

Battle Bowls Club - Disciplinary Policy

1. Disciplinary Regulation

The right of Battle Bowls Club (hereinafter “the Club”) to take disciplinary measures.

Any member of the Club (other than a Probationary Member) against whom an allegation of misconduct, as defined below, is alleged, may be subject to disciplinary measures:

- a) Improper interference with the functioning or activities of the Club
- b) Action which otherwise improperly damages the Club or any other bowls club, or any member thereof, or their reputation.

2. General Principles

2.1 In accordance with Article 6 of the European Convention on Human Rights and best practice for sporting groups and organisations, the disciplinary procedures must satisfy the requirements of the well-established common law concept of natural justice. This means “fairness in all aspects” of the process and the disciplinary procedure must be fair, clear, transparent and consistent in its application.

2.2 The aim of the disciplinary procedure is to provide a fair and proper opportunity for a case to be heard before an impartial panel as quickly as possible.

3. Definitions of Misconduct

3.1 For the purposes of this Regulation, the definition of ‘misconduct’ shall include, but shall not be restricted to:

- 3.1.1 any breach of the Club’s Safeguarding Policy and/or Anti-bullying Policy;
- 3.1.2 any breach of the Club’s Constitution or its rules
- 3.1.3 any conduct which is prejudicial to the interests of the Club or any member thereof or to the sport of bowls in general;
- 3.1.4 deliberately losing or attempting to lose any match or otherwise being guilty of unfair play;
- 3.1.5 the use of any profane, indecent, or improper language at any function of the Club or whilst on the property of the Club or the property of any other bowls club;
- 3.1.6 any violent, indecent, disorderly, threatening, intimidating or offensive behaviour at any time or place towards any member of the Club or of any other bowls club
- 3.1.7 any sexual, religious, disability or racial harassment of any member of the Club or of any other bowls club
- 3.1.8 obstructing, disrupting or interfering improperly with the functions, duties or activities of any member or official of the Club;
- 3.1.9 any conduct which constitutes a criminal offence;

3.1.10 any fraud, deceit, deception or dishonesty in relation to the Club

3.1.11 behaving fraudulently or cheating at any of the Club's events or at any event at which the Club is competing or at any event while representing the Club

3.1.12 theft or misappropriation or misuse of the property of the Club or of any other bowls club

2.1.13 the unauthorised use or misuse of the premises of the Club

4. Disciplinary procedures

4.1 When a written complaint or allegation of misconduct is made or it is brought to the attention of the Club's Committee that the conduct of a member is or was in breach of the Constitution or Rules of the Club or constituted misconduct as defined in paragraph 3 above then the Committee shall make such enquiries as it considers appropriate. Anonymous complaints will not be accepted or considered. In the event that the complaint or allegation involves a member of the Committee then the matter will be considered without the presence of that member.

4.2 Where the circumstances of the complaint or breach of rules are not considered serious then the matter may be dealt with informally by the Committee without recourse to formal disciplinary procedures. This will allow guidance, explanations and re-evaluation of conduct which might be causing problems through lack of awareness or ignorance of the rules. When informal process is not practical and where the complaint or allegation is of a serious nature and formal disciplinary action is necessary then the following procedures will apply:

5. Investigation

5.1 It is important that the complaint or allegation are investigated promptly and thoroughly to establish the facts and circumstances surrounding the matter and to gather all verbal and written documentary evidence. The Committee will appoint one of its members to fully investigate, as expeditiously as possible, the subject matter of the complaint.

5.2 Once the investigation has been completed the investigator will collate all relevant evidence, report and recommend to the Committee for a decision to be made as to whether or not the matter should formally proceed. Any member of the Committee who has been appointed as the investigator or who is involved in the matter under investigation shall be excluded from any discussion, debate or decision to formally proceed.

5.3 At this stage it may be considered prudent that the case could be more effectively resolved outside the formal disciplinary procedure.

5.4 If it is evident that a crime has been committed then the procedure should be halted and reported to the Police for a criminal investigation to proceed. If a criminal investigation is undertaken then the internal investigation and disciplinary action will not be pursued unless and until all judicial proceedings and avenues of appeal have been exhausted. When circumstances are considered serious the individual(s) concerned may be suspended immediately and lose all privileges of the Club.

6. Disciplinary Panel

6.1 When a decision to formally proceed has been reached the Committee will convene a Disciplinary Panel consisting of a Chair and two other members chosen from the Committee other than the Club Chairperson whose involvement is reserved to the appeals process.

6.2 This Panel must be and must be seen to be independent and impartial and have no involvement with the case or personal connection with the individual(s) involved. If this is not the case or there is any doubt about the impartiality or independence of any member of the Panel regarding the particular case in question then someone else should be appointed to sit on the Panel by the Committee.

6.3 The names of the members of the Panel will be notified to all interested parties well in advance of any subsequent hearing so that there is opportunity to challenge the members for any perceived conflict of interest or risk of bias. It is too late to receive a challenge to the members of the Panel after everyone has arrived for the hearing.

6.4 All parties are reminded that nobody should contact, approach or otherwise attempt to influence or intimidate any Panel member or witness. Any breach of this will be reported to the Chair of the Panel and may itself be considered a matter for disciplinary action.

7. The Allegation

7.1 In order to enable the individual(s) concerned to prepare a response, the allegation must be clearly defined with specific reference to the relevant section of this policy (at 2 above) and to any rule that has been breached.

7.2 The allegation must be notified in a clear and transparent manner to the individual(s) involved and well in advance of any subsequent Disciplinary Hearing so that there is reasonable time to respond and those involved are not taken by surprise. All evidence in support of the allegation must also be provided in full and without modification to the person(s) involved. Failure to do the foregoing may mean that the ultimate hearing is considered unfair.

8. Disciplinary Hearing

8.1 The Disciplinary Panel shall make such procedural provisions as is necessary for the just and efficient disposal of a Disciplinary Hearing according to the rules of natural justice.

8.2 Within fourteen days of the determination to proceed with disciplinary action, the Disciplinary Panel will make arrangements to convene a Disciplinary Hearing at a reasonably convenient venue.

8.3 Within a further twenty-one days, the Chair of the Panel shall invite the members or persons involved to attend the Hearing. Invitations may be sent by email with read receipt to the addresses held for the invitees or, in the absence of an address or of a read acknowledgement, by recorded delivery letter to the invitees' last known addresses to arrive at least seven clear days before the date fixed for the Hearing.

8.4 The accused individual(s) shall be informed of the right to bring and be accompanied by an adviser or friend, not connected with the decision-making process, to the Hearing. Entitlement to legal representation (at own expense) is permitted.

8.5 At the start of the Hearing the Panel members should introduce themselves and the Chair should clarify exactly how and in what order the evidence is to be heard.

8.6 The Hearing shall have an accurate written minute recorded by a member of the Panel

8.7. If new and relevant evidence is presented on the day of the Hearing then time should be allowed for it to be seen and considered by all parties.

8.8 The Chair should also confirm that the “standard of proof” to be applied shall be on the balance of probabilities.

8.9 The Disciplinary Panel must consider the facts presented after listening to the case for both sides. The Panel may clarify any issues arising and recall witnesses. Before reaching a decision the Panel must weigh up the accepted facts against the relevant definitions of misconduct and relevant rules of the Club. Each Panel member has one vote and a majority decision is acceptable.

8.10 The Panel shall make its decision in private and, within seven days of the conclusion of the Hearing, disclose and communicate simultaneously, by registered post, its decision in writing to all parties. Best practice demands that the Panel provides a reasoned written decision outlining why and how they arrived at the outcome and signed by the Chair.

8.11 Any formal sanction or penalty the Panel decides to implement must be notified to all parties reminding them that any party aggrieved by the decision or ruling of the Panel has the right of appeal, within the set time limit from receipt of the decision, if they so wish.

9. Sanctions and Penalties

9.1 After due consideration the Panel may impose any of the following sanctions or penalties having regard to the relevant facts of the case and whether it can be reasonably imposed and is proportionate to the circumstances according to the rules of natural justice:

- Dismiss the complaint with no action to follow
- Admonish the member/person and advise on future conduct
- Issue a verbal or written warning regarding conduct
- Suspend the member for a defined period of time
- Expel from and terminate membership of the Club
- Any such other sanction or penalty which is considered fit to be reasonably imposed

9.2 Any member who is suspended or expelled shall automatically lose all the privileges of the Club until (in the case of suspension) re-instated and shall not:

- be eligible as a visitor
- be eligible to use the facilities of the Club except as a representative of another club in a competitive fixture agreed by the Club

10. Appeals

10.1 An appeal against the decision of the Disciplinary Panel must be lodged with the secretary of the Club within fourteen days of the outcome of the Disciplinary Hearing having been made known to the appellant. No appeal will be entertained beyond this period. The appellant must provide and submit written grounds for appeal together with any accompanying documentary evidence as considered appropriate.

10.2 In order to reduce the risk of unmeritorious appeals, grounds of appeal should be clearly specified and the mere fact that the decision and outcome are not liked should not, in itself, be grounds for appeal. Appeals should reflect objections such as the disciplinary process was not followed correctly, relevant or new evidence was not taken into account by the Panel or that the Panel reached a decision that no reasonable people could have reached when faced with the evidence before it.

10.3 The Committee will convene a meeting of an Appeals Panel that will consist of the Club Chairperson as Appeals Panel chair and two other individuals who may be drawn from among the club members or Trustees.

10.4 Any member or person who was involved in the case or the decision against which the appeal has been lodged shall be excluded from the Appeals Panel. In the event that the Club Chairperson is excluded by this provision, their role may be taken by any other person deemed appropriate by the Committee.

10.5 The Appeals Panel chair will notify all concerned of the date, time and venue for the hearing of appeal. This should be decided having due regard to the urgency of the matter and to the availability of all concerned but should be within 28 days of the date the notice of appeal was lodged with the Club.

10.6 The Appeals Panel chair should also notify the appellant of the composition of the Appeal Panel. The appellant is entitled to lodge an objection, within forty-eight hours of being notified, against any member of the Appeals Panel. Objection without cause may be raised against a maximum of two members; further objections can be raised against any proposed member who can be shown to have a direct personal involvement or interest in the matter. The appellant shall provide appropriate evidence in support of this and any objection will be considered by the Appeals Panel chair whose decision shall be final.

10.7 The Chair of the Disciplinary Panel shall provide a written statement to the Appeals Panel together with relevant supporting documentation detailing:

- The circumstances surrounding the allegation or alleged offence
- The decision taken
- Any appropriate justification or explanation
- The information that was considered in reaching the original decision such as the rules, regulations, reports or correspondence

10.8 The Appeals Panel chair must ensure that all relevant information is provided to the appellant, the Chair of the Disciplinary Panel and all members of the Appeal Panel in good time prior to the appeal meeting and at least seven days before.

10.9 The appellant may submit to the Appeals Panel whatever written submission is considered appropriate in good time so that the Appeals Panel has the opportunity to study the submission.

10.10 The Appeals Panel will convene and review the case looking at whether the original Panel decision was fair, reasonable and proportionate in all the circumstances without re-hearing all the evidence. The Appeals Panel will not interfere with a decision unless it was clearly wrong and shall have the power to review, set aside and amend any penalty or sanction imposed by the Disciplinary Panel.

10.11 A majority decision of the Appeals Panel shall uphold or dismiss the appeal. In the event of the Appeals Panel being unable to arrive at a decision then the appeal will be upheld.

10.12 The decision of the Appeals Panel is final and there is no further right of appeal. All parties will be bound by the decision of the Appeals Panel and any sanction or penalty shall be implemented with immediate effect.

11. Application of This Policy with Regard to Children

11.1 Where a child (ie anyone who has not attained the age of 18) is a party in the alleged breach, the parents of, or other carers with parental responsibility for, the child will be informed of the incident before any disciplinary procedures are initiated and will be invited to participate in those procedures.

12. Probationary Members

12.1 In accordance with paragraph 3.1 of the Club Constitution, Probationary Members may be required to leave the Club without redress if a decision to terminate Probationary Membership is made by a majority decision of the Committee. The procedures in this policy do not, therefore, apply to Probationary Members. Without, however, limiting the discretion of the Committee to terminate Probationary Membership for any cause, misconduct as defined at paragraph 3 above would be prejudicial to the Probationary Member's suitability.

Revised : March 2026