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Detail

Professional Conduct

BOARD DISCIPLINARY POLICY AND PROCEDURE

1. Introduction

Whilst Table Tennis England does not wish to impose unreasonable rules of conduct upon Board Members, certain standards of behaviour are necessary to maintain good relations and discipline in the interest of all on the Board and across the organisation. Table Tennis England prefers that discipline be voluntary and self-imposed, and in the great majority of cases this is how it works. However, it may be necessary for Table Tennis England to take action against individuals whose level of behaviour or performance is unacceptable.

It is not practicable to specify all disciplinary rules or offences, which may result in disciplinary action, as they may vary depending upon the nature of the work. In addition to the specific examples of unsatisfactory conduct, misconduct and gross misconduct shown in this procedure, a breach of other Conditions, Procedures, Rules, Regulations etc., within the Board Guidance Pack will also result in the Disciplinary Procedure being invoked to deal with such matters.

1.1 Rules Covering Unsatisfactory Conduct and Misconduct

The following Rules covering unsatisfactory conduct and misconduct are examples only. Board Members will be liable to disciplinary action if they are found to have acted upon any of the following:

- (a) Failure to abide by the general Health and Safety Rules and Procedures.
- (b) Consumption of alcohol (outside designated social occasions) and non-prescribed drugs whilst on official Board business.
- (c) Persistent absenteeism and/or lateness to all required Board or Sub Board Committee meetings.
- (d) Unsatisfactory standards of preparation for Board meetings on a persistent basis.
- (e) Objectionable or insulting behaviour towards other Board Members, employees, members, clients,

customers or members of the public.

- (f) Unauthorised use of email, organisational databases and Internet systems for personal use.
- (g) Failure to carry out all reasonable instructions as per Board Guidance Pack and other relevant regulations and procedures.
- (h) Failure to report immediately any damage to property or premises, involved in Table Tennis England activity, caused by you.

The above is intended as a guide and is not an exhaustive list.

1.2 Serious Misconduct

Where one of the unsatisfactory conduct or misconduct rules has been broken and if, upon investigation, it is shown to be due to a Board Member's extreme carelessness or has a serious or substantial effect upon our operation or reputation, the Board Member may be issued with a final written warning in the first instance.

1.3 Gross Misconduct

Offences under this heading are so serious that a Board Member who commits them will normally be Terminated as per the below process.

Examples of gross misconduct (see also above) include, but are not limited to:

- (a) Theft, fraud, unauthorised possession of Company property, deliberate falsification of records, or any other form of dishonesty.
- (b) Wilfully causing harm or injury to another Board Member, employee, client, visitor, supplier or customer, physical violence, bad language or grossly offensive behaviour.
- (c) Harassment or bullying of another Board Member, employee, client, visitor, supplier or customer.
- (d) Deliberately causing damage to the Company's property.
- (e) Causing loss, damage or injury through serious carelessness or gross negligence.
- (f) Extremely serious insubordination.
- (g) Serious incapacity at work through an excess of alcohol or non-prescribed drugs.
- (h) Possession, supply or use of illicit drugs.
- (i) A serious breach of health and safety rules.
- (j) Abuse of the Company's database, telephony, email and Internet systems.
- (k) Grossly indecent or immoral behaviour, deliberate acts of unlawful discrimination or serious acts of

harassing, bullying or victimising another board member, employee because of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality and ethnic or national origins), religion or belief, sex or sexual orientation.

- (l) Deliberate falsification of any records (including expense claims etc.) in respect of Board Members.
- (m) Working in competition with Table Tennis England.
- (n) Breach of confidentiality (including a failure to maintain confidentiality in an investigation relating to a complaint of harassment, but subject to the Public Interest Disclosure Act 1998).
- (o) Use of social media which breaches the Company's equal opportunities policy and/or disciplinary rules, or internet usage policies, or any laws or ethical standards, or which could bring the Company's name into disrepute.
- (p) Being convicted of a serious criminal offence.
- (q) Taking part in activities which result in adverse publicity to the Company or which cause the Company to lose faith in a Board Member's integrity.
- (r) Offering, promising, giving a bribe or requesting, agreeing to receive or accepting a bribe or bribing a foreign public official in connection with your role as a Board Member.

The above examples are intended as a guide and this is not an exhaustive list.

1.4 Discipline Procedure

Where one of the Unsatisfactory Conduct or Misconduct Rules (see above) has been broken and if, upon investigation, it is shown to be due to a Board Member's extreme carelessness or his/her serious misconduct, or it has a serious or substantial effect upon the Company's operation or reputation, the Board Member may be issued with a Final Written Warning in the first instance.

The Board Member may also receive a Final Written Warning, as the first course of action, if in an alleged gross misconduct disciplinary matter, upon investigation, is shown to have some level of mitigation and is treated as an offence just short of the Board requesting the resignation of the Board Member.

Minor faults will be dealt with informally through counselling, mentoring and training. However, in cases where informal discussion with a Board Member does not lead to an improvement in conduct or performance, or where the matter is more serious, for example, unauthorised ongoing absenteeism, persistently poor timekeeping, sub-standard performance due to negligence or lack of effort or application, etc., the following Disciplinary Procedure will be used. At all stages of the Procedure an investigation will be conducted.

Where poor performance is, in the view the disciplinary panel, due to a genuine lack of capability and not because of carelessness, negligence or lack of effort or application, it will instead follow the Capability Policy and Procedure set out in the Capability Procedure.

We will notify the Board Member in writing of the allegations against him/her and the potential severity of the alleged misconduct. The Board Member will be invited to a Disciplinary Hearing by an appointed subgroup of the Board to discuss the matter. Table Tennis England will provide sufficient information about the alleged

misconduct or poor performance and its possible consequences to enable the Board Member to prepare to answer the case. This will include the provision of copies of written evidence, including witness statements, where appropriate.

Having given the Board Member reasonable time to prepare his/her case, a formal Disciplinary Hearing will take place, conducted by the Senior Independent Director, at which the Board Member will be given the chance to state his/her case. The Board Member has the right to be accompanied, if requested, by a fellow Board Member of his/her choice. The Board Member must make every effort to attend that Hearing. At the Hearing, he/she will be allowed to set out his/her case and answer any allegations. The Board Member will also be given a reasonable opportunity to ask questions, present evidence, call relevant witnesses and raise points about any information provided by witnesses.

Following the Hearing, the Company will decide whether or not disciplinary action is justified and, if so, the Board Member will be informed in writing of the decision in accordance with the Stages set out below and notified of the Board Member's right to appeal against that decision.

It should be noted the Board Member's behaviour is not looked at in isolation, but each incident of misconduct is regarded cumulatively with any previous occurrences.

1.5 Disciplinary Action

Should the incident be deemed as a minor misconduct the Chairperson will issue an informal verbal warning.

Stage 1: Written Warning

If the Board Member is given a Written Warning, he/she will also be advised of the reason for the warning, how he/she needs to improve his/her conduct or performance, the time-scale over which the improvement is to be achieved, that the warning is the first stage of the Board Disciplinary Procedure and the likely consequences if the terms of the warning are not complied with. The Written Warning will be recorded but nullified after six months, subject to satisfactory conduct and performance.

Stage 2: Final Written Warning

Failure to improve performance in response to the Procedure so far, a repeat of misconduct for which a warning has previously been issued, or a first instance of serious misconduct or serious poor performance, will result in a Final Written Warning being issued. This will set out the nature of the misconduct or poor performance, how the Board Member needs to improve his/her conduct or performance, the time-scale over which the improvement is to be achieved and a warning that dismissal will probably result if the terms of the warning are not complied with. This Final Written Warning will be recorded but nullified after 12 months, subject to satisfactory conduct and performance. However, we reserve the right to extend the validity of the Final Written Warning to a maximum of three years in cases of very serious misconduct or where the Board Member has a history of misconduct issues.

Stage 3: Termination

Failure to meet the requirements set out in the Final Written Warning will normally lead to the removal from the Board under the Articles of Association section 26 - Termination of the appointment of a Director. A decision of this kind will only be made after the fullest possible investigation, which may result in an

Independent Investigation being undertaken should the Board feel it is more appropriate. Termination can only be authorised if the majority of the Board are in agreement as per Article 26.1. The Board Member will be informed in writing of the reasons for the request, the date on which his/her Board will terminate and there will be no opportunity for an appeal.

1.6 Suspension

In the event of serious or gross misconduct, the Board Member may be suspended from any Board activity while a full investigation is carried out. Suspension is a neutral act, which does not imply guilt or blame, and will be for as short a period as possible. Suspension is not considered to be disciplinary action. During the period of any suspension from duties, the Board Member may be required to comply with any or all of the following provisions

- (a) To comply with such conditions as the Organisation may specify in relation to your attendance at, or remaining away from, Company premises or Board activities.
- (b) To comply with such conditions as the Organisation may specify in relation to the Board Member not having contact with the clients, customers, suppliers and contractors or fellow Board Members (in the latter case, other than for the purpose of exercising the Board Member's statutory right to be accompanied at any disciplinary hearing).

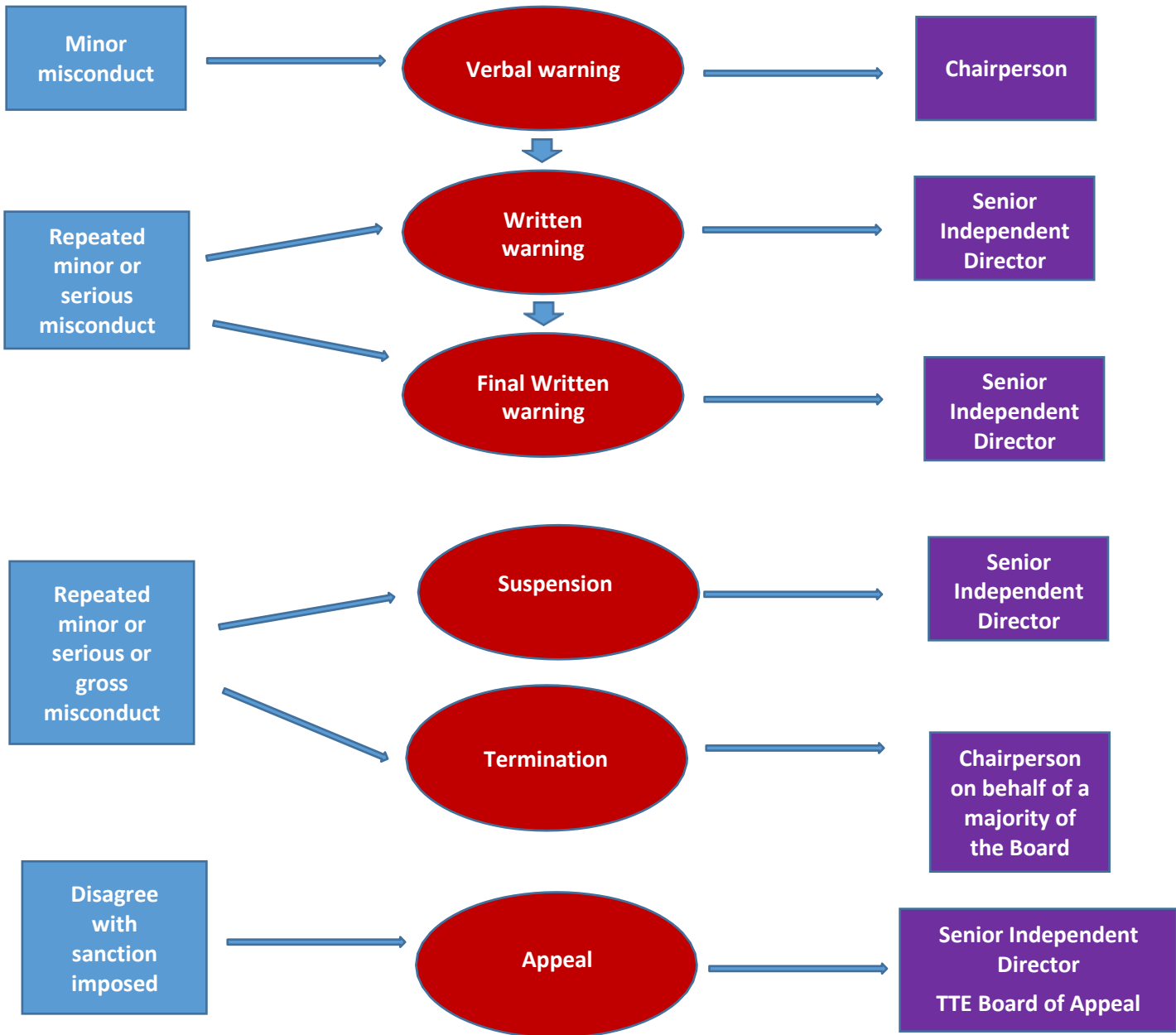
2. Appeals

The Board Member may appeal against any disciplinary decision, except termination, to the Senior Independent Director or Chairperson within five working days of the decision. If there is deemed to be a conflict of interest in the appeals process this can be referred to the Board of Appeal. Appeals should be made in writing, stating the grounds for appeal.

The Board Member will be invited to attend an appeal hearing chaired by the Senior Independent Director. At the appeal hearing, the Board Member will again be given the chance to state his/her case and will have the right to be accompanied by a fellow Board Member of his/her choice. Following the appeal hearing the Board Member will be informed in writing of the results of the Hearing.

The Company's decision on an appeal will be final.

Summary



Should it be deemed necessary by the majority of the Board at any point throughout this process, the Board can decide to undertake an Independent Investigation to ensure impartiality.

Associated Documentation	
1	Board Grievance Procedure
2	Board Guidance Pack
3	Capability Procedure
Associated Guidance / Legislation	
1	n/a
2	

Training on this procedure is required for:

- All Board members

Review:

The procedure is reviewed every two years or updated as and when necessary. The next review is: <i>insert date</i>			
Procedure Updates			
Issue No.	Description	Date	Action By
1 draft	New procedure		