

# ASA ORGANISATIONAL POLICIES

## SWIMMING SECTION

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### UNDER REVIEW BY LEGAL

#### **TEAM STAFF DISCIPLINARY AND GRIEVANCE PROCEDURES**

- 1 All team staff have a responsibility to act in accordance with the ASA Code of Conduct and within the terms of reference of the applicable job description.
2. If it is brought to the attention of the ASA Sport Governing Board that there has been a breach of the Code of Conduct or Job Description the following disciplinary procedure will apply.
  - i. The relevant Management Group will be advised of the alleged offence in writing and will make a collective decision concerning the seriousness of the offence.
  - ii. If it is felt that the offence was not of a serious nature the Management Group Chairman will contact the member of staff concerned and advise him of the decision of the committee. However, the incident must be recorded by the Management Group Chairman and sent to the Legal Department to be kept on a confidential file.
  - iii. The member of staff concerned must be copied in on the report sent to the Legal Department and must be advised that further incidents of the same nature will be dealt with as a serious breach of discipline.
  - iv. If the Committee feels that the incident was of a more serious nature the Chairman of the relevant Management Group will advise the member of Team staff of the alleged offence in writing and will arrange for a formal interview to take place.
  - v. Both the Chairman of the Management Group and the member of team staff will be entitled to have a witness present at the interview. However, the witnesses may not take part in any discussion but may record the interview in writing.
  - vi. At the conclusion of the interview the Management Group Chairman will issue a verbal warning to the member of team staff, if considered appropriate. If the Chairman does not feel that a warning is justified he must record his decision in writing and circulate it to the Committee and the Legal department.
  - vii. Verbal warnings will be recorded in writing on the appropriate form. A copy will be given to the member of team staff concerned and a copy sent to the Legal Department. Verbal warnings will remain in force for twenty-four months.
  - viii. If, within the twenty-four month period, further reports of misconduct are received a further interview will take place and if appropriate a written warning will be issued.

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- ix. Written warnings will be recorded in writing on the appropriate form. A copy will be given to the member of team staff concerned and a copy sent to the Legal Department. Written warnings will remain in force for five years.
- x. If it is reported that a further misconduct has taken place the member of team staff will be invited to a disciplinary hearing with the Management Group Chairman and a member of the ASA Sport Governing Board. A witness from both parties may be present but may not participate in the proceedings other than to take written notes. The member of team staff will be given the opportunity to discuss and answer the complaints. Everything said at the hearing will be carefully considered by the Management Group Chairman and member of the ASA Sport Governing Board and a decision will be made within five days as to whether the member of team staff it is to be dismissed from acting as a member of team staff at future events. The decision will be recorded in writing and copies sent to the member of team staff and the Legal department.
3. If it is considered that gross misconduct may have taken place the incident will be reported to the Officers of the ASA and following an interview with the member of team staff concerned immediate dismissal from team duties may be implemented.
4. Examples of gross misconduct include:
- \* Dishonest behaviour - theft, falsification of records or any act of criminal misconduct.
  - \* Serious breach of security or discipline
  - \* Immoral behaviour
  - \* Fighting or threatening behaviour
  - \* Behaving in such a way as to bring the Association into disrepute
5. Members of team staff who have a grievance for which they are seeking redress should apply to the relevant Management Group in writing. If the Committee can resolve the situation they should do so and a written record kept and distributed to the member of team staff concerned and the Legal Department.

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6. If the matter cannot be resolved by the Management Group the member of Team Staff should write to the Chief Executive requesting further action. A meeting will be arranged between the member of team staff, the Technical Committee Chairman and a member of the ASA Sport Governing Board. Both parties will be entitled to invite a witness to attend the meeting. However, the witnesses may not participate in the meeting other than to record the meeting. A record of the meeting will be copied to the member of team staff and the Legal department.
  
7. Failing a satisfactory conclusion the matter will be referred to the Officers of the ASA who will receive a comprehensive report of the meetings to date. A meeting will be arranged between the Officers of the ASA and the member of team staff. Both parties will be entitled to invite a witness to attend the meeting. However, the witnesses may not participate in the meeting other than to record the meeting. The decision of the Officers will be final and the decision recorded and copied to the member of team staff and the Legal Department.

Reviewed and renumbered 30.11.2010

Reviewed and amended 08.01.2014