

AYR UNITED FOOTBALL ACADEMY



**POLICY
FOR
VERSION**

**Disciplinary Policy
VOLUNTEERS AND STAFF
1.7**

Created
First passed by Board of Management
Last review
Next review date: -

December 2008
December 2009
October 2023
June 2024

UPDATES

Date: 13th March 2014
Report to: Board of Ayr United Football Academy
Author: Donald Stewart
Purpose: To agree annual review of policy
Agreement: No changes
Rationale: There have been no significant changes to Disciplinary Policy procedures or advice nationally

Date: June 2017
Report to: Board of Ayr United Football Academy
Report from: Donald C Stewart
Purpose: Annual Review
Recommendation: Insertion under the section "Timescales" "In all cases, where the incident falls within a season all attempts shall be made to exhaust the entire process within that season. Only in exceptional circumstances shall the process be allowed to straddle more than one football season. For the avoidance of doubt that season begins when Pro Youth football starts and ends when it ends."
Rationale: Recent examples of a disciplinary breach has an appeal still outstanding which under our current policy means that it could remain so indefinitely. In fairness to all involved it is suggested we close this loophole for further disciplinary cases.

Date: October 2017
Report to: Board of Ayr United Football Academy
Report from: Donald C Stewart
Purpose: To ensure compliance between two policies – the handbook for volunteer and employees and this one
Recommendation: Insert definitions of Gross Misconduct under stage three
Rationale: Ensuring that we have consistency across both of the policies

Date: August 2019
Report to: Board of Ayr United Football Academy
Author: Donald Stewart
Purpose: To agree annual review of policy
Agreement: No changes
Rationale: There have been no significant changes to Disciplinary Policy procedures or advice nationally

Date: August 2021
Report to: Board of Ayr United Football Academy
Report from: Donald C Stewart
Purpose: Annual Review
Recommendation: No changes
Rationale: No national changes relevant to the policy and no request from Academy personnel

Date: October 2023
Report to: Board of Ayr United Football Academy
Report from: Donald C Stewart
Purpose: Annual Review
Recommendation: No changes
Rationale: No national changes relevant to the policy and no request from Academy personnel

Introduction

The following policy has been the subject of debate and consultation with volunteers and staff at each level of the Football Academy in 2010. The resultant policy has been passed by the Board and will be applied from November 2010 onwards.

The scope

Disciplinary procedures shall be invoked when a complaint is received against anyone who has an association with the Academy as defined within this document. All complaints are taken seriously and shall be fully investigated. The reputation of the Academy is dependant upon all persons who represent it or who wear the badge or who have, in the position of parents, a young person involved in the Academy.

The ethos

Ayr United Football Academy firmly believes that the circumstances in which people are found to have breached the codes of conduct, the policies or the standards that are from time to time set by the Academy are important. To that end the policy should not be seen as an automatic progression from stage one through to stage three in three breaches of discipline. Each case shall be viewed on its merit and the sanction imposed accordingly.

The process

Upon receipt of any complaint the Head of Youth and a member of the Board shall decide what duties, where appropriate, should be carried out by the member of the Academy against whom a complaint has been made. This may include non attendance at training or administrative duties or any such sanction as agreed between the Head of Youth and a Board Member. The duties shall take account of the seriousness of the complaint and the normal duties of the member of the Academy against whom a complaint has been made.

Following receipt of the complaint the investigation shall be conducted as swiftly as possible.

When the investigation involves interviewing the member of the Academy against whom a complaint has been made they may be accompanied to that interview by a maximum of one other person.

Following on from the conclusion of the investigation a report shall be compiled and in accordance with the process as outlined below the sanctions and the right of appeal shall be outlined and followed. The member of the Academy against whom a complaint has been made shall always be informed in writing the outcome of the investigation. Where a member of the Academy has been found guilty of breaching a code of conduct, breaching policy or bringing the Academy into disrepute the letter shall contain: -

- The policy that has been breached
- The level at which the breach has been judged
- The sanction applied
- How long such information shall stay on record

The role of the Board

The Board of Ayr United Football Academy is the sovereign body of the Academy. Final appeals shall be to the Chair of the Board. The Board asserts its right, as it is responsible for the whole of the Academy and its business to take a view on all matters relating to the Academy.

Timescales

Where a member of the Academy has been found guilty of breaching a code of conduct, breaching policy or bringing the Academy into disrepute the personnel record shall hold on file such records as verbal warnings for 3 months, written warnings for 6 months and final written warnings for 12 months.

The purpose of holding these records on file is to pass these records on when requested for example, in the form of a reference.

As we shall treat all cases on their individual merits where an Academy member has been found guilty of breaching a code of conduct, breaching policy or bringing the Academy into disrepute the previous example of this may be brought into the decision if outwith the timescales above but certainly shall if within the timescales as outlined above.

The Academy, however, commits to proportionate responses as it does with Disclosures and we shall commit to taking into account the whole contribution of members prior to any sanction being imposed.

In all cases, where the incident falls within a season all attempts shall be made to exhaust the entire process within that season. Only in exceptional circumstances shall the process be allowed to straddle more than one football season. For the avoidance of doubt that season begins when Pro Youth football starts and ends when it ends.

	Players	Parents	Staff/Volunteers – Coaches, Managers, Scouts, Board etc
STAGE ONE			
Informal action	Taken by Coaches, managers – people on the ground for minor offences/indiscipline	Taken by Team Manager/Head of Youth for minor offences /inappropriate behaviour	Taken by line manager. – Coaches – Manager Manager – Head of Youth Head of Youth/Staff – Supervisory Board Member Board Member – Chair for minor offences
Investigation	Carried out by the volunteer in place	Carried out by Team Manager/ Head of Youth	Carried out by Line Manager
Sanctions	Telling off	Warned that conduct may affect son/daughter's involvement in the Academy	Warned that conduct may affect future involvement in the Academy/Board
	Recorded in next review	Recorded in next review	Recorded for next volunteer/ staff review / Recorded in minutes of Board meeting
Appeal	To Manager	To appropriate Board Member	To next line of Management

	Players	Parents	Staff/Volunteers – Coaches, Managers, Scouts, Board etc
STAGE TWO			
Formal action	Taken by Manager in consultation with Head of Youth for continued minor offences /indiscipline	Taken by Team Manager/Head of Youth for continued minor offences/inappropriate behaviour or breach of the relevant code of conduct	Taken by line manager – Coaches – Manager Manager – Head of Youth Head of Youth/Staff – Supervisory Board Member Board Member – Chair for continued minor offences or breach of the relevant code of conduct
Investigation	Carried out by the Manager/ Head of Youth as appropriate in discussion with Welfare Officer	Carried out by Head of Youth/ Welfare Officer	Carried out by Line Manager above Line Manager/ Welfare Officer
Sanctions	Ban for a limited period of time from training/ games/dismissal till end of season	Request that they absent themselves from games for a period of time or ban for son/daughter attending for a period of time	Formal written warning regarding unsatisfactory performance and future conduct recorded in Board minutes
Appeal	To an appropriate member of the Board/Board of Management	To an appropriate member of the Board /Board of Management	To head of Youth/Board as appropriate

Stage two may be the most common of stages that involve an investigation. Ayr United Football Academy are committed to a proportionate and fair application of the disciplinary process and members of the Academy who find themselves accused of stage two transgressions within short timescales can be assured that we shall take each accusation on its individual merits unless each transgression has a pattern that leaves the Academy with no option but to progress to stage three.

Gross Misconduct

Employment may be terminated summarily, without notice, at any time for gross misconduct.

Generally, this includes any fundamental breach of contract, conduct which brings the company into disrepute or action that is inconsistent with the relationship of fidelity required between employer and employee. In particular this includes:

- Unsatisfactory information from Disclosure Scotland which conflicts with your ability to perform your contract;
- Abuse of a participant, whether physical, verbal or arising from wilful negligence;
- Abuse of colleagues;
- Gross insolence;
- Insubordination;
- Serious breach of safety rules;
- Theft or dishonest behaviour;
- Fraud, including falsification of any records;
- Breach of rules under the AUFA Alcohol and Drugs Policy;
- Serious or persistent failure to follow company documentary procedures and regulations;
- Breach of confidentiality;
- Deliberate damage to AUFA's or participant's property;
- Disorderly or indecent conduct, fighting or threatening physical violence whilst on duty;
- Discriminating or inciting others to discriminate on the grounds of sex, race, colour, ethnic origin, sexuality, religion, age or disability;
- Harassment or bullying;
- Use of the company's IT facilities for personal purposes without permission from management and;
- Any other conduct or performance or behaviour which undermines or tends to undermine the relationship of trust and confidence between you and AUFA;

	Players	Parents	Staff/Volunteers – Coaches, Managers, Scouts, Board etc
STAGE THREE			
Formal action	Taken by Head of Youth /Board after a serious breach of discipline /Health and Safety Policy	Taken by Head of Youth/Board after a serious breach of discipline/Health and Safety Policy	Taken by Head of Youth /Board after a serious breach of discipline/ Health and Safety Policy
Investigation	Carried out by the Head of Youth/Board Member /Welfare Officer	Carried out by the Head of Youth/Board Member/ Welfare Officer	Carried out by Board Member/ Welfare Officer
Sanctions	Dismissal from the Academy	Dismissal of family from the Academy	Dismissal from the Academy
Appeal	Board of Management	Board of Management	Board of Management

SGB Equality Impact Assessment Template

 Development or review of a policy	Name of Policy	Disciplinary Policy	
	Is this a new policy being developed or a review of an existing policy	New ☐	Review ☒
	Others involved in the assessment	None	
	Dates(s) of EIA	October 2023	
	What is the purpose and outcomes of the policy?	To ensure that misconduct is addressed in an effective and timeous manner	
	Who are the customers for this policy?	Staff and volunteers	
	How has equality been considered in the development / review of the policy so far?	We have attempted to make the policy one which has no exceptions, however as our major focus is on vulnerable adults and young people this policy directly impacts on our work with both.	
	Who / what has driven this?	Annual review	
	Why might it be important to consider equality and the protected characteristics?	Legally it is important for us to ensure we comply with best practice on the provisions with the Equality Act and we are working with local authorities and the Scottish Football Association in contributing to their duties to those with protected characteristics under the Equality Act 2010 as well as ensuring our legal responsibilities under the same act with regards to employment practices.	
 Data and research	What does the data tell you about your customers and about protected equality groups?	We have not conducted a data review	
	What sources of data have you used?	None used nor gathered.	
	What do you need to know more about?	Nothing more as we believe that we comply with the issues around equalities and employment, however we shall annually review.	
	How could you find this out and who could help you?	N/A	
 Consultation	Who have you consulted with from protected equality groups?	None	
	Who else could you consult with?	Young people/ vulnerable adults who may be consulted regarding the guidance for disciplining those who may put young people and/or vulnerable adults at harm	
	Who can help you with this?	Coaches	

	How does the policy contribute to the SGBs strategic equality objectives?	Ensures compliance with both the law and the public sector equality duty for each of the local authorities and the governing body of the sport of football
	How could it be revised or changed to contribute more?	The opportunity to ensure it is embedded in training, reviews of its practice and specific reports to those authorities who request it.

	How will you monitor and evaluate the policy?	The policy shall be renewed annually
--	--	--------------------------------------

	Action	Timescale	Responsibility
	Reviews of its practice at annual review	June 2024	EIA Lead Officer
	Commit to respond to specific reports to those authorities who request it on the implementation of the Employment legislation associated in the Equality Act 2010	As required	EIA Lead Officer

	Sign off			
	Signed by Policy Lead David White		Date	
	Signed by EIA Lead Officer Donald C Stewart		Date	

Ayr United Football Academy Data Protection Impact Assessment	
Policy	Disciplinary Policy
Date of assessment	October 2023
Author	Donald C Stewart
Legacy	None

DPIA process checklist

	Done?
We describe the nature, scope, context and purposes of the processing.	Yes
We ask our data processors to help us understand and document their processing activities and identify any associated risks.	Yes
We consider how best to consult individuals (or their representatives) and other relevant stakeholders.	Yes
We ask for the advice of our data protection officer.	Yes
We check that the processing is necessary for and proportionate to our purposes and describe how we will ensure data protection compliance.	Yes
We do an objective assessment of the likelihood and severity of any risks to individuals' rights and interests.	N/A
We identify measures we can put in place to eliminate or reduce high risks.	Yes
We record our decision-making in the outcome of the DPIA, including any difference of opinion with our DPO or individuals consulted.	Yes
We implement the measures we identified and integrate them into our project plan.	Yes
We consult the ICO before processing, if we cannot mitigate high risks.	Yes
We keep our DPIAs under review and revisit them when necessary.	Yes
All of the above are covered in our Data Protection Policy as available on web. There are no specific measures in place for this guidance BUT it does serve as a reminder of our duties and responsibilities.	