

Terms of Reference:	Disciplinary Sub-Committee	TOR No:	BHFC01
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1. Terms of Reference

The Disciplinary Sub-Committee may conduct an inquiry where:

- Any Club Rules, Club By-Laws or Club Codes of Conduct have been breached.
- Any Burnside Heights Football Club (BHFC) By-Laws or Codes of Conduct have been breached.
- Any EDFL, AFL Laws of the Game or Codes of Conduct have been breached.
- Willful or negligent damage to Club property or the property of other BHFC member/s.
- Willful or negligent damage to opposition Football Club property or the property of other opposition Football Club member/s.
- Willful or negligent damage to BHFC property or property of BHFC representatives.

2. Procedures

To ensure fairness to all BHFC coaches, players, club non-player members, parents, supporters and officials, this document will outline the procedures in place for any disciplinary matters.

A code of conduct for all of BHFC is readily available at www.bhfcbeats.com.au/company/bears-burnside-heights-fc-policies.

The Disciplinary Sub-Committee (DISC) may commence an inquiry following the lodgement of a complaint received by the Club Secretary by email or mail. These complaints can be from:

- Opposition Club Secretary or Committee Member
- Current BHFC Committee Member
- Current BHFC Junior/Senior Football Club Member
- Current BHFC Junior/Senior Football Club Team Official
- A representative of the EDFL
- A representative of AFL Victoria

The DISC will initiate an inquiry where it does not relate to a criminal matter. In cases such as this, the DISC Chairperson will call Victoria Police.

The DISC will not investigate any complaints made anonymously or verbally.

The DISC will inform the BHFC Executive Committee of the progress of the inquiry at its earliest convenience, and at regular intervals until an outcome has been reached and communicated.

Written records and email correspondence of all complaints, inquiries, outcomes will be stored confidentially with the Club Secretary. The Club Secretary shall also maintain a confidential log of all disciplinary matters investigated by the BHFC DISC, regardless of the outcome.

In the event of a new Club Secretary, all confidential written records and email correspondence will be handed over for storage to the new Club Secretary.

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An overview of each incident, inquiry and outcome will be provided to the BHFC Executive Committee within 7 days of an outcome being reached and communicated to the member/s involved.

The BHFC member who has had a complaint lodged against them, will be provided with basic details of the complaint against him/her and will be given the opportunity to provide either a response in writing to the DISC, or in person.

A result of an inquiry cannot be established without contact being made with the Club member involved.

If the result of an inquiry by the DISC shows that an act of misconduct has taken place by a BHFC member/s, the DISC shall notify the Club member of any sanction being imposed. Notification must be made in writing (by letter or email) within 4 days of an outcome being reached, clearly outlining the reason/s for the sanction.

The DISC Chairperson will uphold and manage sanctions taken against BHFC member/s.

If the BHFC member involved is under 18 years of age, all correspondence and communications, shall be addressed to, and handled in conjunction with, the parent/guardian of the member.

At no time, will a Club member involved in an inquiry who is under 18 years of age, be contacted and/or interviewed without the presence of his/her parent/guardian.

3. Process

1. A written, or emailed, complaint against a BHFC member must be given to the Club Secretary.
2. The Club Secretary will add the complaint received onto the Club's confidential incident log.
3. The Club Secretary will forward the complaint to the DISC along with contact details of both the complainant, and the BHFC member who the complaint has been received about.
4. As soon as reasonably practical, the DISC may meet to review the complaint and consider to:
 - a. Take no action except to record the complaint or
 - b. Initiate an inquiry and/or investigation.
5. If an investigation is initiated, it is expected that the interviews will be held in the shortest time practical but allowing for:
 - a. All evidence to be collected
 - b. The BHFC member to be accompanied by a parent/guardian or friend/representative
6. If the BHFC member refuses to attend an interview being conducted by the DISC, the Chairperson may, at his/her discretion, continue with the investigation.
7. Written statements by the BHFC member or witnesses can be taken into account.
8. The DISC Chairperson must outline at the start of the interviews the purpose of the interview to all those present.
9. Once all interviews have been conducted, the DISC will meet to determine an outcome. A decision must be made by a majority vote.
10. The findings from the inquiry will be given to the BHFC member within 4 days of an outcome being reached.

