

DERBY COUNTY CODE OF CONDUCT & DISCIPLINARY PROCESS FOR SUPPORTERS BOARD MEMBERS

Introduction

This code sets out the duties and responsibilities, standards of personal behaviour and conduct expected of members of Derby County Supporters Board ("SB")

Breach of this code may incur disciplinary action up to and including removal from their position under the provisions detailed in the disciplinary process.

Overview

The position of a SB member carries with it a responsibility not only to fellow SB members but also to the members of the supporters' groups individual members represent and the fanbase as a whole.

SB members also bear a general duty of care that their actions and decisions should be in the best interests of supporters.

Duties and Responsibilities

All SB members will be expected to:

1. Be a member or constituent (where applicable) of the respective group of representation for each season they are on the committee and throughout their term of office.
2. Attend all SB meetings, subject to exceptional circumstances and, in such absence, ensure apologies and any points to raise are passed to the Chair.
3. Submit items/questions on behalf of the respective group of representation to help inform the agenda at meetings.
4. Possess strong communication skills with a willingness to speak and share the views of the respective representative group at meetings.
5. Being available to meet and engage with SB members outside of meetings as and when reasonable.
6. Raise urgent fan issues, feedback or complaints.
7. Acting as a representative and as the main point of contact for supporters to raise issues or concerns directly with fellow SB members, and as such agree to providing a public facing email address
8. Provide feedback to represented groups following meetings.

9. Preserve the integrity of the Memorandum of Understanding and the Equality and Diversity statement at all times.
10. Present an agreed and consistent position and observe collective responsibility, particularly in the public arena and on social media.
11. Be willing to have a public profile published on any relevant media/website.

Standards of Behaviour

In all duties carried out within and on behalf of the SB, members are expected to show appropriate standards of behaviour. This is necessary in order that the SB can function properly, that it can play its appropriate part in supporter representation, and that the SB's good name and reputation is maintained.

SB members will observe the following general standards:

12. In their dealings with each other, on public platforms and with the Club, treating people politely, fairly, and with respect in all forms of verbal and written communication (including social media);
13. In all dealings with each other, on public platforms and with the Club, refraining from discriminatory language and behaviour, including upholding at all times the protected equality characteristics of others as set out in current Equalities legislation. As a minimum these include age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity;
14. When communicating or otherwise commenting on SB policies and interests, in either an official or unofficial capacity, always to act in accordance with collective responsibility.
15. On public occasions and on all SB business, behaving in a way which is appropriate for a representative of such a group. This includes not bringing the SB into disrepute in any context.

Meetings

At all meetings, SB members will observe the following:

16. Accepting the authority of the Chair of any meeting, expressing all questions and points of view through the Chair;
17. Listening to the views of colleagues seeking advice or clarification where needed, expressing their own views, and coming to their own decision on individual matters in good faith in what they believe to be in the best interests of the SB;
18. Not resorting to behaviour that could be considered to be discriminatory, offensive, aggressive or intimidating;

19. Keeping to the agenda, raising other issues under “any other business” according to agreed procedures, and not engaging in discussions during the meeting which are not relevant to the issues of the meeting.

Confidentiality

A major objective of the SB is to improve the flow of information between the Club and its supporters. This must however occur on the basis of mutual trust. For the SB to be effective members must respect each other, their views, any collective decisions made and recognise items identified as confidential.

20. Any matter offered by any member of the SB on a confidential basis will be governed by the Confidentiality Agreement.

Conflicts of Interest

21. SB members must disclose to the Chair any material interest which they, their spouse or partner, close family member, or close friend or business associate holds in any agenda item listed for discussion.
22. Any such interest will be recorded in the meeting minutes.
23. For the avoidance of doubt, it is the responsibility of each SB member to be proactive in notifying the Chair of any potential conflicts.
24. Unless the SB collectively decides otherwise, the Chair’s decision as to whether there is a conflict is final.
25. Unless a prior decision is taken to the contrary, no SB member may take part in any discussion on a matter in which they have an interest, or take part in any decision, or vote on any associated resolution and should leave the meeting while the matter is considered.

Breaches of Code and Disciplinary Procedure

26. Any member of the SB who:

- Ceases to comply with the criteria set out in this SB Membership and Conduct Policy; or
- Resigns

Is to vacate the office of SB member.

27. Any member of the SB who fails without good cause to attend 3 consecutive SB meetings is to vacate the office of SB member if required to do so by a majority of the other SB members.
28. Where a SB Member is deemed by a majority of the Board to be in breach of any element of this Code or any other adopted policy, the process laid out in the Disciplinary Policy below should be followed.

29. If a Disciplinary Committee is formed, the SB member(s) concerned will be suspended until the Disciplinary Committee meets and shall not be entitled to vote nor attend SB meetings for the period of suspension.

Raising a Potential Policy Breach

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

- Issue arising during the course of a meeting that cannot be resolved by immediate intervention of the Meeting Chair to the satisfaction of all parties;
- Complaint from a SB member
- An anonymous whistle-blower
- Complaint from Club representative

Procedure

31. In the first instance there is a commitment to undertake informal consideration of evidence, and discussion with directly affected persons, by the SB Chair (unless they are the subject of the action, in which case the Vice Chair shall be appointed)

32. At this stage the matter can be resolved by;

- Determining that there is no case to answer, or
- Amicable resolution to the satisfaction of all parties

33. If stage one is unsuccessful the SB shall form a Disciplinary Committee ("the Disciplinary Committee") to determine the facts relating to the matter and take such measures as the Committee sees fit.

34. The Disciplinary Committee will be led by of the Chair or Vice Chair of the SB unless one or both is the subject of the disciplinary action, in which case another member of the SB will be selected by majority vote as Chair of the Disciplinary Committee.

35. In addition, 2 other members of the SB (who shall not be the subject of the disciplinary action) shall sit on the Disciplinary Committee.

36. The Chair of the Disciplinary Committee shall have the casting vote if necessary.

37. 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.

38. The Disciplinary Committee shall meet as soon as is practicable after it is constituted and shall invite the member(s) concerned to attend or submit their version of events and/or mitigating circumstances.

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

40. 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.
41. If the case is upheld the Disciplinary Committee will determine an appropriate sanction to be applied as detailed below.
42. The Disciplinary Committee shall formally notify all parties and the SB of their conclusions alongside any sanctions to be imposed in writing.
43. There is no appeal or challenge process following the decision of the Disciplinary Committee.

Conduct of Investigations

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

44. All relevant documents and materials should be made available in advance to all parties.
45. Cases 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)
46. Either party may present the evidence of witnesses to material facts of the case.
47. Confidentiality should be maintained until the final resolution. At the conclusion of proceedings, the panel will attempt to agree a joint statement if appropriate.
48. No person with a direct connection to the accused or who is connected to material facts of the case can participate as part of a Disciplinary Committee.
49. Any person who is involved with the initial informal consideration may not be involved in the Disciplinary Panel.
50. The accused may request a person to attend proceedings alongside them as an observer.

Potential Sanctions

51. Where a case is proven, sanctions should be applied that reflect the seriousness of the breach and any previously proven breaches of the relevant code by the accused person. Sanctions may include, but are not limited to one of more of the following:
 - No action necessary
 - Mutually agreed resolution such as an acknowledgement or apology
 - Written warning/reprimand
 - Agreed corrective action by the accused member(s)
 - Suspension from SB for a defined period

- Expulsion from the SB

52. No member expelled from the SB as a result of disciplinary action shall be re-admitted except by majority ruling of the SB.