of Seasons, Inlands or Nationals).

#### **Stage 4 – Exclusion from Class**

In the case of gross misconduct or if an individual’s conduct or performance is still unsatisfactory and the individual fails to reach the required standards after the previous stages of the procedure have been exhausted termination of membership of the RS Tera Class Association UK will normally result. They will be provided as soon as is reasonably practicable with written reasons for termination, the date on which your participation will terminate and will be informed of their right of appeal.

In the event that they are terminated from the RS Tera Class Association UK and any rights of appeal have expired or been exhausted, in the case of a child they will not be entitled to enter any RS Tera Class Association events and in the case of a parent or guardian, they will not be entitled to attend in any capacity any RS Tera Class Association events, for a period of one calendar year, from the date of the last incident.

<b>Summary of Procedure</b>	<b>Stage 1</b>	<b>Stage 2</b>	<b>Stage 3</b>	<b>Stage 4</b>
	<b>Formal Oral Warning</b>	<b>Written Warning</b>	<b>Exclusion from One Major Event</b>	<b>Exclusion from the Class</b>
Disciplinary Officer	RS Tera Class Association UK event representative	RS Tera Class Association UK event representative	RS Tera Class Association UK event representative	RS Tera Class Association UK event representative
Appeals	RS Tera Class Association UK Treasurer	RS Tera Class Association UK Vice-Chairman	RS Tera Class Association UK Chairman	A panel appointed by the RS Tera Class Association UK Chairman

The RS Tera Class Association Event representative may be any member of the committee with the exception of the Treasurer, Vice-Chairman or Chairman, any case of conflict of interest must be declared should an incident occur and an alternative committee member shall hear the case.

If a panel is required to be appointed, then every attempt shall be made to ensure that it is as independent as possible and if necessary the Chairman may draft in individuals to sit on the panel from outside the class.

The RS Tera Class Association policies and procedures are subject to change from time to time.

The RS Tera Class Association reserves the right to amend, supplement and/or discontinue at its absolute discretion, for whatever reason, any or all of its policies and procedures.