

## County Bridge Club Constitution and Approved Governing Document

### Appendix 1 - Schedule of Disciplinary Procedures

#### **A1. Requirements of the schedule**

This schedule is referred to under clause 26(3) of the Constitution of County Bridge Club (hereafter referred to as the Club) and prescribes the powers and procedures for enforcement. It will comply with and follow the English Bridge Union (hereafter referred to as 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 26(3) of the Constitution. The Club shall have additional powers as set out in the clauses below.

#### **A2. Receipt of allegation**

Any person making a complaint against one or more members of the Club under the terms of clause 26(3) of the Constitution, must do so in writing to the Secretary or the Chairman of the Club. Normally no action will be taken in respect of a complaint relating to an alleged offence which occurred three months or more prior to a formal complaint in writing made to the appropriate officer.

#### **A3. Conduct Committee**

The Charitable Trustees of the Club shall appoint the Conduct Committee through its powers to appoint sub committees under clause 18(1) of the Constitution. 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.

#### **A4. Disciplinary Committee**

The Charitable Trustees of the Club shall appoint the Disciplinary Committee through its powers to appoint sub committees under clause 18(1) of the Constitution. 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.

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## **A5. 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.

## **A6. The Complaints Process**

### **A6.1. Notice of Meetings**

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. Normally no action will be taken in respect of a complaint relating to an alleged offence which occurred three months or more prior to a formal complaint in writing made to the appropriate Officer. If it does take action 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 both from within the Club and from the EBU Laws and Ethics Committee, and to obtain external legal advice.

### **A6.2. Complaint not justified**

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

### **A6.3. 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.

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### **A6.4. 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.

### **A6.5. Appeal**

Every Defendant found guilty of an offence by the Club Disciplinary Committee has the right to appeal to the Leicestershire Contract Bridge Association (hereafter referred to as the LCBA) after Disciplinary Committee. 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. No further appeal is allowed.

### **A6.6. Referral to the EBU Laws & Ethics Committee**

At any time the LCBA Disciplinary Committee may refer a complaint to the EBU Laws & Ethics Committee for its consideration. The EBU Laws & Ethics Committee may decline to accept the referral in which case the LCBA must hear the case. If the EBU Laws & Ethics Committee accepts the referral then the LCBA Disciplinary Committee shall have fully discharged its responsibilities under this Schedule.