

COMPLAINTS AND DISCIPLINARY PROCEDURES

April 2023

1. Requirements of the Schedule

This schedule is referred to under clause 11 of the Harrogate Bridge Club Rules (hereafter referred to as the Club) and prescribes the powers and procedures for enforcement. It will comply with and follow the EBU disciplinary procedures and any variations thereof that are made from time to time. The Club shall act through its Conduct and Disciplinary Committees for the enforcement of standards prescribed in clause 11 of the Rules. The Club shall have additional powers as set out in the clauses below.

2. Complaints

Any person making a complaint against one or more members of the Club must do so in writing to the Chairman of the Club. Normally, no action will be taken in respect of a complaint relating to an alleged offence which occurred one month or more prior to a formal complaint in writing.

On receipt of a written complaint, the Chairman may, in more straightforward cases, handle the matter himself, if he assesses that informal resolution is attainable. Otherwise, and more generally, he will appoint the Conduct Committee Chairman to take on the responsibility. The investigator will collect information from all relevant parties, ideally within 7 -10 days from receipt of a complaint, and will make a recommendation to the Chairman. If, together, they decide that the complaint is not justified, all parties will be notified and the matter closed. A complainant has the right to appeal to a Conduct Committee if unhappy with the outcome.

The Club would prefer, and aim for, any complaint to be resolved swiftly without resort to any formal disciplinary process and will encourage members to amicably resolve disagreements, disputes or misunderstandings. In practice, resolution will be sought through discussions and informal meetings and if, in the case of disputes between members, may be facilitated by a Club appointed mediator, acceptable to all parties. Should it not be possible to arrive at a satisfactory outcome, or the matter is considered to be of such seriousness, the Chairman will invoke a formal disciplinary process, as set out in the clauses below.

(The following sections are adopted from the EBU Model Club Constitution)

3. Conduct Committee

The Committee of the Club shall appoint its Conduct Committee Chairman. The Conduct Committee shall be responsible for investigating complaints against the Club's members and to determine whether a disciplinary offence should be referred to the Club's Disciplinary Committee.

The Conduct Committee shall consist of no fewer than three members of the Club and no more than five. A quorum for any meeting shall be three of its members. It shall act by simple majority vote and its appointed chairman, or whomsoever in his absence the Conduct Committee shall select to chair its meeting, shall have a second, or casting, vote in the event that there is parity of voting.

4. Disciplinary Committee

The Chairman of the Club shall appoint the Disciplinary Committee. The Disciplinary Committee shall determine sanctions for offences admitted by the defendant, hear charges of offences and determine whether those charges are proved and, if proved, to determine the sanction imposed.

The Disciplinary Committee shall consist of no fewer than three members of the Club and no more than five. At least three of its members must be present when it makes a decision to uphold a complaint and impose sanctions on the offending member. It shall act by simple majority vote and its appointed chairman, or whomsoever in his absence the Disciplinary Committee shall select to

chair its meeting, shall have a second, or casting, vote in the event that there is parity of voting.

5. Conflicts of Interest and Independence of the Conduct and Disciplinary Committees

Any member of either the Conduct or Disciplinary Committee who is in any way personally involved in the allegations within a complaint will be disqualified from participating in either Committee's handling of the complaint.

A member of the Club cannot be a member of both the Conduct and Disciplinary Committees.

6. The Complaints Process

6.1. Notice of Meetings

Subject to the provisions of clause 2 hereof where a written complaint is made, or a matter otherwise comes to the attention of the Conduct Committee, it shall first consider whether such complaint or matter falls within the scope of the Disciplinary Rules and whether further action is warranted. If it does, the Conduct Committee secretary shall first write to the defendant seeking the defendant's comments on the substance of the complaint or matter that has been raised. The Conduct Committee shall also be entitled to make such further investigations and enquiries as it in its absolute discretion considers appropriate. The Conduct Committee shall also be entitled to seek advice from within the Club and from the EBU Laws and Ethics Committee, and to obtain external legal advice.

6.2 Complaint not justified

If the Conduct Committee decides that the complaint is not justified, all parties shall be notified.

6.3 Complaint justified

If the Conduct Committee decides that the complaint is justified, it may, in its absolute discretion, offer a verbal caution to the offending member which, if accepted, ends the matter.

If the caution is not accepted by the offending member, or the Conduct Committee does not feel a caution is appropriate, it shall refer the case to a hearing by the Disciplinary Committee. The defendant shall be notified, in writing, within two weeks of this decision and of his right to make a written submission to the Disciplinary Committee and to attend the hearing. The defendant shall have the right to be represented by legal counsel of his choice or may be accompanied by a person to speak on his behalf. The Disciplinary Committee shall give at least two weeks' notice of the hearing to the defendant.

6.4 Disciplinary Committee's Sanctions

If, after the hearing, the complaint is upheld, the Disciplinary Committee may in its absolute discretion:

- {a) Give a written reprimand to the offending member(s); or
- (b) Suspend the offending member(s) from all or some of the competitions sponsored or licensed by the Club for such period as it shall determine; or
- (c) Expel the offending member(s) from the Club.

If the complaint is against a member of the Committee, then in addition to any other sanctions applied, the Disciplinary Committee shall have the power to suspend such member from the Club's Committee and any of its sub-committees for such a period that it shall determine.

Any sanctions imposed by the Disciplinary Committee must be communicated to the offending member(s) in writing within twenty one days of the hearing.

Any sanction imposed by the Disciplinary Committee shall take effect as soon as time for appeal has elapsed except that, if the defendant has filed Notice of Appeal within the time allowed, the sanction shall not take effect until such Appeal has been determined.

6.5 Appeal

Every defendant found guilty of an offence by the Club Disciplinary Committee has the right to appeal to the Yorkshire Contract Bridge Association. Appeals must be in writing and lodged with the Secretary of the Association within twenty one days of the written communication of the Club's Disciplinary Committee's decision to the defendant.

6.6 Referral to the EBU Laws & Ethics Committee

At any time, the County Disciplinary Committee may refer a complaint to the EBU Laws & Ethics Committee for its consideration. In doing so, the County Disciplinary Committee shall have fully discharged its responsibilities under this Schedule.