

AUSTRALIAN PONY CLUB COUNCIL INC.

DISCIPLINARY -MATTERS -A GUIDELINE

From time to time clubs encounter difficulties with one or more of their members.

These are sometimes the result of a breach of club or Association rules but more often are as a consequence of a misunderstanding, lack of communication, personality clashes or differences in perceptions and expectations.

Too often clubs take what they think is an easy way out and take action to expel the "offending" member. This rarely turns out to be the easy way which it first seemed. Not only can this cause severe disharmony in a club, but it has on occasions landed the parties in Court. Invariably this then involves the Association as a whole.

This Guideline is not meant to be an exhaustive treatment of the subject but may help to avoid some of the problems which can occur.

1. Identify the problem informally and ascertain whether it can be handled by a bringing together of the relevant parties to tally it over. However, if it is a serious matter this may not be appropriate.
2. If No. 1 does not address the problem: -
 - (a) Obtain formal written and signed statements from the persons making the complaint
 - (b) Call a committee meeting on a confidential basis and exclude all non committee members
 - (c) Consider the written submissions at committee. Do not take sides, do not listen to gossip or take into account statements which are not signed
 - (d) Make full notes of discussions and append these in a sealed envelope (after confirmation that they are correct and complete) to the minutes. Do not distribute these notes with the minutes but place them in a safe and confidential place for later reference.
 - (e) If, after full and dispassionate consideration, the committee is of the view that the matter is of sufficient seriousness that it should be taken further, then a letter should be sent to the "offending" person setting out the nature and particulars of the complaint and inviting that person to respond, in writing, within a reasonable time. If the "offender" does not respond, then send a reminder before proceeding further.
 - (f) When the "offender's" response has been received, the committee should reconvene to consider the response. The same procedure as in (d) should be adopted.
 - (g) If, after considering the response, the committee is of the view that the "offender" has been exonerated or that the matter is so trivial that no farther action should be taken then it should notify the "offender" of this. It should then also inform the complainants.
- (a) If, however, the committee considers that the written. response is inadequate or incredible it should invite the "offender" to attend at a committee meeting where he can make a verbal response and, if necessary, have others speak on his behalf. The committee should keep an open mind and not start thinking of penalties until this process is completed.
- (b) Once all this has been completed the committee should meet in confidence to consider its options. If the complainants are members of the committee it may be appropriate to exclude them from these considerations.
- (c) In considering its options, the committee should refer to the club's constitution

to ascertain the extent of its disciplinary powers. The committee should be aware that many constitutions are inadequate on the question of discipline and may not afford the "offender" natural justice. It is therefore always prudent to give the "offender" every opportunity to defend himself. Similarly, just because a constitution empowers a committee to expel or suspend a member, this should not be seen as the automatic penalty for all offending.

(d) In considering its options the committee should have regard to the following:

- (i) the age of the member
- (ii) the member's experience within the club
- (iii) the member's standing within the club
- (iv) whether the member has previously offended
- (v) past good works
- (vi) the seriousness of the matter (e.g. does it involve cruelty or improper conduct, especially in public)
- (vii) the effect that the disciplinary action will have upon the member and his family
- (viii) whether the member seems genuinely contrite and prepared to mend his ways

(e) The disciplinary options are as follows (these are not exhaustive)

- (i) counseling
- (ii) warning (either formal or informal)
- (iii) removal of privileges for a period of time
- (iv) withholding of prizes, certificates *or* awards
- (v) suspension from club, zone and/or state competition for a period of time
- (vi) suspension from rallies or restriction of activities at rallies
- (vii) withdrawal from other pony club activities (e.g. camps, squads, parades)
- (viii) suspension of club membership for a period of time
- (ix) impose a monetary penalty
- (x) expulsion ,

(f) The committee, having determined a course of action, should inform the "offender" of its decision in writing.. In

some circumstances it may wish to defer or suspend the expulsion or suspension upon the member entering into a formal agreement to mend his ways and right any wrongs done by him. Where a committee is of the opinion that a suspension of membership for a substantial time (e.g. 6 months) or expulsion is the appropriate penalty and where it is not intended to suspend such penalty then the committee would be wise to notify the senior executive of their State Association on a confidential basis before notifying the offender of its decision.

The committee should, in the case of (v), (vii), (viii) and (x) notify the Zone or Association (on a confidential basis) as appropriate. In all other cases, instructors or club officers who need to know of the penalty should be informed.

Where in doubt as to what should be done, seek the advice of the senior executive of the State Association. Remember always that it is better to give the "offender" the benefit of the doubt rather than make a decision or impose a penalty which later turns out to be unjustified. However, if at any time during this process you come to the conclusion that you have made a mistake or been too heavy handed, be big enough to admit it and make amends. The quicker you do this, the less "egg" there will be on your face!

Remember also that this is a voluntary organization comprised of people who are not necessarily perfect. Pony Club is for enjoying our horses and each other's company. We operate far better in an environment of tolerance, harmony and goodwill.