



The Jammers Fan Association

Disciplinary Policy

November 2021 – Version 1.0

Disciplinary Policy for The Jammers Fans Association

The Independent Supporters' Association for Maldon & Tiptree FC Supporters

1.0 Introduction

This document is drafted in accordance with the existing rules of The Jammers Fans Association and sets out the Disciplinary Policy adopted pursuant to a resolution of the Association at the annual general meeting.

The purpose of this policy is to ensure that:

- 1.1 Members agree to be bound by the rules of the Association which require that the conduct of members is not prejudicial to the Objects of the Association.

2.0 Definitions

- 2.1 "Member(s)" means a member(s) of the Association.
- 2.2 "Association Board Member(s)" means an elected Member(s) of the Association.
- 2.3 "Co-opted Member(s)" means a person(s) who is/are a Member(s) and has/have been elected to the Association Board by Association Board Directors but not elected by the Members.
- 2.4 "Association Board" means the Board of the Society including any Co-opted Members.
- 2.5 "Disciplinary Offence" means a member has committed an Indictable Offence (as defined below at 2.6) or such act or deed which would adversely affect the reputation of the Association in accordance with 4.1 below
- 2.6 "Indictable Offence" means a criminal offence (other than a spent conviction as defined by the Rehabilitation of Offenders Act 1974) for dishonesty, fraud or dealing in drugs.
- 2.7 "Disciplinary Policy" means the terms and conditions laid out in this document.
- 2.8 "Rules" means the rules and regulations of the Association laid out in the separate Rules document
- 2.9 "Secretary" means the Secretary of the Association.
- 2.10 "Chair" means the elected chair of the Association Board.
- 2.11 "Association" means The Jammers Fans Association.

3.0 Co-opted Association Board Members

- 3.1 Co-opted Association Board Members may not serve on a disciplinary committee.

4.0 Procedure

- 4.1 Where any Member is deemed by a majority of the Association Board to have committed a Disciplinary Offence as defined in this document or has otherwise acted in a way which a majority of the Association Board believe is in contrast to the spirit of this document and/or the Rules, they shall be at liberty to constitute a Disciplinary Committee ("the Disciplinary Committee") to determine the facts relating to the matter and take such measures as the Committee sees fit. If the Association Board decides to constitute a Disciplinary Committee the Member(s) concerned will be suspended from membership of the Association and shall not be entitled to vote nor attend general meetings for the period of suspension.
- 4.2 The Disciplinary Committee will consist of the then Chair and Vice-Chair of the Association Board unless one or both of them is the subject of the disciplinary action, in which case another member of the Association Board will be selected by the Association Board as Chair of the Disciplinary Committee. In addition up to 3 but no less than 2 other Society Board members (who shall not be the subject of the disciplinary action) shall sit on the Disciplinary Committee. The Chair of the Disciplinary Committee shall have the casting vote if necessary.
- 4.3 Either the Association Board or the Member(s) who are the subject of the hearing may request for an independent member to join the Disciplinary Committee. The independent member will be selected on the basis of mutual agreement and shall for the avoidance of doubt not be someone who has served with any of the subjects of the hearing on any board or committee and shall ideally not be a member of the Society itself.
- 4.4 In the event that it is not possible to agree the identity of the independent member, the Football Supporters Association (FSA) will select the independent member.
- 4.5 All members of the Disciplinary Committee shall treat its proceedings as confidential, unless the subjects of the hearing waive that right directly or violate the confidentiality through making public comment about its proceedings.
- 4.6 All incidental expenses for independent members shall be met by the Society.
- 4.7 The Disciplinary Committee shall meet as soon as is practicable (where possible within 7 days) after the Association Board meeting which constituted the Disciplinary Committee and shall invite the member concerned to attend or submit his/her version of events or mitigating circumstances. The Disciplinary Committee shall act honestly and equitably in assessing the facts of the disciplinary case before it and may impose such sanction as it sees fit, including for example, expulsion; further suspension to allow more facts to be gathered; after which time a further meeting of the Disciplinary Committee shall be held; censure or warning. If appropriate the Disciplinary Committee may choose to impose no sanction. If the member concerned fails to either attend or submit his/her version of events or mitigating circumstances as envisaged above the Disciplinary Committee can proceed and make such inferences as it sees fit from such non-attendance or non-submission and the Disciplinary Committee meeting may proceed in the Member(s) absence.
- 4.8 The Member(s) subject to the disciplinary hearing may appeal against the decision of the Disciplinary Committee within 7 days of being notified of the decision. The appeal must be made to the Association Secretary who shall contact the FSA who shall appoint an independent organisation such as Co-operatives UK whose decision will be binding on all parties. The appeal will take place as soon as possible after the member concerned has requested it, and no later than 28 days following the date of

receipt of the request for an appeal hearing. As the independent organisation is independent of the Association there will be no further right of appeal by any party.

The final decision will be communicated to members only after the conclusion of the appeal, or when the date for the lodging of an appeal has passed without such appeal being lodged. The Secretary will be responsible for communicating the decision, and no members of the disciplinary committee shall make any comment about the proceedings publicly.

- 4.9 No member expelled from membership shall be re-admitted except by a special resolution of the Association in general meeting.