

## LWRC DISCIPLINARY POLICY

### 1. Applicability

1. 1.1. This Policy applies to all players, and support staff on service contracts, of London Wheelchair Rugby Club(LWRC). It presumes that all employees and staff are competent and act in good faith in discharging their duties.
2. 1.2. Where a player or support staffs inadequate performance is believed to arise either from genuine incapability (e.g. lack of adequate skills and/or experience) or as a result of ill health, then this policy does not apply, and instead the relevant HR Policy should be followed.

### 2. Introduction

1. 2.1. LWRC strives to operate effectively and provide the best possible service to the sport of Wheelchair Rugby in London and the surrounding Counties. This is in line with standards of performance and conduct expected of all employees and contractors. Disciplinary rules and procedures are necessary to promote fairness, order and consistency in the treatment of individuals in employee, member, trustee, contractor, partner\*, volunteer and public roles.
2. 2.2. This Policy sets out the procedures to be followed where an employee or contractor has failed to uphold the standards of behaviour expected of them (for example: in cases of misconduct). Formal disciplinary action should only be taken as a last resort, and only if absolutely necessary. The procedures aim to treat all individuals fairly and consistently.
3. 2.3. The Chairman is responsible for communicating these standards to support staff and players, and for maintaining them. Through consistency in this approach, the all staff throughout the organisation know what is expected of them.
4. 3.1.6. no formal disciplinary action to be taken until a matter has been fully investigated by an appropriate GBWR manager.
5. 3.1.7. adequate notice and information relating to any Disciplinary Hearing to be given.
6. 3.1.8. individuals have the right to be accompanied to any Hearing by a colleague or (in the case of support staff) the head of staff.

7. 3.1.9. individuals have the right of appeal.

#### 4. Disciplinary rules and definitions

1. 4.1. It is important to distinguish between those issues which arise because of misconduct and those which arise relating to an individual's capability.
2. 4.2. To assist in distinguishing between such issues, the following definitions are provided as a guide as to which procedure should be followed. Cases can arise where it is difficult to distinguish between misconduct and capability. In such circumstances Committee members in LWRC should endeavour to ensure that any action taken is fair to the individual concerned, having regard to all the circumstances.

3. 4.3. Misconduct

4.3.1. An players or support staff who wilfully refuse to perform his or her duties to a satisfactory standard is committing an act of misconduct. This includes any breach of LWRC's Policies or some other act which, although not necessarily specified in policy, may be regarded as misconduct (or which may adversely affect the performance of an employee's contract of employment or a contractor's contract for services). Misconduct can be of varying degrees of seriousness culminating in gross misconduct, a definition of which is given below.

#### 4.4. Gross Misconduct

1. 4.4.1. Gross misconduct is a serious breach of discipline that is considered so grave that, subject to any mitigating circumstances, it constitutes grounds for dismissal without notice and without previous warning. Therefore in the case of gross misconduct, LWRC reserves the right of summary dismissal of an individual (in the case of employees, without notice or pay in lieu of notice) or summary termination of a service contract. The decision on whether conduct can be construed as gross misconduct will be dependent on full consideration of all the facts and circumstances.
2. 4.4.2. Examples of gross misconduct include (but are not limited to):
3. 4.4.2.1. a criminal offence that is likely to adversely affect the performance of an individual or their relationship with LWRC as their employer

4. 4.4.2.2. fighting or physical assault in the workplace or at any LWRC event
5. 4.4.2.3. drunkenness and/or drug-taking in the workplace or at any LWRC event
6. 4.4.2.4. theft, fraud or dishonesty
7. 4.4.2.5. bringing LWRC into disrepute
8. 4.4.2.6. a breach of professional ethics
9. 4.4.2.7. offensiveness to partners, employees, contractors, volunteers, members, trustees or the public
10. 4.4.2.8. racial, sexual, homophobic or disability-centred harassment
11. 4.4.2.9. a breach of LWRC's Equality Policy; Anti-Doping Policy; LWRC's Safeguarding Safe and Sound Policy.

#### 4.5. Other Misconduct

4.5.1. Other breaches of discipline which constitute unacceptable behaviour (but which may not be considered so serious as to justify summary dismissal) may lead to warnings.

#### 5. Stages of Disciplinary Procedure

1. 5.1. The following stages will apply:
2. 5.2. Informal Discussions & Remedial Action
3. 5.2.1. Minor and/or limited deficiencies in conduct should be identified and brought to the individual's attention at an early stage and the individual concerned should be given encouragement, assistance and time to improve by the relevant LWRC Chairman. A written record of any informal discussions will be kept.
4. 5.2.2. In circumstances where a single incident of a serious nature occurs, however, an investigation under the formal procedures is appropriate.

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