



ROYAL NORTH OF IRELAND
YACHT CLUB

DISCIPLINARY POLICY AND PROCEDURE

January 2023

1. POLICY

- 1.1. The Club expects all those elected to membership, their guests and visitors to the Club at all times to observe Club Rules and to behave in a lawful and respectable manner and to be courteous and respectful towards other members, visitors, officers and staff.
- 1.2. On the rare occasion where it appears that a member, guest or visitor may have acted in a way that runs counter to the expected standards of behaviour, the Main Committee may at its discretion invoke Rule 33 using the processes outlined below.
- 1.3. The rule, policy and procedures are based on the principles that all matters will be handled in a fair, transparent and expeditious manner in accordance with the rules of natural justice, and that clear processes will be followed at all times.

2.0 DEALING WITH COMPLAINTS AND ALLEGATIONS

- 2.1 Routine complaints will normally be handled in accordance with the Club's Complaints Policy available at: <https://rniyc.org/polices-procedures-rules>
Allegations concerning a member's conduct may be made orally or in writing to the Club Manager or the Honorary Secretary and shall be reported to the Main Committee at its next meeting. The Committee shall determine what, if any, course of action or procedure to follow. Such decision to be recorded in the Minutes.
- 2.2 In most circumstances the Committee will instigate an investigation to ascertain the veracity and substance of a complaint, seek a response from the person(s) against whom the complaint has been made and report back to the Committee. The method of investigation, how and by whom it is carried out will be at the discretion of the Committee commensurate with the seriousness of the complaint.
- 2.3 The Main Committee shall assess the investigation report and recommendations and determine the course of action to take. The Honorary Secretary will write to the member advising of its determination, of any consequential conditions and of the right of and procedure for appeal.

3.0 SANCTIONS AND DEFINITIONS

- 3.1 Where the Committee considers misconduct to merit a formal response one of the following sanctions may apply:
 - i) reprimand the member in respect of the conduct in question;
 - ii) suspend the member from the Club for a specified period of time;
 - iii) expel the member from the Club.
- 3.2 In relation to 3.1 the following definitions shall apply:
 - i) Reprimand means advising the member in writing that behaviour or actions reported to the Committee are incompatible with membership. A reprimand may

include a requirement to provide a written apology in specific terms. If such behaviour or actions are repeated the Committee may decide that either suspension or expulsion are inevitable.

- ii) Suspension means that for a period specified in writing to the member they will not be entitled to any of the benefits or privileges of membership and may not enter the Club's premises including as the guest of another member. The only exception is where the member is specifically invited to enter the premises as part of the disciplinary process.
- iii) Expulsion means that the member has been informed in writing that they have been removed from the Club's list of members, that their card has been cancelled and that staff and members will be advised that the person concerned will not be permitted to enter any part of the Club's premises as the guest of a member. The person expelled will not be entitled to refund of any entry fee or subscription already paid and will remain liable for any debt due to the Club. They will not be permitted to re-apply for membership within a period, to be determined by the Committee, from the date of expulsion and may be required to pay the full current entry fee.

3.0 APPEAL

3.1 An appeal will normally only be considered:

- i) if new evidence is brought forward; or
- ii) if the Appeal is against the sanction: or
- iii) if procedures have been breached in a prejudicial way.

3.2 Any Appeal must be notified to the Honorary Secretary in writing within a period of not more than 14 calendar days after the written notification of the decision. Any appeal may be made in respect of the finding as to the appellant's guilt, or as to the sanction imposed, or both. The appellant shall at the time of notifying the Honorary Secretary of the decision to appeal set out in writing their grounds of appeal.

3.3 The Honorary Secretary shall convene an Appeal Panel to hear the Appeal. The Appeal Panel shall have no fewer than 3 members of whom at least one shall be a Trustee. The remaining members shall be of suitable experience/standing and shall have been Club members for a period of at least two years and who shall have had no personal interest or prior involvement in the case.

3.4 For the avoidance of doubt, the original determination shall stand until the Appeal is concluded.

3.5 The Appeal Panel may permit the appellant to attend to present their appeal. The member may be accompanied by another Club member not involved in the case under consideration. The case for the Main Committee's findings shall be presented by the Honorary Secretary.

3.6 The Appeal Panel may upon considering the appeal:

- i) dismiss the appeal;

ii) allow the appeal;

iii) allow the appeal to the extent only of reducing the sanction imposed.

3.7 Within 5 working days of the Panel's decision on the appeal, the Honorary Secretary will write to the member advising of its determination.

3.8 Decisions of the Appeal Panel on appeals are final and binding.

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