

# Mount Colah Football Club Disputes & Disciplinary Policy

Version approved 19 March 2018

## DISPUTES AND DISCIPLINARY COMMITTEE

1. The Committee
  - a. The Committee will appoint a Chairman of the Disputes & Disciplinary Committee at the first Committee Meeting following the Club's Annual General Meeting.
  - b. The Club Executive or the Chairman of the Committee will, as and when required, select a panel comprising three members for each meeting of the Disputes & Disciplinary Committee. The panel is to be drawn from, Life Members and members of the General Committee or any other person deemed appropriate by the Club Executive.
2. Submission of Complaints, Protests and Reports
  - a. Protests or reports concerning any football match must be submitted to the Club in writing to the Secretary by 8.00pm on the Friday following the day of the incident and will be investigated by the Club Executive and dealt with as it may deem fit.
  - b. If a member or members of the Club at any time or place insult by word or action any other person, on such action being reported in writing to the Secretary, by 8.00 pm on the Friday following the day of the incident, such charge will be investigated by the Club Executive and dealt with as it may deem fit.
  - c. Any complaint regarding any official of the Club and/or member of the Club must be reported in writing to the Secretary by 8.00pm on the Friday following the day of the incident. The matter will then be investigated by the Disputes & Disciplinary sub-committee, which will report its findings to the Club Executive to take such action as deemed fit.
  - d. Any other complaint or protest from a member of the Club is to be forwarded in writing to the Secretary who will refer the complaint or protest to the Disputes & Disciplinary sub-committee, which will report its findings to the Club Executive to take such action as deemed fit.
3. Distribution of Complaints, Protests and Reports
  - a. The Secretary will forward, without undue delay, any complaints, protests or reports to the Chairman of the Disputes & Disciplinary Committee who will:
    - i. Consider the content of the report submitted and make recommendations to the Club Executive as to whether a hearing is

required along with details of the charges recommended, where applicable, or

- ii. Request additional information from the Club, member(s) or other persons involved prior to making a recommendation to the Executive as in 3.a.i.
  1. provide the additional information and provide a copy of the report(s) that formed the basis of the referral. A minimum of 72 hours is to be allowed for the Club, member(s) or other persons response to be formulated and submitted to the Chairman of the Disputes & Disciplinary Committee.
- iii. The Club Executive will consider the recommendations of the Chairman of the Disputes and Disciplinary sub-committee and either confirm the recommendations therein or decide upon a different action as it deems fit.
- iv. Where the Club Executive or the Chairman of the Disputes & Disciplinary Committee considers that a conflict of interest is evident then the matter is to be referred direct to the Club Executive for consideration and action as it sees fit. The Club Executive who will also appoint an interim Chairman of the Disputes & Disciplinary Committee should they deem this to be required.

#### 4. Meetings of the sub-committee (Hearings)

- a. The Chairman of the Disputes & Disciplinary Committee is to be provided with a copy of all correspondence related to the matter as soon as practicable and, through the Secretary, ensure that relevant correspondence is provided to the member(s) concerned, or to the individual where they are not a member of the Club, together with notice of the date of the Disputes and Disciplinary Committee meeting.
- b. Notice is to be served upon all parties required to attend a hearing of the Disputes & Disciplinary Committee by the Secretary
- c. A minimum notice period of 7 days must be observed for all Disputes & Disciplinary sub-committee meetings.
- d. The Chairman will convene each meeting of the Disputes & Disciplinary sub-committee to deal with matters referred to the committee by the Club.
- e. The Chairman will preside over the meetings of the sub-committee and is entitled to proffer opinions and join in the discussions and debate.
- f. The Chairman is to ensure that a sound recording is made of all Disputes & Disciplinary sub-committee hearings, and that he instructs each speaker to identify themselves prior to making any and every comment during the hearing.
- g. A sound recording of every hearing will be made and retained by the Club for a period as directed by the Club Executive.
- h. The original documentation received from all parties prior to and during the hearing and appeals procedures will be retained by the Club for a period to be decided by the Club Executive.
  - i. The Chairman of the Disputes & Disciplinary sub-committee is to advise the outcome of each committee meeting to the Club through the Secretary who will advise relevant parties of the decision of the sub-committee.

## 5. Appeals

- a. A decision of the Disputes and Disciplinary sub-committee, or of the Chairman of the Disputes and Disciplinary sub-committee, may be made subject to an appeal to the Club, through the Appeals Committee provided that the reason for such an appeal is submitted to the Secretary of the Club in writing within 14 days of reporting, together with a deposit, the amount of which is to be determined annually by the Executive, which will be returned only if the appeal is upheld.
- b. Should no Appeal be submitted in accordance with 5.a, then the decision of the Disputes & Disciplinary sub-committee, or the Chairman of the Disputes and Disciplinary sub-committee, will become final.
- c. The Appeals Committee will be appointed by the Executive, as and when required, and comprise three members selected from Life Members, members of the Club Executive, members of the Club Committee or any other person deemed appropriate by the Club Executive, who were not involved in the original hearing conducted by the Disputes and Disciplinary sub-committee, or the decision of the Chairman of the Disputes and Disciplinary sub-committee. The Chairman of the Appeals Committee will be appointed by the Club Executive from the three members of the committee at the time it is selected.

## 6. Matters of conflict

- a. Where a conflict arises between these rules and any other rules or by-laws then these rules are deemed to apply.