

OAKRIDGE GOLF CLUB DISCIPLINARY CODES AND PROCEDURES

1. Where the Club has received a complaint or complaints that require action through our Disciplinary Procedures then the Club will exercise its powers according to those procedures. This will apply where a member has:-

- Contravened The Clubs rules, regulations, bye laws or code of conduct
- Contravened Any of the Clubs published policies
- Demonstrated unacceptable behaviour towards Club employees and Committee members
- Demonstrated behaviour detrimental to the interests of the Club, its members or any section of the Club membership.

1a. The Proprietor and Secretary will, in the first instance, discuss and attempt to resolve the issue at hand. If they so decide then a Disciplinary Panel (DP) will be appointed from its members to meet with the parties involved to try and reach a solution or to make a decision on the next course of action.

1b. If the parties involved accept the decision of the Disciplinary Panel then the Chairman shall confirm that acceptance, in writing, to the people involved. Should those involved not accept the decision then they have the right to appeal and should notify the DP of this.

1c. Upon receipt of an appeal the DP should notify the Appellant(s) that they will delegate the matter to an Appeals Panel (AP) who will interview all parties and witnesses, if appropriate, before making a final recommendation to the Proprietor. The AP will then advise the Appellant(s) of the decision. There will be no further right to appeal.

2. The Chairman will decide the membership of the Panel, which shall be no less than three persons, where at least one must be either a Captain or Vice-Captain and will be Chairman. The Chairman will also ensure that no-one on the Disciplinary Panel has any personal connection to the matter in hand.

2a. The Panel will hear evidence from all parties and their witnesses (if applicable) before adjudicating on the issue. They can also be advised by a legal, or other, expert who may not sit on the Panel. Their decision will be communicated to the Proprietor who will advise those involved accordingly.

3. Appeals Panel (AP)

3a. The Appeals Panel shall comprise of members from both Men's and Ladies Committees who are agreed by those involved so that a fair adjudication can be achieved

3b. The Chairman or a person nominated by the Chairman shall chair the Panel and may at any time appoint a legal, or other, expert to advise the Panel only in respect of the subject matter of the appeal, but he/she may not sit on the Panel.

3c. The Appellant(s) shall be entitled to object to the appointment of the person to chair the hearing by giving written notice to the Proprietor within seven days of being given notice of the intended chairman, stating the reasons for their objection. The Proprietor will reply within a further seven days to give their decision on the objection and to advise of any change to the Panel and giving reasons if no change has been made.

4. Procedure

4.1 The DP shall send to the subject of the complaint a summary of the alleged misconduct together with a brief factual summary of supporting evidence.

4.2 The Member shall have fourteen days within which to respond to the complaint unless a longer period has been agreed, in writing, by the DP. If the Member fails to respond, then they may be liable to suspension from involvement in golf until their reply has been received.

4.3 Upon receipt of the Members reply, or alternatively after the expiry date for receipt of the reply then the DP will set a date for the hearing by the Panel.

4.4 Not less than seven days before the hearing the DP shall: -
Deliver to the Member details of evidence that they intend to present to the hearing
Request that the Member provide details of evidence and witnesses that they intend to present to the Panel. These should be received no less than three days before the hearing.

4.5 If the Member fails to deliver the details requested within the timescale the hearing may be adjourned or may proceed at the absolute discretion of the Proprietor.

4.6 All hearings will be held in private.

4.7 The Member shall be entitled to be accompanied by another Member of the Club who make speak before the Panel on their behalf.

4.8 At the hearing the Panel will consider the evidence which is placed before it. The Member will be entitled to cross examine all witnesses.

4.9 The Member shall be entitled to present their case to the Panel and call witnesses as notified in 4.4 above. The Panel will be entitled to ask any questions of these witnesses.

4.10 At the conclusion of the hearing the Panel shall consider its findings in private

4.11 When reaching a decision, the Panel shall not be required to be unanimous. A majority decision is sufficient.

4.12 After having reached its decision the Panel will communicate that decision to the Member within seven days of the hearing.

4.13 The DP shall not be obliged to follow the strict rules of evidence in the course of any proceedings and shall be entitled to admit such evidence and accord it such weight as it sees fit.

4.14 The DP shall have the power to regulate its own procedure including (without limitation) to extend or vary any time limit set out in this code, adjourn any proceedings at any time, allow time

for the submission of further evidence or for any other reason. The DP may ask questions of any party or witness to any proceedings before it, admit or exclude any evidence on the grounds of relevance or for failure to comply with directions. The DP may give or, make directions at any time with regard to proceedings before it, or to be held before it, and to order the costs of and incidental to any proceedings before it be paid (or that a contribution toward such costs) be paid by any party.

4.15 If the Member was under fourteen years of age when the alleged misconduct took place then all correspondence and communication should be addressed to the Member's parent or guardian. If the Member is aged between fourteen and eighteen, then all communication should be to both the Member and their parent or guardian. If the Member is aged eighteen or less at the date of the hearing, then the parent or guardian shall be entitled to attend and may speak on behalf of the Member.

5. Penalties

Should the Disciplinary Panel find the charge of misconduct proven then it shall impose such penalty as is fair and appropriate in conjunction with the Proprietor. This may be, but not limited to, suspension of membership for a period of time appropriate to the level of misconduct or, in extreme cases, withdrawal of membership.

6. Appeals

6.1 A Member wishing to appeal against a decision of, or any penalty imposed by, the Disciplinary Panel must lodge their appeal within fourteen days of the date of delivery of the written decision of the DP.

6.2 If the appeal is against a finding of the DP then the appeal shall be by way of a re-hearing by the Appeals Panel by way of the procedure set out under Appeals Panel above.

6.3 The AP shall consider all documentation and evidence submitted to the DP and shall have the power to recall witnesses from the DP hearing, and also submit new evidence.

6.4 The AP shall take such account and give such weight to the evidence presented to it as it thinks appropriate and shall make its decision on the facts as it sees fit and may recommend that the Proprietor confirm, cancel, reduce or increase the penalty under appeal, or indeed substitute a different form of penalty.

6.5 The decision of the Proprietor is final and binding.

6.6 For the avoidance of doubt, there is no right of appeal to any relevant County or other association or to England Golf in respect of any proceedings or any decision taken under, or pursuant to, the Clubs Disciplinary Codes and Procedures.

6.7 For Handicapping appeals, please refer to Oakridge Golf Club's Handicapping Disciplinary Regulations.

7. General

7.1 No breach of procedure or failure to follow any directions given in the course of any proceedings under this Code shall invalidate such proceedings unless such breach or failure shall have materially and substantially prejudiced the person against whom a charge has been made.

7.2 This Code may be amended from time to time by the Proprietor as they see fit and shall be effective from such date as the Board may decide.

7.3 The construction, validity, and enforceability of the Code shall be governed by English law.