



Sedgemoor Radio Control Flying Club

Westonzoyland Airfield, Nr Bridgwater, Somerset. UK.



DISCIPLINARY PROCEDURES

Minor faults or shortcomings in behaviour will normally be dealt with informally by a committee member with a view to reaching agreement on the improvement required. Informal warnings will not form part of the formal disciplinary procedure and the formal procedure will not be followed before an informal warning is given. If, however, the problem persists or if the matter is more serious, action under the formal disciplinary procedure outlined in this constitution will be taken.

Invitation to a meeting

The committee will set out in writing to the member, the alleged conduct or other circumstances which have led them to contemplate formal action or dismissal and the member will be invited to a meeting to discuss the matter.

Disciplinary meeting

The meeting will take place before any action is taken (other than suspension, in the event of alleged gross misconduct or police investigation, to enable a full investigation to take place).

The meeting will not take place until:

- the member has been informed of the basis for the grounds given in the original notice of formal action or dismissal and
- the member has had a reasonable opportunity to consider their response to such information.

At the meeting the committee will explain the complaint against the member concerned and go through the evidence that has been gathered. The member must take all reasonable steps to attend the meeting.

After the meeting the member will be informed in writing of the committee's decision and their right of appeal against such decision to the members at a general meeting if they are not satisfied with it.

Appeal

If the member wishes to appeal, they should inform the secretary in writing within the time frame stated in the decision notice.

The member should set out specific reasons for the appeal.

The Secretary will call an Extraordinary General meeting of the club to hear the appeal.

The member must take all reasonable steps to attend the meeting.

The appeal general meeting may take place after the disciplinary action or dismissal takes effect.

After the appeal general meeting the member will be informed of the general meetings final decision.

At any meeting under the disciplinary procedure the member concerned will be given the right to be accompanied by another club member to act in a supporting capacity, but such companion should not usually answer questions on behalf of the member subject to the procedure.



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The member concerned also has the right to call witnesses or ask questions of any witnesses called by the committee

General principles for the operation of the disciplinary and dismissal procedure

- Formal disciplinary action will not normally be taken until the matter has been Investigated.
- Where an allegation of misconduct is made against a member, the member may be suspended from all club activities while an investigation is carried out.
- The member will be informed that suspension is a neutral act, that it is not a disciplinary penalty and does not imply guilt.
- The member will be advised of the allegations against them and have an opportunity to state their case before any formal disciplinary decision is made.
- The member will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary meeting.
- At every stage of the formal disciplinary procedure, the member will have a right to be accompanied at any disciplinary meeting by another club member.
- A member will not be dismissed for a first breach of the rules, except in the case of gross misconduct, when the penalty will be immediate dismissal.
- The member concerned will have the right to appeal against any formal disciplinary Penalty.
- Although the disciplinary penalties which may be imposed under this procedure will be imposed in the order set out in the constitution. The procedure may be commenced at any stage if the seriousness of the members alleged misconduct justifies this.

Disciplinary Procedures

The Committee may consider removal of membership where conduct on the field or elsewhere is considered to be prejudicial to the club. Dismissal will be in accordance with the following procedure in order to comply with the laws of natural justice:

- a. The member is to be given a verbal warning by an authorised Committee Member in which the member is made aware of his misdemeanour and what he is reasonably required to do to make amends.
- b. If the member does not respond, he is to be given a written warning by an authorised Committee Member to advise him of his misdemeanour and what he is reasonably required to do to make amends.
- c. If he still fails to respond, the Committee should invite him in writing to meet with them at a previously agreed date and time to discuss the situation, advising they are considering withdrawal of his membership.
- d. If he still fails to respond to reasoning or fails to attend without reasonable cause, the Committee can advise him in writing that his membership is withdrawn, stating the reasons why this decision was reached.
- e. When the member is advised of withdrawal of his membership, he must be given the right of appeal. If he opts to appeal, this will be to the Club membership at an SGM which the Committee would call on his behalf at a previously agreed date and time. The motion to uphold the membership withdrawal or reverse it must be in accordance with the voting procedures set out in the Club Constitution. In the event of gross misconduct, immediate dismissal without warnings may be considered but the member must still be accorded his rights to present his case to the Committee



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and be given a right of appeal in accordance with sub-paragraphs c, d and e above. In the event of dismissal, the Committee will arrange for the member's current membership fee (excluding BMFA subscription) to be reimbursed in full.

Disciplinary sanctions

As part of any disciplinary procedure, where the committee considers it appropriate to do so, they will impose a disciplinary sanction, which is a penalty. These will take the form of some type of warning.

- **Verbal warning notice:**

If conduct does not meet acceptable standards, a member will be given a formal verbal warning. This will set out the conduct problem, confirmation of improvement required and time scale for improvement to be made, together with the assistance to be provided to meet the objectives.

A record of the verbal warning will be kept but the warning will be disregarded after usually, a twelve-month period provided conduct has been satisfactory.

- **Written warning:**

If the offence is more serious or if there is insufficient improvement after a verbal warning or if a further broadly similar offence occurs whilst a verbal warning remains in force, a written warning will be given. This will set out the nature of the conduct problem and confirmation of improvement required and time scale for improvement to be made, together with the assistance provided to meet the objectives.

The warning will also inform the member that should your conduct fail to improve or you commit any further disciplinary offence over the next twelve months, then the member will be issued with a final written warning. The written warning will be kept on file, and the member will be informed after what time period it will be disregarded providing their conduct, attendance or performance has been satisfactory.

- **Final written warning:**

If there is still insufficient improvement after a verbal and/or written warning has been issued or if the misconduct is sufficiently serious to warrant only one written warning, a final written warning will be given. This will provide details of the complaint, the improvement required and the timescale for the improvement.

It will also warn that a failure to improve or any further disciplinary offences over the next period referred to may lead to dismissal or some other action short of dismissal. The final written warning will be kept on file and the member will be informed when the warning will be disregarded provided the members conduct, attendance or performance has been satisfactory.

- **Dismissal or other sanction:**

If there is still further misconduct or a failure to improve conduct the final stage in the procedure will be dismissal from the club.



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Misconduct Examples:

Examples of misconduct which may lead to disciplinary action being taken include, but are not limited to:

- failure to comply with field/flying safety rules.
- breach of club policies and practices

Examples of Gross Misconduct:

The club will consider some types of misconduct to be so serious that a disciplinary warning would be an insufficient penalty.

Where the offence is one of gross misconduct the penalty will be dismissal without a prior warning being issued (summary dismissal).

Dismissal for gross misconduct will not occur until a disciplinary meeting has taken place.

Matters which may justify summary dismissal include, but are not limited to:

- Dishonesty, theft and fraud from the club or its members.
- Deception, making untrue statements in membership applications or falsifying expenses incurred on behalf of the club, etc.
- Vandalism or sabotage of club equipment and property.
- Fighting, or seriously disruptive behaviour or offensive or abusive language.
- Serious misuse of computer, email and internet systems, including posting to club websites or emailing pornographic, offensive or obscene emails to members.
- Misuse of club financial or other confidential club information.
- Acts of bullying, harassment or discrimination.
- Model flying under the influence of drinks, illegal drugs or other intoxicants.
- Misconduct which may bring the club into disrepute.
- Serious breaches of the club's policies, procedures and safety rules.
- Deliberate or serious damage to the clubs/landowner's property or causing loss, damage or injury through serious negligence.
- Any criminal offence carried out at the club site or during club meetings/events where such offence impacts or may impact upon the club.