Dons Trust Board

Draft Disciplinary Policy

Document Owner: The Dons Trust Board

Change Procedure: This document can be changed by a simple voting majority of the members of the Dons Trust at a General Meeting

Last Reviewed: November 2025

Introduction

This document is drafted in accordance with the existing rules of The Dons Trust (the Society) and the Best Practice guidance issued by the Football Supporters' Association (The FSA).

Purpose

All members and Directors of the Society and its subsidiaries agree to be bound by the Rules and policies of the Society, which require that the conduct of members is not prejudicial to the interest or reputation of the Society.

This policy sets out the process by which the Society should investigate complaints or charges that a member may, directly or indirectly, have breached the terms of any Code of Conduct including but not limited to, the terms of membership, the Board Membership Policy and the Volunteer Code of Conduct that they have signed up to as a condition of their membership and/or any elected office.

It does not apply to employees of the Society whose conduct will be governed by a policy more specific to contractually employed staff or others working on specific paid projects.

Raising a Potential Policy Breach

A potential policy breach may come to light through a number of sources including, but not limited to:

- An Issue arising during a meeting that cannot be resolved by immediate intervention of the Meeting Chair to the satisfaction of all parties.
- Complaint from an individual Society member.
- An anonymous whistle-blower.
- Identified by employees or volunteers of the Society.

Complaints from individual Society members or anonymous whistle-blowers must be made in writing to the Secretary in the first instance. If the complaint relates to a member of the Secretariat, including Assistant Secretaries, the complainant should raise it with a member of the Board in writing using the Board Member's official email address.

Procedure

Alleged breaches will be addressed through the stages detailed below until resolved in accordance with this policy.

Stage 1 – Investigation

Consideration of evidence, and discussion with directly affected persons, by the Society Secretary (unless the Secretary is a subject of the action, in which case a Board member shall be appointed by a majority vote of the Board. The Board will not have any details of the subject of the Complaint shared with them or its nature, beyond information that is relevant to the selection of the Board Member who should deal with the matter in place of the Secretary).

At this stage the matter can be resolved by;

- Determining that there is no case to answer, or
- A resolution acceptable to all parties

The investigating officer will produce a brief report summarising the complaint, relevant parties, evidence considered and recommendations.

A Stage 1 investigation should aim to be completed, and report produced within 28 days of receiving an initial complaint. The report must provide a grading in line with the below Framework:

Severity	Description
A	• Serious breach or Code of Conduct and Society Objects or such multiple breaches of a less serious nature moderate nature of the Code of Conduct and Society Objects and other related policies • Has caused significant harm to another member • Has caused serious harm to the reputation of the Club • Any action which is motivated, instigated or attempts to undermine a person based on their protected characteristics under the Equality Act 2010 and / or the Society Rules and / or their income
B	• Moderate breach or multiple breaches of a minor nature of the Code of Conduct, Club Values and other related policies • Has caused significant embarrassment or discomfort to another member • Has caused minor damage to the reputation of the Club
C	• Minor breach of the Code of Conduct, Club Values and other related policies

Following the initial investigation by the investigating officer, they will make a decision as to whether the matter will be progressed to Stage 2.

If the matter is to be progressed to Stage 2, the investigating officer will collect the evidence and present the case for consideration by a Disciplinary Committee.

If the matter is progressed to Stage 2, the investigating officer may decide whether the accused party is to be suspended from society membership or have restrictions placed on their membership until the disciplinary process has been completed. The accused

party has the right to receive a summary reason for this decision, including items identified during the investigation and the grading determined above.

Stage 2 – Disciplinary Hearing

The Disciplinary Committee will consist of two members of the Society Board who are not the subject of the disciplinary action or otherwise connected to the Complaint or subject of the Complaint.

In addition, 2 other Society members (who shall not be the subject of the disciplinary action) shall sit on the Disciplinary Committee. These additional members will come from a pool of applicants from the Society's membership who can apply to be part of the pool at any time. The pool will be reviewed on an annual basis by the Secretary.

The additional members will be determined in the following way:

- The Board will review the pool for relevant expertise or experience based on the nature of the complaint and may select an individual on this basis. In addition, the Board may call upon ex-Board members who are still members of the society, if those members have the relevant expertise.
- Where the Board select a member from the pool based on expertise, one additional member of the pool will be selected at random.
- Where the Board do not select a member from the pool based on expertise, two members of the pool will be selected at random.

The Chair of the Disciplinary Committee will be a Society Board Member and shall have the casting vote if necessary.

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.

The Disciplinary Committee shall meet as soon as is practicable after it is constituted, ideally within 14 days of forming, and shall invite the member(s) concerned to attend or submit their version of events and/or mitigating circumstances. The subject of the complaint may request for an additional individual to attend the meeting in an observatory capacity, or to speak on their behalf.

A witness whose evidence is disputed by either party should be encouraged to attend the meeting.

The Disciplinary Committee shall act honestly and equitably in assessing the facts of the disciplinary case before it.

If the member(s) concerned fails to either attend or submit their version of events and/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.

If the case is upheld the Disciplinary Committee will determine an appropriate sanction to be applied as detailed below.

The Disciplinary Committee shall formally notify all parties and the Board of their conclusions alongside any sanctions to be imposed in writing.

A Stage 2 investigation should aim to be completed, and report produced within 28 days of the Committee's initial meeting.

There is no appeal or challenge process following the decision of the Disciplinary Committee, notwithstanding the right of any member to seek redress through the Society Rules dispute process.

Conduct of Investigations

At all times during the investigation the following rules and protocols will apply:

- All relevant documents and materials should be made available in advance to all parties.
- Investigations may be conducted through written exchange of communication, but the respondent has the right to request face to face proceedings (including through remote audio or visual channels). Either party may present the evidence of witnesses to material facts of the case.
- Confidentiality should be maintained until final resolution of the Complaint. At the conclusion of proceedings, the panel will attempt to agree a joint statement if appropriate.
- No person with a direct connection to the individual who is subject of the complaint or who is connected to material facts of the case can participate as part of a Disciplinary Committee.
- Any person who is involved with the initial informal consideration may not be involved in the Disciplinary Panel.

Potential Sanctions

Where a case is proven, sanctions should be applied that reflect the seriousness of the breach and any previous proven breaches of the relevant code by the accused person. Sanctions may include, but are not limited to one of more of the following:

- Mutually agreed resolution such as an acknowledgement or apology
- Written warning/reprimand
- Agreed corrective action by the accused member(s)
- Suspension or ban from using official social media / email accounts connected with the individual's role within the society

- Suspension from elected position on Board for a defined period
- Termination of elected position on Board
- Suspension of Society membership for a defined period
- Expulsion from the Society

No member expelled from membership because of disciplinary action shall be re-admitted except by a vote of two thirds of all Board Members at the time of application for re-admission.

Vexatious Complaints

The Society reserves the right not to engage with complaints that are deemed to be vexatious, malicious, or made with the intent to cause disruption rather than seek a genuine resolution.

In such cases, the complainant will be informed of the decision and the reasons for it.

This determination will be based on the nature, frequency, or tone of the complaint, and will be in line with our commitment to fairness and respect for all parties involved.

A complaint may be considered vexatious if it includes, but is not limited to, the following:

- Repeatedly making the same complaint with no new evidence or information.
- Using aggressive, abusive, or threatening language in communication.
- Making excessive demands on staff/Board time and resources disproportionate to the nature of the complaint.
- Seeking to harass or distress staff, Board or members through repeated or unjustified complaints.
- Complaints that are clearly intended to cause disruption or inconvenience.
- Refusing to accept a decision or outcome despite all appropriate procedures having been followed.
- Complaints based on knowingly false or misleading information.
- Unreasonable persistence or insistence on pursuing trivial or irrelevant issues.

Data and Confidentiality

All personal data, evidence and documentation gathered during the disciplinary process will be processed in accordance with the UK General Data Protection Regulation (GDPR) and the Association's Data Protection Policy.

Data will be stored securely and retained only for as long as it is necessary to fulfil the purpose for which it was collected and to meet legal or regulatory requirements.

Reports and related materials generated during the investigation or hearing process shall be treated as strictly confidential and made available only to individuals directly involved in the case, including the complainant, the respondent, any relevant society staff and members of the Disciplinary Panel.

All parties involved in the process, including witnesses and panel members, are expected to maintain confidentiality at all times, including after proceedings are concluded.

Where sanctions are imposed, the Society reserves the right to publish a summary of the outcome, including the nature of the breach and any sanctions applied, on its website or other official communication channels. Any such publication will be proportionate and, where appropriate, anonymized to balance transparency with privacy.

Reporting

The Board will produce an annual summary of cases handled through the Disciplinary Process which will include:

- The number of complaints received
- The number of complaints categorised as A, B, C or dismissed
- The number of complaints referred to a Disciplinary Hearing
- An anonymised list of outcomes

Status of this Code

This policy was approved by the Society's members at its meeting on [INSERT DATE] and agreed by the Members of the Society on [INSERT DATE] It may be revised at subsequent meetings by a simple voting majority of members.