

BSS Disciplinary Policy

1. Introduction

This document contains British Ski and Snowboard's (BSS) disciplinary policy. It sets out standards of conduct for employed & voluntary personnel & coaches and athletes

BSS takes any allegations of misconduct of staff, athletes and volunteers very seriously and will always follow the disciplinary procedure.

Any allegation of inappropriate conduct will be categorised in to either

1. Disciplinary or misconduct
- or
2. Child Protection

2. Disciplinary or misconduct

Disciplinary rules and procedures are necessary for promoting orderly employment relations as well as fairness and consistency in the treatment of individuals. They enable organisations to influence the conduct of workers and deal with problems of poor performance and attendance, thereby assisting organisations to operate effectively.

Rules set standards of conduct and performance at work; procedures help ensure that the standards are adhered to and also provide a fair method of dealing with alleged failures to observe them. Disciplinary procedures are not viewed primarily as a means of imposing sanctions. They are a way of helping and encouraging improvement amongst representatives whose conduct or standard of work is unsatisfactory.

- a) Whilst BSS does not intend to impose unreasonable rules of conduct on its representatives, certain standards of behaviour are necessary for the efficient and safe performance of work and for the maintenance of satisfactory relations within the workforce between employees, volunteers, management and athletes.
- b) We prefer that discipline be voluntary and self imposed and in the great majority of cases this is how it works. However from time to time, it may be necessary to take action towards individuals whose behaviour or performance is unacceptable.
- c) Minor cases of misconduct and most cases of poor practice may best be dealt with by informal advice, coaching and counselling rather than through the disciplinary procedure. Where matters remain informal, the statutory right of accompaniment does not apply. An informal oral warning may be issued as a result. In such cases management will ensure that problems are discussed with the objective of encouraging and helping employees to improve. It is important that in such cases, the representative understands what needs to be done, advice will be given regarding performance or conduct with a time period to be reviewed.

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- d) If within the time scale issued performance or conduct has not improved then disciplinary action will be taken. In cases where informal discussion does not lead to improvement or where the matter is more serious, i.e. unjustified absence, poor time keeping, sub-standard performance, misconduct, harassment or victimisation, misuse of company property the following procedure will be used. At all stages, the representative will be given the chance to state his/her case, accompanied if requested by a fellow employee/volunteer or trade union official of his/her choice during disciplinary interview. It should be noted, however, that a representative's behaviour is not looked at in isolation but each incident of misconduct is regarded cumulatively with any previous occurrence
- e) Representatives will be notified in writing if the following procedures are to be used. A thorough investigation will be made by a member of the relevant Disciplinary Committee in order to establish the facts, before informing the representative in advance of a disciplinary/grievance hearing. Representatives will be notified in writing of the allegations against them and of any supporting evidence gained by the manager(s) in order for the representative to have the opportunity of challenging the allegations and evidence before decisions are reached. Representatives will also be notified in writing of what disciplinary action if any, which may be taken depending on the outcome of the hearing.
- f) In the event of serious misconduct a representative may be suspended on full basic pay while an investigation is carried out. Such suspension, which DOES NOT imply guilt or blame, will be for as short a period as possible.

2.1 Conduct and General Behaviour

- 1. Disciplinary action may be taken if your conduct and behaviour is considered to be unacceptable
- 2. The action taken will depend on your previous record and/or the gravity of the offence.

It is unlikely that any set of disciplinary rules can cover all the circumstances that may arise but there are basically two distinct categories of offences which warrant disciplinary action. Examples are given in appendix 1.

2.2 Details of Procedure

Members of the Disciplinary Committee have the authority of carrying out the disciplinary procedures. No representatives will be dismissed for a first breach of discipline except for gross misconduct. Representatives will be informed with an explanation of any penalties imposed. All representatives have the right to appeal.

Stage 1

The representative will be given a formal VERBAL WARNING by the management or immediate superior. He/she will be advised of the reason for the warning and that this warning is the first stage of the disciplinary procedure. A note of the verbal warning may be recorded but nullified after six months, subject to satisfactory conduct, only if there are no further instances of disciplinary action for whatever reason. Should an athlete be in minor breach of the general code of conduct a minor sanction may be imposed by his/her coach or BSS staff.

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Stage 2

If conduct of work performance does not improve a FIRST WRITTEN WARNING may be given. This will give details of the complaint and the likely consequences if the terms of the warning are not complied with. This warning will be recorded but again nullified after a maximum of one year subject to satisfactory conduct, and only if there are no further instances of disciplinary action for whatever reason.

Stage 3

Failure to improve in response to the procedure so far, a repeat of misconduct for which a warning or warnings have previously been issued, or a first instance of serious misconduct, will result in a FINAL WRITTEN WARNING being issued. This will give details of the complaint, the length of any probationary period and notification that dismissal will probably result if the terms of the warning are not complied with. This warning will be recorded and only nullified at management discretion.

Stage 4

Failure to meet the requirements set out in the final written warning will normally lead to DISMISSAL with appropriate notice. A decision of this kind will only be made after the fullest possible investigation. Representatives will be informed in writing as soon as reasonably practicable of the reasons for the dismissal, the date on which the contract between the employee and BSS will terminate. Dismissal can be authorised only by the employer.

Disciplinary Committee for Employees/ Volunteers

Chair of Discipline Committee
BSS Director TBA
Another TBA

Disciplinary Committee for Athletes

Chair of Discipline Committee
Athlete from BSS Board
Coach from that Team Named Coaches
Another TBA

3. Child Protection

Whenever an allegation of abuse to a child/vulnerable adult is suspected or reported, the following steps will be taken, always based on the principle that the welfare of the child is paramount:

- The Lead Child Protection Officer will be contacted

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- Following an initial assessment by the Lead CPO and the panel below, a decision on further proceedings will be made that may entail immediate suspension from the position held (possibly including suspension of licence). Being suspended does not indicate that you are presumed guilty but is a measure of good practice by BSS.
- Where the concern warrants reporting to the statutory authorities, their advice will be taken with regard to further procedures. When they are not involved, you will be informed in writing of the nature of the complaint and given an opportunity to state your case
- Full details of the allegations, your statement and any information from the statutory authorities will be recorded in writing along with the action taken as a result of the disciplinary hearing by the Disciplinary committee.

If a verbal warning is given, it will be confirmed in writing to the individual that she/he has received a verbal warning and outlining the breach of conduct. The individual must acknowledge receipt of the warning by signing a copy of the letter that must be forwarded to the Chairman.

If a written warning is given, the letter must state clearly the breach of conduct and whether it is the first, second or final written warning. You must acknowledge receipt of the warning by signing a copy of the letter which must be forwarded to the Chairman of BSS.

All documentation regarding the disciplinary procedure will be kept on a personal file that is kept in a secure location with limited access to designated people and in line with data protection laws

DISCIPLINARY COMMITTEE for Child Protection

Chairman	David Edwards
Child Protection Officer	Jenny Shute
Another	TBA

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4. APPENDIX 1 DISCIPLINARY PROCEDURE

Minor Breach of Discipline (including minor breach of athlete agreement)

First Offence	Verbal warning and/or minor sanction	Line Manager
Repeated Offence	First written warning	CEO/Discipline Chair
Continued Offence	Second written warning	CEO/Discipline Chair
No improvement	Dismissal or De selection	CEO/Discipline Chair

Serious Breach of Discipline

(Alcohol/drug influence/abuse/bullying/theft/athlete agreement)

1st offence	One and only written warning	CEO/Discipline Chair
2nd offence	Dismissal/De-selection with appropriate notice	Discipline Committee

Gross Misconduct

Offences under this heading are so serious that an employee/volunteer/athlete who commits them will normally be summarily dismissed. Incidents of gross misconduct will usually still need to be investigated as part of a formal procedure. In such cases BSS reserves the right to dismiss without notice of termination or payment in lieu of notice.

Examples of gross misconduct:

- Abuse to any child or vulnerable adult
- Willfully causing harm or injury to another employee or athlete
- Serious bullying or harassment
- Performing an action that is liable to cause injury to other people or damage of company/athlete property.
- Serious negligence which causes or might cause unacceptable loss, damage or injury.
- Incapacity through an excess of alcohol or drugs
- Willful refusal to obey a reasonable instruction
- Serious infringement of health and safety rules
- Any breakage of the law, such as theft and unauthorised possession of company property, deliberate falsification of records or any other form of dishonesty
- Serious breach of confidentiality
- Bringing the employer into serious disrepute

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The above is intended as a guide and is not an exhaustive list.

An employee may appeal against a disciplinary decision, including dismissal, to management within one week of the decision. Appeals should be in writing. At the appeal hearing the employee will again be given the chance to state his/her case and will have the right to be accompanied by a fellow employee or union representative of his/her choice. The Company's decision will be final.

Any proven case of gross misconduct will result in **instant** dismissal/ deselection without notice.

Right of Appeal

Everyone has the right of appeal.

GRIEVANCE PROCEDURE POLICY

BSS's Grievance Policy and Process is published on the Company's website. The most up to date version of the policy can be found online at:

<http://www.teambss.org.uk/governance/policies/>