



2022-03-02 Disciplinary Policy and Procedure

1.0 Purpose

To meet the Club's duty of care to its employees, members, contractors and other lawful visitors

To define the policy and procedure for any issue that may require action by the Club's officers

To define the roles and responsibilities to ensure this policy and procedure is applied and known within the Club.

To ensure that natural justice is applied and that incidents of unruly behavior or socially unacceptable behavior can be dealt with expeditiously and equitably.

2.0 Policy Details

All incidents of personnel covered by this policy shall be investigated and referred to the Committee for consideration.

All instances failure to comply with the Club's rules, the Rules of Golf as issued by the R&A and USGA or instances of aggressive behaviour, use of foul and abusive language, sexism, xenophobia, homophobia or racism shall be covered by this document.

3.0 Policy Scope

This policy applies on the land and facilities owned and operated by Banchory Golf Club

This policy applies to all lawful persons resorting to the Club facilities as appropriate to their status e.g.

Green Keepers = Course, sheds and other areas

Members = course, shop, clubhouse, swing studio, practice grounds, buggy storage

It does cover members of the public impacted by any Club activity when on Club land, facility or the public footpath adjacent to the course.

It covers the Club's obligations to comply with the any legislative requirements in respect of equal opportunities.

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Breaches of the rules of golf during play shall normally be dealt with on the spot as provided for within the rules issued by the R&A and the USGA unless it is persistent and flagrant and cannot be resolved during play or by the Club's professionals giving rulings after play has finished.

4.0 Related Policies

Notice on aggressive and offensive behavior posted in various locations within the Club's buildings.

Banchory Golf Club Code of Conduct

The Club's Health and Safety policies and any supporting policies

5.0 Policy Owner

The Club Committee will be overall owner and responsible to ensure the investigation of incidents and ensuring the Club meets the legislative requirements. The Club Administrator is responsible for ensuring:-

This policy is kept up to date by referring it to the Committee for review and approval.

Incidents are properly recorded and reported to the Committee

Advising the Committee of any shortfalls and requesting the resources to ensure the policy is complied with.

Ensuring adequate steps are made to publicise this policy.

The Committee is responsible for:-

Providing the necessary resources to ensure this policy is followed

Reviewing any incidents annually at one of its meetings.

Ensuring any preventive/corrective actions identified in the review of actions are put in place.

Bar staff, Catering staff, Green keepers and Pro Shop personnel are responsible for ensuring any incidents of unacceptable behaviour they are involved in or are reported to them by fellow workers, Club Members or members of the public are recorded and reported to the Club Administrator and details kept for later Committee consideration.



6.0 Definitions

Incident is an occurrence where offense has been caused or taken, assault has occurred or was threatened to a person's alarm, or serious rules infraction has occurred that was not resolved amicably. This shall include but is not limited to spitting or similar offensive behaviour or public health concern e.g. failure to comply with health requirements as may be issued by the Scottish Government in times of crisis.

R&A means the Royal and Ancient Golf Club St Andrews.

USGA means United States Golf Association.

7.0 Procedures

If any member willfully refuses or neglects to comply with the provisions of the memorandum and articles or byelaws of the Club, or shall in the opinion of the Club Committee or its officers, or its employees, or on complaint by other members be guilty of any conduct unworthy of a gentleman or lady, as the case may be, such member shall be liable to disciplinary action by the Club which may lead to his or her suspension or expulsion.

Level 1: First or Minor Offence - On receipt of a complaint the individual will be invited to attend a meeting with the Captain (or delegate); the offence will be outlined. The individual will be given an opportunity to explain his/her actions. If the complaint is upheld and accepted a verbal warning will be issued. The Club Administrator will record the date and the fact that this has been issued. This verbal warning shall be active for 12 months. If during this period any recurrence of the offence will initiate the next stage of proceedings as below.

Level 2: Second or Serious Offence - Where a further complaint or in the opinion of the Captain the incident is of a serious nature, the individual will be invited to a meeting with the Captain (or delegate) and Club Administrator or Director of Golf where the complaint will be outlined. The individual will be given the opportunity to explain his/her actions. If required a written warning will be issued. A copy will be given to the individual who will be required to sign and date it as being received. This written warning will remain in force for 12 months. If during this period any recurrence of the offence will initiate next stage of proceedings as below.

Level 3: Major or Third Offence - A disciplinary panel will be convened; this shall comprise three past officers of the Club (e.g. Past Captain and two past or present officers). A dossier collating the complaints(s) will be provided to the panel and the individual. A date and time for a disciplinary hearing will be set up. A minimum of one week before the disciplinary hearing the individual will be advised of the date, time and place of the hearing. At such a

hearing he or she shall have the opportunity to be represented and to give orally or in writing any explanation or defense he or she may think fit. He / She may call witnesses and has the right to question any other persons cited as having witnessed the incident giving rise to the complaint. Witnesses may be requested to submit written statements or be interviewed by the Captain (or delegate) and Club Administrator or Director of Golf. The panel will deliver its conclusion which can include suspension of playing and Club access rights, or withdrawal of membership. In such cases involving suspension or withdrawal of membership the panel's conclusion is to be confirmed at a meeting (real or virtual) within 3 weeks of the full Committee by majority decision. If a committee member is unavailable in this time his/her vote shall be delegated to the Captain.

Level 4: Appeals Process - In the event that suspension or withdrawal of membership the person has the right of appeal to an Appeals Panel, the individual must within 1 week of the conclusion of meeting state, in writing to the Captain, that he/she is appealing the decision of the Disciplinary Panel. An Appeals Panel will be set up, this panel will be made up of three different past officers of the Club whose decision is final. A date and time for appeals hearing will be set up. The individual, one week before the appeals hearing will be advised of the date, time and place of the hearing. At such a hearing he or she shall have the opportunity to be represented/supported and to give orally or in writing any explanation or defense he or she may think fit.

If an issue is considered serious enough in the opinion of the Captain then immediate suspension of membership is an option at Level 1 or Level 2. If this action is taken then Level 4 is immediately invoked. Classification of incidents in respect of the above shall be at the discretion of the Captain and Committee.

If membership is withdrawn as a result of this procedure he/she shall forfeit all right in, and claim upon, the company and its property.

8.0 Exhibits / Appendices / Forms

9.0 Supporting Information

Notice concerning aggressive and abusive behaviour

Refer to legislation covering equalities issues

10.0 Document History

First Draft August 2022



230517 - Club Administrator removed from Level 1 involvement. Director of Golf added as an attendee to meetings for Level 2 & 3.